HER MAJESTY'S GOVERNMENT

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

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REPRESENTING THE SPEAKER’S COMMITTEE FOR THE INDEPENDENT PARLIAMENTARY STANDARDS AUTHORITY—Mr Charles Walker, MP
REPRESENTING THE HOUSE OF COMMONS COMMISSION—The Rt Hon. Tom Brake, MP
CHAIRMAN OF THE PUBLIC ACCOUNTS COMMISSION—The Rt Hon. Sir Edward Leigh, MP
House of Commons

Monday 11 March 2019

The House met at half-past Two o’clock

PRAYERS

[Mr Speaker in the Chair]

Oral Answers to Questions

EDUCATION

The Secretary of State was asked—

Sixth Form Curriculum

1. Matt Western (Warwick and Leamington) (Lab): What steps he is taking to support schools to deliver a diverse curriculum to sixth forms.

The Minister for Apprenticeships and Skills (Anne Milton): We want young people to have a range of options so that they can mature and develop the skills they will need in adult life. There was a wide consultation on reforming A-levels to ensure that they meet the needs of the future, and the new T-levels will increase the options available. I should add that £600 a year for each additional student taking maths A-level to increase take-up is now on the table.

Matt Western: The Minister will be well aware that we have seen a significant reduction in the take-up of subjects at sixth form level, with a 57% reduction in German, a 38% cut in Spanish, a 35% cut in French and a 38% drop in science, technology, engineering and maths—STEM—subjects. This is down to a 21% real-terms cut in education funding for sixth forms. Does she not share my concern that the young people in the secondary schools in my area will not have the same opportunities as we enjoyed when we were at school?

Anne Milton: We recognise that there is an issue around languages, but when I think about some of the good work that is being done on STEM subjects in particular, I am very impressed with what is going on.

21. Vicky Ford (Chelmsford) (Con): Given that the UK has one of the lowest levels of women engineers anywhere in Europe, what steps are being taken to encourage girls to study physics as well as maths at A-level?

Anne Milton: It is extremely important that girls and women have exactly the same opportunities and are represented at all levels, not only in engineering. We know that 44% of our STEM ambassadors are female, and we are investing in programmes such as the advanced maths support programme and the stimulating physics network, both of which help to increase participation, particularly among girls. I have seen lots of apprentices over the past week, and interestingly, more than a quarter of the apprentices in STEM subjects are women.¹

Nic Dakin (Scunthorpe) (Lab): With more than three quarters of schools and colleges post-16 reporting a significant reduction in support for extracurricular services and in all other means of supporting students, such as mental health services, is it not time to raise the rate and to address this real problem in post-16 funding?

Anne Milton: I know that the hon. Gentleman has been a doughty champion of raising the rate, not least as a result of his experience in the education sector. I visited a sixth form college last Friday, and I am aware of the challenges that they are facing, as is the Secretary of State. We have protected base rates, but of course all this will be looked at in the context of the spending review.

¹[Official Report, 19 March 2019, Vol. 656, c. 5MC.]
Mr Philip Hollobone (Kettering) (Con): The curriculum, diverse or otherwise, can be successfully delivered only if students attend. Will the Minister condemn the growing trend of students going on strike to protest against current political issues?

Anne Milton: My hon. Friend believes that it is a growing trend; I do not know that it is a trend. I think we all agree that it is good when young people are passionate about the issues that they care about. I do not believe that anybody should go on strike as such, but I am sure that those students made up their studies in their own time and at weekends.

Jo Swinson (East Dunbartonshire) (LD): The 15,000 young people who protested about climate change last month in the Youth Strike 4 Climate were passionate and committed. Instead of condemning them or branding their actions as truancy, as some would do, would it not be better for the Government to review the curriculum to ensure that greater importance is attached to the urgency of attending to the ecological crisis that we face?

Anne Milton: We would like to see those young people who have an interest in climate change becoming the engineers and scientists of the future, particularly the young women among them. It is important that people who care passionately about these subjects should use that passion to take up careers that will make a real difference to our climate.

Angela Rayner (Ashton-under-Lyne) (Lab): In the past few days, research has exposed one of the devastating impacts of cuts to the curriculum in schools and sixth forms: music provision has fallen by over a fifth in five years, with schools in the most deprived areas suffering the worst. That was among the concerns raised by 7,000 headteachers last week, but the Secretary of State refused to meet them. Let me make it clear that I would happily meet those headteachers any time. The question is: will the Education Secretary now agree to do the same?

Anne Milton: Yes, we have invested £500 million in music and the arts. To put that into context, the hon. Lady should be aware that the Secretary of State met headteachers on Thursday, Friday and Saturday. He did not meet any on Sunday, but I am sure that he will meet those headteachers on Thursday, Friday and Saturday. He did not meet any on Sunday, but I am sure that he will meet those headteachers on Thursday, Friday and Saturday. He did not meet any on Sunday, but I am sure that he will meet those headteachers on Thursday, Friday and Saturday.

Mr Speaker: Order. Please stop issuing instructions to withdraw. The statement from the Minister was borderline, because there can be no accusation of anything other than honesty in the Chamber, so I was happy to leave it there. I do not require advice or help from any other quarter.

Free Schools

2. Dominic Raab (Esher and Walton) (Con): What progress he is making on increasing the number of free schools.

The Secretary of State for Education (Damian Hinds): There are 443 open free schools, and we will establish another 263. Today, I announced the approval of a further 37 special free schools and two alternative provision schools. In the spring, we will announce the successful applications from wave 13, and we recently published the wave 14 applications.

Dominic Raab: Cobham Free School’s secondary department has been in temporary accommodation since 2014. While it is welcome that the sixth form is moving in to the new site at Munro House in September, the rest of the pupils will not join them until 2021, which is frustrating for pupils and parents and will cost over £1 million. Will the Secretary of State see whether more can be done to seek early vacant possession, given the additional money and expense that would otherwise go on temporary accommodation, to get those children into the permanent site as soon as possible?

Damian Hinds: I commend my right hon. Friend for his ongoing work with the Cobham Free School and the upcoming project at Heathside Walton-on-Thames. He has met my noble friend Lord Agnew to discuss vacant possession and, as he knows, there have been delays in trying to get it, but I would be happy to meet him to discuss the matter further.

Ruth Smeeth (Stoke-on-Trent North) (Lab): Whether free schools or not—a policy I disagree with—Stoke-on-Trent now has a huge gap in the number of places available at secondary schools to the point where 11 of my 14 secondary schools are oversubscribed, with some constituents having to get three buses to get to their allocated school in September. What is the Secretary of State planning to do about that?

Damian Hinds: This decade we are on course to create 1 million new places in schools across the country. It will be the largest expansion in school capacity in at least two generations, following the net loss of 100,000 places during the last six years of the Labour Government. Although there will always be individual situations that we need to address—we have a capital programme to do that, and I will be happy to meet the hon. Lady to discuss it—there are now tens of thousands fewer pupils in schools that are over capacity.

Robert Halfon (Harlow) (Con): In The Times on Friday, the Secretary of State said that “an exclusion should not just be the end of something but be the start of something new and positive.” What is he doing to address the postcode lottery of alternative provision, particularly in areas with high amounts of exclusion? Why does the latest free school wave contain just two free schools with alternative provision? What is he doing to change that?

Mr Speaker: Three questions truncated into one.

Damian Hinds: Some alternative provision free schools are already open, and there will be more over time, and my right hon. Friend is right that today’s announcement contained two more. Like him, I have seen some outstanding alternative provision in our country, and we need to ensure that that happens everywhere.
Layla Moran (Oxford West and Abingdon) (LD): Today’s announcement of 37 new free schools to deal with exclusions is all very well, but the fact is that the reason why headteachers feel that they have to exclude pupils is that there is simply not enough money in special educational needs and disability provision in the first place. More is not enough from this Government. When will the Secretary of State finally fund SEND provision properly?

Damian Hinds: As the hon. Lady knows, there is more money going into high needs provision—£6 billion. However, it is also true—that is implicit in what she says—that there are greater demands on the system. That is why we brought forward as a first stage the package that I announced a few months ago, including the extra revenue funding and extra capital funding, but we know that there is more to do.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): Parents and children in Middlesbrough were left angry and upset last week by the announcement that 100 pupils will not receive a secondary school place in the town from September and will instead be placed with neighbouring authorities. A key cause of that is population growth. Middlesbrough Council is supporting a bid for a new free school in Middlehaven, so will the Department expedite it as a matter of urgency?

Damian Hinds: As I said to the hon. Member for Stoke-on-Trent North (Ruth Smeeth), there are areas where we need to continue creating new school places. That is why we have already created over 800,000 school places since 2010 and are on course for 1 million new school places over the decade.

On the free schools process, we expect to announce the outcome of wave 13 before too long.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): Instead of increasing the number of free schools, will the Secretary of State look at how we could improve the quality of the free schools we already have? Plymouth School of Creative Arts does exceptional work in some respects, but it is failing in others. Will he look at investing more in making sure such failing and troubled schools give our kids the education they deserve?

Damian Hinds: That is at the heart of what we do. That is why we have Ofsted and a school improvement programme, and it is why we encourage schools to learn from one another. One of the main reasons we have multi-academy trusts is so that they are able to work together. I think the hon. Gentleman will be meeting my right hon. Friend the Minister for School Standards, who takes a close interest in Plymouth schools, to make sure the very best can be done.

School Standards

3. John Stevenson (Carlisle) (Con): What recent steps his Department has taken to raise standards in schools.

The Secretary of State for Education (Damian Hinds): We have reformed the curriculum and ensured we have rigorous qualifications so that employers and young people themselves can take full confidence in them.

John Stevenson: At the end of the day, the most important thing that matters is that a child’s education is one that gives them the greatest opportunity in life. Although resources are clearly very important, what also matters is the quality of teaching, the learning environment and, above all else, leadership within schools. Does the Minister agree it is those ingredients that will really make the difference to a child’s education and to standards within schools?

Damian Hinds: I agree with my hon. Friend, and we will be investing over £20 million by 2020 through our teaching and leadership innovation fund. On Saturday I had the opportunity to talk about the benefits of diversity in leadership at the “Break the Cycle” event, and I take this opportunity once again to thank and pay tribute to teachers and leaders in our schools throughout the country.

Bridget Phillipson (Houghton and Sunderland South) (Lab): Half of all secondary schools in Sunderland are judged by Ofsted to be inadequate or requiring improvement. Small-scale initiatives are always welcome, but it is clear that the issues we face are much greater. When will the Secretary of State get to grips with the deep-seated problems we face in areas like the north-east?

Damian Hinds: As it happens, on Thursday—in three days’ time—we have a session with Opportunity North East to look specifically at working directly with secondary schools in the north-east. The hon. Lady is right to identify that there is a particular issue in parts of the north-east, where primary schools have strong and outstanding results, as do nursery schools, but we clearly need to do more for secondary schools, which is partly what we will be looking at on Thursday.

Neil O’Brien (Harborough) (Con): Some of the very highest standards in our school system are in small village primary schools. When the national funding formula is reviewed, will the Minister provide additional support for these hugely important rural institutions?

Damian Hinds: Of course I recognise the value of rural schools, not least as a constituency MP—I have many brilliant rural schools in my constituency. As we come to look again at the formula, of course we will look at how the different elements work to make sure that all types of schools are supported.

Mr Speaker: The hon. Member for Harborough (Neil O’Brien) is a jolly lucky fella to get in at Question Time, as he withdrew his own question. He is a very busy fella, with many commitments and a very full diary, but I got him in early, which I know he duly appreciates.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): Surely it is impossible to raise standards in schools when 15.93% of children with special educational needs and disabilities are excluded, compared with 3.6% of children without special educational needs. What is the Minister doing to address this stark difference in exclusions?

Damian Hinds: Of course it is a matter of concern that some groups are more likely to be excluded than others, particularly when it comes to children with special educational needs, who deserve and must have our particular attention. The hon. Lady will know that
there is an ongoing review by Edward Timpson, the former schools Minister, and we expect to hear back on that quite soon.

Rebecca Pow (Taunton Deane) (Con): Two thirds of children who are excluded from school are found to have speech, language and communication difficulties. Tackling this at an early age would make a real difference to their life chances and, indeed, to the standards they achieve at school, so will my right hon. Friend please outline what the Government are doing to show they realise this and to tackle it?

Damian Hinds: My hon. Friend is, of course, exactly right on that. The very earliest development of speech and language is crucial; someone who arrives at school unable to communicate fully just cannot access the rest of the curriculum. That is why I have set out the ambition to halve that gap in early language development. It is also why we must look at the home, because what happens in school and nursery is not the whole picture. We have to think about the home learning environment and make sure we are giving as much support to parents as possible.

Alan Brown (Kilmarnock and Loudoun) (SNP): Standards in schools are wholly dependent on the development of languages, for example, we could do more, and of course we will always look at the immigration system and make sure that the highly skilled people we need for our system are welcome.

Damian Hinds: A relatively low number of teachers from other EU countries are working in our education system. For the development of languages, for example, we could do more, and of course we will always look at the immigration system and make sure that the highly skilled people we need for our system are welcome.

Disadvantaged Children: Attainment Gap

4. Sir David Evennett (Bexleyheath and Crayford) (Con): What progress has he made on closing the attainment gap for disadvantaged children.

Damian Hinds: Of course, my right hon. Friend is correct on this, which follows on from the question asked by my hon. Friend the Member for Taunton Deane (Rebecca Pow). We are investing more than £100 million in our early years social mobility programme, including for professional development for early years practitioners and in grant support for the home learning environment, as I was outlining. Across the country, more than 150,000 disadvantaged two-year-olds benefit from the 15 free hours entitlement, 540 of whom are in the Bexley local authority area.

Nigel Huddleston: Quite a few children from disadvantaged backgrounds in my constituency start school with English as a second language. That is one reason why my constituency ranks relatively low on reading skills and in social mobility indices. What is the Secretary of State doing to enhance English-speaking skills in the very early years at nursery and in primary school?

Damian Hinds: My hon. Friend is correct about this; at the early years foundation stage, providers have to make sure that there are sufficient opportunities for children whose home language is not English to learn and reach a good standard in the English language.

Anne-Marie Trevelyan: Rural poverty means that children in north Northumberland are doubly disadvantaged in terms of educational opportunities. Headteachers such as Nicola Mathewson at Rothbury First School, in my most sparsely populated rural community, are struggling to balance budgets because of the apprenticeship levy forced on them there. This money cannot be spent on a teaching assistant to help with reading or maths. Will the Minister meet me to discuss how we can free up these funds by correcting what I assume was an oversight in respect of excluding small rural schools when the apprenticeship levy framework was put together?

Damian Hinds: Of course, I would be very happy to meet my hon. Friend. Friend to discuss how we can make sure that apprenticeships do work for the Rothbury First School and others in her constituency. Local authorities, which are the levy payers in this case, should ensure that schools can benefit from apprenticeships; they can combine the levy across schools or share apprentices to ensure that the money is best spent.

Lucy Powell (Manchester Central) (Lab/Co-op): As the Secretary of State will be aware, one institution that does close the disadvantage attainment gap in the early years is our valued maintained nursery schools. As hundreds of headteachers gather in Parliament today to lobby their MPs before we go on a march to Downing Street, may I, first, pay tribute to the children's Minister, the Under-Secretary of State for Education, the hon. Member for Stratford-on-Avon (Nadhim Zahawi), for securing the down payment of £24 million for these maintained nursery schools? May I also ask the Secretary of State to redouble his efforts and work across government to make sure they have a long-term, secure funding stream?

Damian Hinds: I thank the hon. Lady for her kind words about the schools Minister. [Interruption.] I mean the children's Minister. Did I say schools Minister?
Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Will the Secretary of State listen to a little bit of advice? A lot of people in the educational world want him to be a big beast. They want to know what he stands for and what he is passionate about. If he cannot be passionate about identifying which little children have talent but are lost to the system by the time they get to 11, he will be nothing. Why does he not take it seriously, bring back children's centres and early years support, and do something about underprivileged children as early as possible? Be a big beast!

Damian Hinds: Wow. I believe my commitment to social mobility and closing the disadvantage gap is strong. I used to chair the all-party group on social mobility before I came into this job, and believe that social mobility is at the very heart of what we do. It is the core purpose of the Department for Education to ensure that every child, whatever their background, has the maximum opportunities available to them. I gently remind the hon. Gentleman that since the party of which he is a member was last in government, we have narrowed the disadvantage attainment gap at every stage—from nursery to primary, through secondary and into higher education.

Patricia Gibson (North Ayrshire and Arran) (SNP): The average student support in Scotland was up 1.4% in 2017-18. Does the Secretary of State agree that the SNP Scottish Government’s approach of supporting students, rather than charging prohibitive fees, explains why in Scotland the gap between students from the most and the least deprived communities achieving a positive destination has halved since 2009-10?

Damian Hinds: It may come as no surprise to anyone at all that I am not about to commend the Scottish Government for their approach. Actually, in the last few years England has seen record rates of young people from disadvantaged backgrounds being able to go to university. We need to work further on not only access but successful participation, bringing down drop-out rates and increasing completion rates, and making sure that everybody has full access to the most stretching opportunities available to them.

Carol Monaghan (Glasgow North West) (SNP): We know that per pupil spending in England has fallen by 8% in the past 10 years, which has led to many schools now having to rely on substantial parental funding—in some cases, it is up to £1,200 per year. How is the Department ensuring that schools in disadvantaged areas are able to continue to deliver for pupils, given that the parents in such areas cannot possibly consider contributing such fees?

Damian Hinds: The simple truth is that that gap has been narrowing in England. I will take no lessons from SNP Members, whose Government in Scotland are failing to narrow the gap.

Tracy Brabin (Batley and Spen) (Lab/Co-op): As we have heard from Members from all parties, communication, articulacy and oracy are the absolute keys to closing the disadvantage gap. A child with poor vocabulary at five and under is twice as likely to be unemployed at 30. We know that high-quality early years education can make a massive difference for disadvantaged children. I commend my hon. Friend the Member for Manchester Central (Lucy Powell) for mentioning the heads of maintained nurseries who are campaigning outside No. 10 right now. Sadly, the Secretary of State chooses to lock the most disadvantaged youngsters out of the 30 hours of free childcare. Does he not agree that to make a serious attempt at closing the disadvantage gap, he must drop the requirement that both parents have to be in work to qualify for entitlement to 30 hours of free childcare?

DAMIAN HINDS: There are currently 154,960 disadvantaged two-year-olds benefiting from the 15 hours’ free entitlement programme—a programme that was never available under any Labour Government. As for the increase in eligibility from 15 to 30 hours, that supports working families and helps to sustain employment. I gently remind the hon. Lady that we have record levels of employment in this country and the lowest level of unemployment we have seen since the mid-1970s.

Several hon. Members rose—

Mr Speaker: Order. Progress is very slow, so we need to speed up. There are a lot of questions to get through; short questions and short answers would facilitate us in the process.

Post-18 Education and Funding Review

5. Ben Bradley (Mansfield) (Con): What progress his Department has made on its review of post-18 education and funding.

The Minister for Universities, Science, Research and Innovation (Chris Skidmore): The Government’s post-18 review is making good progress. As part of the review, the independent panel chaired by Philip Augar has undertaken an extensive programme of stakeholder engagement and evidence-gathering with students, graduates, providers and employers, including a call for evidence that received more than 400 responses. They are producing a report that will form part of the wider post-18 review and this will be published shortly.

Ben Bradley: I thank the Minister for that answer. There have been rumours in this place about the possibility of reduced or variable tuition fees forming part of the proposals from the Augar review. In my opinion that misses the point; it is actually the cost of living and maintenance rather than tuition that causes accessibility problems at universities. Can my hon. Friend assure me that the Government will properly consult the sector on any recommendations and seek to follow the evidence, rather than offering quick fixes and good headlines?

Chris Skidmore: I agree that we want to maintain the financial stability of our world-class higher education and research sector. I congratulate many universities on their appearance in the QS World University Rankings last week. That is why, when the Government conclude
the review, we will ensure that people from every background can progress and succeed in post-18 education to contribute to a strong knowledge economy and deliver the skills that we need.

Support for Pupils with Special Educational Needs and Disabilities

6. Anna Turley (Redcar) (Lab/Co-op): What steps he is taking to support pupils with special educational needs and disabilities. [909680]

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): The special educational needs reforms of 2014 were the biggest in a generation. In December 2018, we announced a further £250 million in high-needs funding over the two years, bringing the total to £6.1 billion this year and £6.3 billion in 2019-20. We announced today that 3,500 extra school places will be created for pupils facing the biggest challenge in their education, with 39 new free schools to support children with special educational needs or those who have been excluded from mainstream schools.

Anna Turley: I appreciate the Minister’s response and announcement, but it does not yet recognise the reality that schools are facing. One of my primary school teachers told me last week:

“SEND funding is in crisis. We have pupils who have been promised a place at schools with a special educational needs base, but due to a lack of this specialist provision, pupils have had to remain at our school. We cater for their needs as much as we possibly can.”

The reality is that those pupils are not getting the care that they deserve. We have only one chance of giving our children the best start in life. Minister, will you look again at the needs of all pupils being met, particularly those with special needs?

Nadhim Zahawi: That is exactly what we are doing. Today’s announcement of 37 special free schools is on top of the 88 special free schools and 54 alternative provision schools that are already either open or in the pipeline. The announcement today is in addition to that provision, which is why we are doing that. Additionally, we have put £100 million into increasing capacity in mainstream schools as well as increasing the high-needs funding for local authorities.

Suella Braverman (Fareham) (Con): The Federation of Heathfield and St Francis Special Schools provides invaluable learning opportunities for more than 200 children with special educational needs in Fareham. Will the Minister join me in paying tribute to the inspirational head, Steve Hollinghurst, whose record of service spans 36 years, and will he set out what further support there is for these essential schools so that they can continue providing this support for our most vulnerable children?

Nadhim Zahawi: I certainly join my hon. Friend in praising Steve for the work that he has done. Today’s announcement provides a portfolio of provision in local areas. Almost every local authority will benefit from this increase in provision.

Dr Paul Williams (Stockton South) (Lab): This morning, I met students on the foundation skills course at the excellent Stockton Riverside College, which also operates in the constituency of my hon. Friend the Member for Redcar (Anna Turley). What is the Minister doing to support colleges to deliver foundation skills courses to young people with high needs such as learning disabilities, including those whom I met this morning?

Nadhim Zahawi: Colleges do absolutely critical work, and they do brilliant work with special needs children. I have seen it for myself at Hammersmith and Derwent colleges, and we continue to support those colleges.

James Gray (North Wiltshire) (Con): Parents of children with SEN very rarely welcome the closure of their schools, and I say respectfully that we must treat the parents in Chippenham and Trowbridge with great sensitivity. None the less, does the Minister not agree with me and welcome Wiltshire Council’s great vision in spending £20 million on building a state-of-the-art school at Rowdeford, which will bring children from across the whole of North Wiltshire to an absolutely superb facility?

Nadhim Zahawi: I agree with my hon. Friend. That Wiltshire is doing a tremendous job in SEND provision. The inspection by Ofsted and the Care Quality Commission has been exemplary. There is a legal challenge to the investment of £20 million and it would be inappropriate for me to comment on that. I know that neighbouring colleagues take a different view as well.

Mrs Emma Lewell-Buck (South Shields) (Lab): Restraint and restrictive practices in schools and healthcare settings carried out by adults on children as young as two with SEND have caused bruising, black eyes, carpet burns and post-traumatic stress disorder. Guidance promised half a decade ago has yet to materialise, and the Department does not count these complaints. Fed-up parents are preparing to take legal action against the Government. Despite today’s announcement of placements for children with complex needs, should not the Minister be focusing on the fact that, on his watch, some schools are no longer a safe place for children with SEND?

Nadhim Zahawi: I had hoped that the hon. Lady would commend today’s announcement and confirm that she takes a different view from her Front Bench on abolishing free schools. If we abolished these very good free special schools, we would actually put more children with SEND at risk. We are undertaking a root-and-branch review of restraint with the Department of Health and Social Care, and we will be reporting back.

School Funding: Distribution

7. Andrew Bridgen (North West Leicestershire) (Con): What steps his Department is taking to ensure that school funding is equitably distributed. [909681]

The Minister for School Standards (Nick Gibb): In 2018, we introduced the national funding formula, which distributes funding based on schools’ and pupils’ needs and characteristics, not accidents of location or history. Since 2017, we have given every local authority more money for every pupil in every school, while allocating the biggest increases to the most underfunded schools.
Andrew Bridgen: I thank the Minister for that answer, but given that the national funding formula only reduces the funding disparity by some 5%, when does he think his Department is going to fulfil our manifesto promise of creating fair funding for all schoolchildren, and will he meet me and colleagues from Leicestershire to discuss these matters?

Nick Gibb: I will certainly meet my hon. Friend and his colleagues from Leicestershire. The national funding formula is delivering rapid gains for the most underfunded schools while also ensuring stability for all schools. By 2019-20, schools in Leicestershire will receive 5.5% more funding per pupil compared to 2017-18, or £31.5 million more in total. In 2019-20, 92% of schools in Leicestershire will already be attracting their full gains under the national funding formula.

Dr Rosena Allin-Khan (Tooting) (Lab): I am here on behalf of Balham Nursery School and Children’s Centre in my constituency, which knows that it has guaranteed funding until 2020, but is deeply concerned about what will happen going forward. The people there do an incredible job bridging the attainment gap between disadvantaged children and their peers, so what assurances can the Minister provide them with today?

Nick Gibb: Everything about this Government is about closing that attainment gap, and we have closed the attainment gap between children from disadvantaged backgrounds and their more affluent peers by 13.5% in the primary sector—in early years and primary schools. The hon. Lady will know that we have awarded an extra £60 million funding to recognise the higher costs of maintained nursery schools. We are working with the sector as we prepare for the spending review.1

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): I was at the Cotswold School in Bourton-on-the-Water in my constituency on Friday. It is not even going to reach the £4,800 per pupil under the national funding formula. How can it be fair that that school gets that sort of funding, yet schools in Hackney—one of pupil premium funding on top—get £6,800 per pupil?

Nick Gibb: The purpose of the national funding formula is not to give every school across the country the same amount of funding per pupil. It must be right that schools with lots of children with additional needs—for example, coming from disadvantaged backgrounds, with English as an additional language or with low prior attainment—do need to receive more money to help to ensure that those children’s needs are met. It is also right that schools in areas of high costs receive extra money to reflect those costs. That is what our fairer funding system delivers, and my hon. Friend’s county will have benefited from the national funding formula.

Ann Coffey (Stockport) (Ind): Tithe Barn Primary School in my constituency is a low-funded school in a low-funded authority with an above average percentage of special educational needs children. The Minister has said that he will be gathering evidence on the adequacy of special educational needs funding. Is he able to give us any more information about when he will start to gather evidence, how he will gather it and who will be invited to contribute?

Nick Gibb: We understand the pressures on the high-needs budgets of local authorities up and down the country, including medical science and a whole range of other issues such as extending the age range for special educational needs provision up to 25. All those things have added pressure to high-needs budgets, which is why my right hon. Friend the Secretary of State towards the end of last year announced an extra £250 million between this financial year and the next financial year to recognise the pressures that local authorities are facing.

Mike Kane (Wythenshawe and Sale East) (Lab): Figures show that our schools have 66,000 more pupils but 5,400 fewer teachers, 2,800 fewer teaching assistants, 1,400 fewer support staff, and 1,200 fewer auxiliary staff—a total workforce reduction of 10,800 from 2016-17. With weekend reports of headteachers having to clean the toilets, does the Minister still maintain that schools are not experiencing funding cuts from this Government?

Nick Gibb: As I said, since 2017 we have provided and are providing local authorities with more money for every pupil in every school. There are 10,000 more teachers in our school system today than there were when we came into office in 2010. In the recruitment cycle last year, we recruited 2,600 more teacher trainees into teacher training. It is an attractive and an honourable profession to work in. I wish the hon. Gentleman and Labour Front Benchers would support our schools and talk them up instead of talking them down.

Mental Health and Wellbeing: Support in Schools

8. Paul Blomfield (Sheffield Central) (Lab): What recent assessment his Department has made of the adequacy of support in schools for children and young people’s mental health and wellbeing.

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): We conducted a national survey of mental health provision in schools that showed that most take action to support their pupils’ mental health. Schools need specialist support, so under the NHS long-term plan we are introducing mental health support teams as part of a major investment in children’s mental health.

Paul Blomfield: During my annual community consultation, I met students from secondary schools right across my constituency. In every school, they raised the difficulty in accessing mental health services as a top priority. The Minister said that he is encouraging schools to offer counselling. Schools want to do that, but the funding crisis is preventing them because they do not have the resources. Next Tuesday, I am hosting a delegation of headteachers from every Sheffield constituency. Will he meet them to discuss this issue?

Nadhim Zahawi: I would happily discuss the issue. I am very proud to share with this House the fact that the funding that we are increasing to £2.3 billion a year by 2023-24 would mean that funding for children’s and young people’s mental health services will grow faster than overall NHS funding, but also, more importantly, faster than total mental health spending overall.

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Michael Fabricant (Lichfield) (Con): Saxon Hill Academy in Lichfield, like many other schools that look after severely disabled children, has a programme of sleepovers for the children. That benefits the children, and it is great for the parents because it gives them respite, but the school is now having to discontinue it because of local funding issues. Is there anything the Government can do centrally to help Saxon Hill and similar schools?

Nadhim Zahawi: Saxon Hill does a tremendous job, and respite is incredibly important. Part of the reason we have increased the funding, with £250 million over the next two years, is that we are very much cognisant of the fact that there are funding pressures on local authorities’ higher needs budgets.

Carol Monaghan (Glasgow North West) (SNP): The online game “Doki Doki Literature Club!”, which is available as a free download, promotes self-harm and has been linked to the suicides of several young people. What steps are being taken within schools to raise awareness of such dangers? What steps are being taken with the Minister’s colleagues in the Department for Digital, Culture, Media and Sport to tighten the regulations that currently allow children and young people to download such harmful games?

Nadhim Zahawi: I thank the hon. Lady for her question. The relationships curriculum addresses these online harms directly. We also have the online harms White Paper that is to be issued imminently.

Teachers’ Pension Scheme Costs: Effect on Universities

9. Eleanor Smith (Wolverhampton South West) (Lab): What recent assessment he has made of the effect on universities of increased teachers’ pension scheme costs.

The Minister for Universities, Science, Research and Innovation (Chris Skidmore): The Department’s public consultation to gather evidence on the impacts of increased contributions to the teachers’ pension scheme for all TPS employers, including universities, for 2019-20 closed on 12 February 2019. Final funding decisions will be made in due course when the consultation evidence has been reviewed.

Eleanor Smith: Modern universities across the country are deeply anxious about the upcoming charges to the teachers’ pension scheme, with one institution forecasting a 5% cut in staff members if the Government do not act. Will the Secretary of State urgently commit to supporting universities with these huge additional costs that have been earmarked for schools and colleges?

Chris Skidmore: The Department’s initial analysis of each sector—state schools, further education, higher education, and independent schools—suggested that state schools and further education colleges would be most affected by the increase in employer contributions, so prioritised funding has been made available for them on this basis. However, final funding decisions will be made when the consultation evidence has been reviewed.

Charlie Elphicke (Dover) (Con): Does my hon. Friend agree that the most serious financial pressures are not on universities but on further education colleges and that it is time for a fresh, fair settlement for FE colleges, to ensure that learners get the investment in education that they deserve?

Chris Skidmore: My hon. Friend is right that analysis has demonstrated that the FE sector would be affected. Obviously, FE colleges are most directly funded by Government grants, in contrast with higher education providers, which are autonomous bodies that are ultimately responsible for ensuring their financial viability.

Northern Powerhouse Schools Strategy

11. Imran Hussain (Bradford East) (Lab): What progress he has made on implementing the northern powerhouse schools strategy.

The Minister for School Standards (Nick Gibb): As recommended in the northern powerhouse schools strategy, we are implementing a range of measures in the north to improve teaching and leadership capacity, to recruit and retain more teachers and to close the disadvantage gap. In 2018, 80% of children were in good or outstanding schools in the north, compared with 67% in 2010.

Imran Hussain: Many of the projects that the Minister has referred to today and previously have a national reach and are not solely catering for the north, which betrays the very purpose of the northern powerhouse schools strategy. Will he commit to creating a northern schools improvement board, drawing together local authorities and schools commissioners, and to extend funding beyond 2020, to deliver the regional strategy that we in Bradford need and were promised?

Nick Gibb: We are absolutely committed to the northern powerhouse strategy. Indeed, my right hon. Friend the Secretary of State will be in Middlesbrough on Thursday to announce more plans for Opportunity North East. The northern powerhouse strategy involves a range of policies. For example, we are rolling out a three-year programme of tailored support for some of the schools facing the most significant recruitment and retention problems; around 100 schools in the north will benefit from that. Five opportunity areas in the north will receive a share of £72 million to improve social mobility. In the Bradford opportunity area, we are targeting up to £1.5 million of school improvement support, improving literacy through £600,000 of investment in Bradford primary schools, including nine schools in the hon. Gentleman’s constituency.

Technical and Vocational Education and Training

12. Kevin Hollinrake (Thirsk and Malton) (Con): What steps his Department is taking to improve the delivery of technical and vocational education and training.

The Minister for Apprenticeships and Skills (Anne Milton): We are introducing T-levels from 2020, with the first ones being in construction, education and childcare, and digital. With longer teaching hours and substantive industry placements, T-levels will provide a high-quality technical alternative to academic education. That builds
on the growing work with high-quality apprenticeships, which are now longer and better, with more off-the-job training and proper assessment at the end.

Kevin Hollinrake: One of Sir Michael Wilshaw’s departing recommendations when he left Ofsted was that every multi-academy trust should contain a university technical college that offers maths, science and a technical specialism. Will the Minister look at taking that forward?

Anne Milton: We want UTCs to join suitable MATs wherever possible, as it is beneficial to both of them. It allows UTCs and MATs to offer a broad base of education, which can only be in everyone’s interests.

Toby Perkins (Chesterfield) (Lab): The Minister’s rhetoric bears no relation to what we are seeing in our schools, where vocational education opportunities are shrinking all the time, and the Government’s sense of direction seems to be narrowing our young people’s curriculum. When will the statements that the Minister makes at the Dispatch Box start to have even the slightest relevance to what people are experiencing on the ground?

Anne Milton: I am not sure where the hon. Gentleman was last week, but it was National Apprenticeship Week. The opportunities that are available from the age of 16 in apprenticeships are extraordinary, and the Government are putting substantial investment into T-levels. For the first time, I have seen technical and vocational education get some real traction both inside and outside schools.

23. [909699] Damien Moore (Southport) (Con): As the Minister knows, Southport College in my constituency is a beacon of excellence in technical and vocational education and training, but will she review the cap on apprenticeship funding, in order for more young people to forge a pathway into employment?

Anne Milton: I know that my hon. Friend is a fantastic champion of apprenticeships in his constituency and across the country, and I am delighted to hear that he will host an apprenticeship fair in Southport in May. It was a pleasure to visit Southport College last year. There were 1,250 events during National Apprenticeship Week this year, which was a 50% increase on last year. The opportunities for young people and, indeed, older people are quite extraordinary.

Gordon Marsden (Blackpool South) (Lab): The Minister rightly talks about the opportunities of the National Apprenticeship Week, but the National Audit Office says that the financial sustainability of the apprenticeship levy, which is key to the Government’s strategy, is at risk. We have a crazy situation with the overspend on higher apprenticeships producing a £500 million deficit, but non-levy payers, which are the training providers for three out of four apprenticeships, are left without funding. Following the catastrophic falls in apprenticeship starts in 2017, why is this Department now looking at another disaster, and how will this Minister stop this driverless levy going over the cliff and taking huge numbers of chances with it?

Anne Milton: I have to say that I do not think the hon. Gentleman always believes what he says from the Dispatch Box. [Interruption.] He talks apprenticeships down. How can he possibly talk about an overspend on higher level apprenticeships? In this country, we are desperate for people who are able to do level 4 and level 5 qualifications. The National Audit Office report was a very backward-looking report. I am sure he would agree with me in private, if not from the Dispatch Box, that the difference he will have seen between National Apprenticeship Week this year and the one last year is quite extraordinary.

Mr Speaker: Everybody in this Chamber believes what he or she says from either the Front Bench or the Back Benches. It is a point so blindingly obvious that only an extraordinarily sophisticated person could fail to grasp it.

Teaching and Support Staff: Recruitment and Retention

13. Dr Rupa Huq (Ealing Central and Acton) (Lab): What recent assessment he has made of the effect of trends in the levels of (a) pay and (b) workload on the recruitment and retention of teaching and support staff.

[909688]

The Secretary of State for Education (Damian Hinds): Our recent integrated teacher recruitment and retention strategy prioritises reducing unnecessary workloads. We will ensure teaching continues to offer one of the best pensions available, and teacher pay ranges have increased by between 1.5% and 3.5% this year.

Dr Huq: I was back for assembly at my alma mater, Montpelier Primary School, this morning. It is an outstanding school, but it is coming under pressure from churn, with Brexit moving parents’ jobs so pupils are off, while teachers, finding their salaries are not enough to meet the London cost of living, either commute from outside London or permanently move their jobs there or overseas. What is the Secretary of State doing specifically about the London pressures, which are masked by the figures he has quoted, so that teachers are paid enough to be rooted in their community, as they were in my day, not passing through?

Damian Hinds: Of course we recognise the additional cost in high-cost areas, in particular in London. It is true that there are 200 more teachers in the Ealing local authority area than there were in 2010. However, it remains a very competitive recruitment market, particularly for graduate recruitment, partly because of the historically very low unemployment we have, and that makes our recruitment and retention strategy all the more important.

Sir Desmond Swayne (New Forest West) (Con): The right hon. Gentleman to issue his brevity textbook. Let us have an extract.

Mr Speaker: It is time for the right hon. Gentleman to issue his brevity textbook. Let us have an extract.

Sir Desmond Swayne: We are spending more per pupil than any other G7 nation, but headteachers are complaining that they are cleaning the loos themselves. Something is going wrong. What is it?

Damian Hinds: On the first point, we are spending more than any other G7 nation bar the United States in per capita funding for state primary and secondary education, but there are particular cost pressures in
the system. We were discussing high needs earlier, and we do need to address that particular set of pressures. There are others as well, such as the way we go about purchasing and so on, and some of the costs that are particularly rising. I want to reassure my right hon. Friend that we are looking at all of those factors.

Topical Questions

T1. Melanie Onn (Great Grimsby) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Education (Damian Hinds): I am pleased to confirm that we are providing £24 million of supplementary funding to local authorities to enable them fully to fund maintained nursery schools for 2019-20. Last week marked National Apprenticeship Week, celebrating apprenticeships and their positive impact on people, businesses and the economy. We have recently confirmed plans for reforms to the relationships and sex education and the health education curricula, to be implemented in schools from September 2020, so that children can be taught about mental and physical wellbeing, as well as about online safety, subject of course to parliamentary approval.

Melanie Onn: For how many more years can my Great Grimsby constituents expect Great Coates and Scaitho state-maintained nursery schools to remain open?

Damian Hinds: As I said earlier, we recognise the particular place that maintained nurseries have in our system. They often provide additional, high-quality services, which we value. Work is ongoing to assess that value and of course we will make announcements about future spending as part of the spending review.

T2. Stephen McPartland (Stevenage) (Con): I am incredibly proud of Peartree Way maintained nursery school in Stevenage. Will the Secretary of State commit to keeping it open for as long as he is Secretary of State?

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): I commend Peartree Way maintained nursery school. Maintained nursery schools do a brilliant job because they cater for the most disadvantaged children in our communities. That is why we have provided the additional £24 million that has been mentioned many times today. What happens next obviously depends on the spending review. We are working with the sector, which I want to thank for its hard work in allowing us to understand the additional costs so that we can put our best foot forward in the spending review.

Angela Rayner (Ashton-under-Lyne) (Lab): It is great to see the pupils in the Gallery who have been listening throughout Question Time.

In the Government’s vast backlog of Brexit legislation, they recently slipped out regulations that allow them to withdraw the UK from the European University Institute. Legal experts say that that is completely unnecessary and academics warn that it will be deeply damaging. Will the Secretary of State publish the legal advice and allow a debate on the Floor of the House—or, better still, withdraw the proposal and think again?

T3. Maria Caulfield (Lewes) (Con): Will the Secretary of State consider taking schools in Lewes out of paying the apprenticeship levy to help them cope with the rising costs that they face?

Damian Hinds: All employers with a payroll in excess of £3 million pay the levy, but many apprenticeships are available that can work for schools, including apprenticeships for school business professionals and teaching assistants. Of course, there is also the postgraduate teaching apprenticeship. I am happy to meet my hon. Friend to discuss that further.

T5. Stephen Lloyd (Eastbourne) (Ind): East Sussex College is an excellent FE college in my constituency. A deplorable situation has developed over the past two years whereby teachers teaching A-level at that college earn, like many others across the sector, nearly 20% less than teachers in the school just down the road. That is not sustainable. What will the Secretary of State do to ensure that enough money is ring-fenced for staff wages in the FE sector?

Damian Hinds: I am sorry; we struggled a tiny bit to hear the full question. We have several programmes on the subject of FE staff and ensuring that posts are sufficiently attractive. However, it is probably best if I say that either my right hon. Friend the Minister for Apprenticeships and Skills or I will meet the hon. Gentleman to discuss the college in Eastbourne.

Mr Speaker: I heard perfectly clearly. Does the hon. Gentleman want to blurt out the last sentence very briefly?

Stephen Lloyd: Thank you, Mr Speaker. In the past few years, the salaries of FE teachers teaching A-levels and vocational education have ended up almost 20% lower than those of the teachers at the school down the road. What will the Secretary of State or the Minister do to address that?

The Minister for Apprenticeships and Skills (Anne Milton): I am aware of some of the discrepancies between the salaries of FE teachers and schoolteachers. We have several programmes, not least the taking teaching further programme, which will encourage industry professionals into FE teaching. However, as I said, I am aware of some of the issues around recruitment in the FE sector.

T4. Helen Whately (Faversham and Mid Kent) (Con): Businesses in my area tell me that they need more young people with STEM skills to fill jobs. As well as encouraging an increase in girls taking STEM A-levels—up 27% from 2010—what more is my right hon. Friend the Secretary of State doing to inspire and enable girls to study STÉM subjects?
Chris Skidmore: It is absolutely important that girls and women are equally represented at all levels, not only in engineering and STEM, but in all sectors. We invested in programmes such as the advanced mathematics support programme and the stimulating physics network, which aim to increase participation, particularly among girls. This week is British Science Week. I encourage all Members to get involved, not just to stress the importance of STEM education for the future of this country and for the next generation, but to ensure that women and girls can be involved in the wonders of science.

T10. [909709] Peter Grant (Glenrothes) (SNP): Earlier this afternoon, my hon. Friends the Members for North Ayrshire and Arran (Patricia Gibson) and for Glasgow South West (Chris Stephens) pointed out that in Scotland the achievement gap between the most and least deprived pupils has halved in less than 10 years. The Minister declined to welcome that, because the gap has not got any smaller. Mr Speaker, if the people running education in England think that cutting something in half makes it bigger, is it any wonder that so many schools are struggling to achieve acceptable levels of standards?

Damian Hinds: We are proud of our record in reducing the attainment gap in England, but I recognise that one always needs to go further. That starts, of course, in the early years. We are seeing progress at every stage, but there is always more we can do.

T6. [909705] Andrea Jenkyns (Morley and Outwood) (Con): Average funding per student for the 16 to 19-year-old age group is less than that for secondary school A-level students. What is the Minister doing to increase college funding to sustainable levels and to see greater parity with secondary schools?

Anne Milton: I am aware that Dudley College has progressed to stage two of the competition and we expect to announce the outcome shortly. As it is a competition, I obviously cannot comment on that. IOTs are a new kind of prestigious institution. It is important to note that they are not about new buildings, but collaborations between FE colleges, universities and leading employers to deliver the high-quality technical education we need.

Ruth George (High Peak) (Lab): At a time when pupils’ emotional and mental health needs are increasing, cuts to our schools mean that teaching assistants are being lost. In Derbyshire, we are about to lose 200 early help staff. The number of school nurses is being halved and child and adolescent mental health services say that they can only see pupils where there is proof that they have attempted to commit suicide. Will the Secretary of State look at the cumulative impact of all the cuts to education and health on our pupils’ wellbeing?

Damian Hinds: We do recognise the additional demands relating to young people’s mental health. That is why our programme ensures a designated mental health lead in every school, a further roll-out of mental health first aid, a shortened time for CAMHS referrals and support teams operating around schools to help them with mental health needs.

Mike Wood (Dudley South) (Con): As my right hon. Friend knows, Dudley College has submitted an outstanding bid to be an institute of technology. Can she confirm that the IOT programme will go ahead as planned on published timetables?

Anne Milton: I am aware that Dudley College has progressed to stage two of the competition and we expect to announce the outcome shortly. As it is a competition, I obviously cannot comment on that. IOTs are a new kind of prestigious institution. It is important to note that they are not about new buildings, but collaborations between FE colleges, universities and leading employers to deliver the high-quality technical education we need.

T9. [909708] Neil O’Brien (Harborough) (Con): Under the previous Government, schools often found it impossible to exclude even violent pupils because they were tied up by appeals panels, often with little knowledge of the situation. We were right to get rid of them. Does the Minister agree that it is better to invest in pupil referral units, rather than backtrack on that important reform, to keep people safe?

Nick Gibb: We support headteachers in using exclusion as a sanction where warranted. We also believe that independent review panels provide for a quick, fair and accessible process for reviewing exclusion decisions in a way that takes account of the rights of the pupil and of the wider school community, and the ability of the headteacher to maintain a safe and ordered environment.

Ian Mearns (Gateshead) (Lab): As a former chair of governors, I am sad to report to the House that the Northern Education Trust has failed the children who attend and who have attended the Thomas Hepburn school. The Secretary of State’s Department has agreed with the trust to the closure of the school in Felling in my Gateshead constituency. The other schools in the borough have already accepted additional pupils and are above their plan for September. Will the Secretary of State meet me and my hon. Friend the Member for Blaydon (Liz Twist) to discuss how we are going to find places for the other 40 year 7 pupils who do not have places in Gateshead next September?
Damian Hinds: The hon. Gentleman and I have had a chance on previous occasions to discuss and correspond on the Thomas Hepburn school, and of course I will meet him, as he suggests.

Paul Masterton (East Renfrewshire) (Con): A not insignificant number of parents feel compelled to take their children out of school and into home-schooling as a result of bullying. Will the Department’s call for evidence on home education look at the support being given to these children to try to get them back into mainstream schooling as soon as possible?

Nick Gibb: Yes, of course, and I will very happily meet my hon. Friend to discuss this further.

Mr Speaker: I feel I must respect the position of a former headteacher; no less—I call Thelma Walker.

Thelma Walker (Colne Valley) (Lab): Thank you, Mr Speaker. When a child is excluded, where the responsibility for their education lies can be ambiguous, meaning that too many pupils fall through the net. What steps is the Secretary of State taking to clarify who has responsibility for excluded or off-rolled children to stop that from happening in future?

Damian Hinds: As the hon. Lady will know, we instituted the Timpson review into exclusions, which will report back soon. She will probably also have heard me say that we have to look at the question of making sure that schools retain some responsibility for pupils who are excluded, and I expect to have more to say soon.

Steve Double (St Austell and Newquay) (Con): A recent report commissioned by the Welsh Government has shown that fining parents for unauthorised school absence has had no impact on raising attendance levels in Wales. Is it not time to have a review of that policy in England and, if the evidence shows that it does not work, to drop it?

Nick Gibb: Parents have a duty to ensure that their children who are registered at school attend regularly. We have not formally assessed the impact of penalty notices, but comparable data shows that overall absence rates have remained stable in recent years following a downward trend since 2006—a 6.5% absence rate in 2006 fell to 4.7% in 2016.

Paula Sherriff (Dewsbury) (Lab): A number of schools in my constituency are facing severe financial pressures, with some having to merge year groups and rely on parental donations. The Minister says that more money is going into education, but these smaller, rural schools are really struggling. Will he meet me to discuss what we can do for these schools in my area?

Nick Gibb: As I say, we are spending record amounts on our schools and we have special provision within the national funding formula to help rural, small schools in particular. There is an extra £25 million to ensure that those schools can support themselves and there is a fixed sum for every school of £110,000, but I will meet the hon. Lady and her headteachers to discuss her schools’ particular concerns.

Huw Merriman (Bexhill and Battle) (Con): On Friday, I was one of 3.5 million parents who received a letter from their school concerned that costs are outstripping funding. I was threatened with detention unless I asked the Secretary of State this: when it comes to more funding—and I hope that there will be more funding—will he ensure that it goes to those areas that are currently the lowest-funded counties?

Damian Hinds: Come the spending review, we will of course be looking at funding for education alongside other Departments. Funding for education is vital for our society and the productivity in our economy, and of course, we need to continue to look at how that is distributed through the national funding formula and to consider aspects such as rurality as part of that.
EU Withdrawal Agreement: Legal Changes

3.39 pm

Jeremy Corbyn (Islington North) (Lab) (Urgent Question): To ask the Prime Minister if she will make a statement on progress made in achieving legal changes to the EU withdrawal agreement and the timetable for approval in this House through a meaningful vote.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): As negotiations are ongoing and at a critical stage, I am here to update the House on the latest developments. My right hon. Friend the Prime Minister spoke to President Juncker by phone yesterday evening, teams will continue to talk throughout today and the Government will make a statement later today updating the House on the progress of discussions. As previously understood, the Attorney General’s legal analysis will be updated following the outcome of negotiations, and he will publish his legal analysis of any document produced and negotiated with the EU and present it to the House before it meets tomorrow.

Clearly, I cannot pre-empt the outcome of these sensitive and urgent discussions, and I am sure the House understands that I am not able to share details or engage in speculation about talks that are still ongoing, but I can assure it that, as soon as the negotiations have concluded, it will be updated. The meaningful vote will take place tomorrow and the motion will be tabled today ahead of that debate. The House will then face a fundamental choice: back the Brexit deal or risk a delay that would mean months more spent arguing about Brexit and prolonging the current uncertainty—uncertainty that would do nothing but pass control to Brussels and increase the risks.

It is incumbent on the House to deliver on the will of the British people and to provide certainty. Tomorrow, right hon. and hon. Members will have the opportunity to do just that in a meaningful vote fully informed by the Government’s legal analysis. I believe that the right hon. Gentleman the Leader of the Opposition and every hon. Member in the House should take that opportunity to move forward and provide certainty.

Jeremy Corbyn: This is a Government in chaos and a country in chaos because of this mess. I left my office at 20 past 3. At that time, Downing Street was unable to confirm who would be responding to my urgent question. It seems that the WhatsApp group, a lottery or something has chosen the hon. Member for Worcester (Mr Walker) to reply to the House, when my question was to the Prime Minister.

We find out from journalists and the Irish Government that the Prime Minister is apparently heading to Strasbourg this evening, or not heading to Strasbourg this evening, hours before a meaningful vote is due. The Prime Minister was clear and categorical on 26 February. She said:

“I want to reassure the House by making three further commitments. First, we will hold a second meaningful vote by Tuesday 12 March at the latest” — [Official Report, 26 February 2019; Vol. 655, c. 166-7.]

This is a matter of trust. Time and again, the Prime Minister has failed to negotiate, failed to compromise and delayed and delayed. After three months, she has not achieved one single change to her deal. As we have often said, she has simply run down the clock, leaving us with a choice between her deal and the chaos of leaving the EU without any agreement. It was a bad deal in December, when it was first tabled; it was a bad deal in January, when it was rejected by the largest parliamentary margin by which any Government has ever been defeated; and it is still a bad deal today, 11 March.

These shambolic negotiations and endless delays are having real-life consequences in workplaces across the country: businesses are holding back on investment, jobs have been lost, workplaces are closing, workers fear for their jobs and the national health service and public services are having to spend millions of pounds preparing for a no-deal outcome, which the House has already clearly rejected.

Can the Prime Minister, I mean the Minister—I am sorry that the Prime Minister cannot be here, apparently—tell us what changes the Government have got to the backstop and when the Attorney General will publish his apparently new legal advice, or is it that, after three months of delay, nothing has changed? Given that they whipped their MPs to vote for the amendment in the name of the hon. Member for Altrincham and Sale West (Sir Graham Brady), which said the deal could only be supported with changes to the backstop, will the Prime Minister be voting against her own deal if no changes have been secured?

Will the Minister confirm that we will, absolutely, have the meaningful vote tomorrow, and that it will not be delayed yet again? Will we also have the vote to rule out no deal on 13 March, and the vote on extending article 50 on 15 March, as promised? If the deal is rejected again tomorrow, will the Prime Minister shift her red lines, and show that she is not just willing to meet Members, but willing to compromise with them as well?

This chaos cannot go on for much longer. The fate of people’s workplaces, jobs and businesses is at stake as the Government fail to negotiate and there is simply dither after dither, and then further delay. It is time for answers.

Mr Walker: The right hon. Gentleman talks about further delay. I have confirmed to him that there will be a meaningful vote in the House tomorrow. I have explained that negotiations are ongoing, and the Government are seeking legally binding changes that will address the concerns that have been raised in the House.

The right hon. Gentleman speaks of chaos. We all remember his advice to the Government, on day one after the referendum, to trigger article 50 immediately. I think that we can be very clear that this process would be no safer in his hands. He talks about investment. He and his party will have the opportunity to vote to secure and unlock investment tomorrow by backing the deal, and they will do so fully informed by the Government’s legal analysis. He asked about the timetable for the
publication of the Attorney General’s advice, and I can confirm that that advice will be published before the House sits tomorrow.

Mr Kenneth Clarke (Rushcliffe) (Con): My hon. Friend firmly confirmed that the vote on the deal would come tomorrow. He did not actually mention the event, if it is defeated, of the vote on Wednesday on whether or not we leave with no deal, and, further to that, the vote on Thursday about delaying article 50 if, indeed, the House rejects no deal. I hope that that was a mere oversight and that my hon. Friend is not going back on last week’s undertakings.

Mr Walker: I am happy to confirm that the exact words of the Prime Minister in giving that undertaking, which we absolutely stand by, were “First, we will hold a...meaningful vote” on 12 March. If the Government did not win a meaningful vote, they would “table...motion...to be voted on by Wednesday 13 March...asking this House if it supports leaving the EU without a withdrawal agreement...Thirdly”, if the House rejected both those options, “the Government will, on 14 March, bring forward a motion on whether Parliament wants to seek a short, limited extension to article 50.”—[Official Report, 27 February 2019; Vol. 655, c. 377.]

Ian Blackford (Ross, Skye and Lochaber) (SNP): It is crucial that the House has the opportunity to extend article 50 on Thursday, because we have to take back control from this shambles of a Government.

We are 18 days away from the scheduled UK exit from the EU, yet the Government still have no plan to protect jobs and living standards. This Prime Minister is guilty of neglect. She has proved incapable of governance, incapable of negotiation and utterly incapable of leadership. The truth is that the politics of the United Kingdom has become a farce. The lack of leadership from either the Tory or the Labour party has left people across the country at a loss, panicking about their futures and abandoned by their so-called leaders.

This morning, Downing Street exclaimed that tomorrow’s vote would go ahead, and the Minister has repeated that. It must happen, and it is welcome, because to dither and delay yet again would be another act of grave cowardice. We cannot ignore the facts: this place is in total chaos, and the crisis engulfing the United Kingdom is deepening. In Scotland, businesses, students, farmers, academics, mothers, fathers and EU nationals are rightly worried about their futures, but this Government, this Tory party and this Prime Minister could not care less about the people of Scotland. This deal will damage our economy, destroy growth and deprive Scottish people of all the cherished opportunities that the European Union has gifted us.

Michel Barnier was very clear: the negotiations are over. He said: “We talked all weekend and now the discussions, the negotiations, are between the government in London and the parliament in London.”

Can the Minister answer these questions? Will the Government back the Prime Minister’s deal tomorrow? Will the text of the motion on which we shall vote provide for a new arrangement in relation to the Northern Ireland backstop? Has the Prime Minister negotiated with the European Union new protections for the Scottish economy? If not, are the Scottish MPs in her party ready to resign? Scotland did not vote for Brexit, and we must not be dragged out of the European Union against our will. The sovereign right of the Scottish people to choose our own future must be respected. We are, and we will remain, a European nation.

Mr Walker: We are all leaving the European Union, but we are not leaving Europe. Amid the right hon. Gentleman’s rhetoric, he spoke about the interests of the Scottish people. Of course, the interests of the Scottish people are in our strong Union of the United Kingdom. We want to deliver a good deal for the whole United Kingdom.

Mr David Davis (Haltemprice and Howden) (Con): Unlike the Leader of the Opposition, may I welcome the Minister to the Dispatch Box? I know from my own experience that, unlike the Leader of the Opposition, the Minister is a brilliant master of his brief. The Leader of the Opposition talked about trust. Is not the Prime Minister demonstrating the trust that this House should put in her by going to Europe and negotiating with the Europeans a deal that will deliver on the requirements of the British people—unlike the Opposition?

Mr Walker: My right hon. Friend is absolutely right, and I pay tribute to his work on this process. He has said many times that negotiations with the EU often go right to the eleventh hour. We have a demonstration of that today, and there will be a statement from the Government later today.

Hilary Benn (Leeds Central) (Lab): Can the Minister explain to the House why the Irish Foreign Minister Simon Coveney said earlier today: “The...Prime Minister is travelling to Strasbourg this evening...to try to finalise an agreement, if that’s possible, to be able to put that to a meaningful vote in Westminster tomorrow...” Can the Minister confirm that? If an agreement that changes the withdrawal agreement or the political declaration is reached tonight, will that have the approval of the Heads of Government? If not, will it actually constitute a negotiated agreement under the terms of section 13(1)(b) of the European Union (Withdrawal) Act 2018?

Mr Walker: The right hon. Gentleman, who is the Chair of the Exiting the European Union Committee, asked me a series of questions, and I think that he knows I cannot answer them all. My Secretary of State has reiterated to me that he is keen to give evidence to the Select Committee tomorrow, so perhaps he can update the right hon. Gentleman and his Committee on all those issues.

Nicky Morgan (Loughborough) (Con): May I likewise welcome the Minister? Before his well-deserved promotion, he was an excellent Parliamentary Private Secretary—[Interruption.] That was before my demotion, but there we are. Has not the right hon. Member for Leeds Central (Hilary Benn) just shown us exactly what the Leader of the Opposition should have done in an urgent question that is entitled “EU Withdrawal Agreement:
Legal Changes”?

Mr Walker: My right hon. Friend makes a very good point. Of course we should pass this agreement, but it is vital that the Prime Minister has gone in to negotiate right up to the last moment so that she can address the concerns of this House. I agree with my right hon. Friend that the letter from the Presidents took some steps to address those concerns, but we have sought, and we will continue to seek, legally binding changes.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Minister could not answer the question from my right hon. Friend the Member for Leeds Central (Hilary Benn). The status of tomorrow’s meaningful vote matters because we want to be sure that the Government will not use any shenanigans to avoid further votes later in the week. Will the Minister confirm that if by the end of tomorrow Parliament has not approved a withdrawal agreement and future partnership that have been agreed with the EU for the purposes of section 13(1)(b) of the European Union (Withdrawal) Act, the Government will go ahead on Wednesday with the vote on no deal, followed by the vote on the extension of article 50?

Mr Walker: I have already confirmed that by repeating the Prime Minister’s assurance, and we do accept that section 31 of the withdrawal Act is binding.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): Should the country leave the European Union without a deal, what would be the liabilities owed to the European Union?

Mr Walker: My right hon. Friend asks an interesting question, and of course there are a range of different views on that. The House of Lords Committee has taken one view, and other hon. and right hon. Gentlemen will take others.

Honor. Members: Only gentlemen?

Mr Speaker: I think that the right hon. Member for Derbyshire Dales (Sir Patrick McLoughlin) was asking for the view of the Minister. The clue is in the nature of the exchange. If an hon. Member or right hon. Member gets up and asks a question, he is interested in the view of the Minister, not of some other Committee in some other place. I would have thought that that was fairly straightforward, but there you go.

Tom Brake (Carshalton and Wallington) (LD): The Minister says that he does not engage in speculation, but may I encourage him to make an educated guess? If the Prime Minister’s deal is passed tomorrow, how many more years of very public Tory bickering will the country face as the UK seeks to establish its new relationship with the European Union?

Mr Walker: The right hon. Gentleman asks a question about what might happen if the deal is passed. I think that he should get behind the deal and support it, because we would then secure the implementation period that would provide certainty to businesses and citizens in this country while we negotiate the future relationship and ensure that it is put in place. It is certainly my aspiration to ensure that that is done before the end of the implementation period.

Dr Julian Lewis (New Forest East) (Con): The European Union has known for some considerable time that we are going to have this vital vote tomorrow. Supposing it actually does offer to pull a rabbit out of the hat sometime late tonight, what would that say about the bad faith in which it has been negotiating?

Mr Walker: It is our determination to progress the negotiations in good faith, and we have done so throughout. I am sure that the European Union will want to show its good faith by meeting the concerns of this House.

Mr Ben Bradshaw (Exeter) (Lab): Will the Minister acknowledge that tabling an amendment with Government support tomorrow to make support conditional on a not-yet-negotiated agreement would fulfil neither the letter nor the spirit of the Prime Minister’s promise?

Mr Walker: I think that the right hon. Gentleman should await developments later today and see what the Government put forward tomorrow. I have been very clear that we absolutely stand by the Prime Minister’s commitments on the meaningful vote and on what follows.

Mr Owen Paterson (North Shropshire) (Con): I welcome my hon. Friend to the Dispatch Box and congratulate him and his colleagues on getting the European Union to agree to set up a taskforce or workstream to work up the Malthouse compromise proposals. Will he commit to getting those into the legally binding text, so that there will be an implementation date that is fixed for the future?

Mr Walker: I know that my right hon. Friend speaks with considerable experience in these issues. The alternative arrangements have been a crucial part of this conversation, and they will continue to play an important part in our negotiations. We are seeking legally binding changes.

Caroline Lucas (Brighton, Pavilion) (Green): Does the Minister care at all about the real impact of his Government’s utter incompetence on real people? In my constituency, American Express, the biggest private sector employer, is deeply concerned about recruitment problems because of his recklessness. Will he answer a very simple question? Will he himself vote against no deal if the Prime Minister’s deal is lost tomorrow?

Mr Walker: I want to take the first opportunity to vote against no deal by voting for the deal in a meaningful vote. That is the best way to secure the absence of no deal and to secure the interests of this country.

Mr Mark Francois (Rayleigh and Wickford) (Con): The Minister has arrived at the big time and he is doing well. He has told the House that the Attorney General
will publish any revised legal advice before the House sits tomorrow, which I am sure the whole House will welcome for obvious reasons. With regard to the motion that we might then have to vote on, will we get sight of it tonight, or will it be placed in the public domain only when the Order Paper is published electronically in the small hours of the morning?

Mr Walker: My right hon. Friend asks an important question. The Government will bring forward the motion as soon as we possibly can, but I cannot necessarily guarantee the precise timing given that the negotiations are still ongoing.

Mr Pat McFadden (Wolverhampton South East) (Lab): Section 13(1)(b) of the European Union (Withdrawal) Act 2018 says that the vote must be on “the negotiated withdrawal agreement”. Does the Minister accept that a vote tomorrow on anything other than that would not count as the second meaningful vote and would not fulfil the Prime Minister’s promise of 22 February, when she said that “we will hold a second meaningful vote by Tuesday 12 March at the latest”?—[Official Report, 26 February 2019; Vol. 655, c. 166.]

Mr Walker: I can only reiterate what I have already said, which is that we will be holding the meaningful vote tomorrow. Of course, exactly what is brought forward by the Government will depend on the outcome of the negotiations, which are still ongoing.

Mr Jacob Rees-Mogg (North East Somerset) (Con): With regard to the legal changes required to the withdrawal agreement, this House voted for the entire removal of the backstop. Does it not strike my hon. Friend as incongruous at the very least that it is harder to leave the backstop than it is to leave the EU under article 50?

Mr Walker: My hon. Friend makes an interesting point, as always. The Government have heard loudly and clearly this House’s concerns about the backstop, and they are what the negotiations are to address. I am confident and hopeful that we will come forward tomorrow with something that will allow even him to support the Government’s deal.

Joanna Cherry (Edinburgh South West) (SNP): Given the mess that the UK Government are in at this eleventh hour, does the Minister think that his boss—the real Prime Minister—will ultimately be grateful for the ruling secured by myself and other Scottish parliamentarians from the Court of Justice in Luxembourg that article 50 can be unilaterally revoked and that there is a way out of this mess for the United Kingdom?

Mr Walker: I simply say to the hon. and learned Lady that the way forward for the United Kingdom is to agree a deal and to leave the EU with a deal.

Stephen Crabb (Preseli Pembrokeshire) (Con): If the withdrawal agreement is defeated and this House assents to leave the EU without a deal following the votes this week, does my hon. Friend agree that there will be a whole series of permissions and protocols that we will need the EU to agree to in order to manage that situation? In those circumstances, why would the EU not turn around and make the obligations within the withdrawal agreement a prerequisite to it agreeing to any of the things that we need from it?

Mr Walker: My right hon. Friend asks an interesting hypothetical question, but the best thing that we can do this week is to secure a deal that this House can support and then get it through the House so that we can avoid such eventualities and speculations.

Catherine West (Hornsey and Wood Green) (Lab): May I press the Minister on the timing of the motion for tomorrow? For those of us wishing to speak in the debate, it would be particularly helpful to have the text of the motion so that we know exactly on what we are going to be voting. Will he please put it out by 5 o’clock today?

Mr Walker: The hon. Lady sets a deadline to which I cannot commit, but the Government will bring forward the motion as soon as we can based on the outcome of the negotiations, which are ongoing.

Sir Desmond Swayne (New Forest West) (Con): The Government are formally seeking a legally binding text on the Malthouse compromise as an alternative to the backstop, aren’t they?

Mr Walker: My right hon. Friend is as pithy as always. I can confirm that the Government are seeking legally binding changes to address the House’s concerns about the backstop.

Anna Soubry (Bromsgrove) (Ind): The Minister needs to be very clear about the timetable. As I understand it from the answers that he has given, as much as he can give them, he is committing on the Government’s behalf to a meaningful vote tomorrow, and the motion will be tabled as soon as the Government can do so, which I think means all tomorrow, as they get all their ducks in a row. In any event, as far as I understand it, it must be published by the close of play this evening, which is 10.30 pm. Does the Minister think that that would then allow enough time not just to consider it, but for right hon. and hon. Members to table the necessary amendments to it? How does any opinion from the Attorney General then fit into that important timetable?

Mr Walker: The Attorney General has committed to providing the House with his legal analysis of any document published by the UK and the EU as part of this process, and he will do so ahead of the debate. We will ensure that the Government’s motion is tabled as soon as it can be. The right hon. Member for Bromsgrove (Anna Soubry) will appreciate that, with negotiations ongoing, I cannot commit to a specific time on that, but I take note of Mr Speaker’s advice from the Chair.

Mr Speaker: Well, I do not think I am offering the hon. Gentleman advice, but what I can give is a very clear indication of what the procedures of this House require. It is not by way of advice; I am telling him, on behalf of the House, what the position is.

The right hon. Member for Bromsgrove (Anna Soubry) is correct in her understanding of the required deadline for the tabling of a Government motion to appear on the Order Paper tomorrow. I understand the Minister’s
natural reluctance to commit to a specific time, pending the progress or otherwise of negotiations, but the deadline is the rise of the House.

In so far as the right hon. Member for Broxtowe and other hon. and right hon. Members might legitimately be concerned about the matter of adequacy of time for the possible tabling of amendments, it would perhaps be helpful to the House if I indicated that, in extremis—that is to say if circumstances require it—manuscript amendments will be taken. [Interruption.] That is absolutely the case. I do not need any help from the right hon. Member for Chelsea and Fulham (Greg Hands), who would not have the slightest idea where to start. I know what the position is, and I am helpfully indicating it to the right hon. Member for Broxtowe, which I think will help the House.

Richard Graham (Gloucester) (Con): Many questions this afternoon seem designed to construct negotiating hurdles that are impossible for the Prime Minister, or any Government, to jump over. I have met lots of constituents in Gloucester over the last three days who want to see this issue resolved as sensibly and quickly as possible. Can I therefore give my hon. Friend the Minister all encouragement for the Prime Minister to come back with legally binding changes that will make a huge difference, particularly to the Northern Ireland situation, and then for this House, 80% of whom were elected on manifestos to respect the referendum, to get behind the deal and see it through?

Mr Walker: My hon. Friend makes an excellent point. All I can say to him is that I hear the same thing from my constituents in Worcester as he hears from his constituents in Gloucester.

Ms Angela Eagle (Wallasey) (Lab): The Minister is asking Parliament to accept that, two and a half years after the referendum, he will give us maybe just a few hours to consider the deal that the Prime Minister may or may not conclude sometime overnight before we have one of the most important votes this Parliament will ever hold. That is not acceptable, is it?

Mr Walker: The hon. Lady knows that negotiations often go to the wire, and I think it is absolutely right that the Government should fight for the best possible outcome to those negotiations, especially when we have been instructed to do so by this House. That is what we are doing.

Maria Caulfield (Lewes) (Con): Does the Minister agree that the intransigence of the EU on making legally binding changes to the backstop, whether to the time limit or an exit mechanism that would enable many of us to support the deal, justifies our concern that, if we ever enter the backstop as it stands now, the EU would never let us leave?

Mr Walker: My hon. Friend clearly expresses the concerns that have been raised on both sides of the House about the backstop, which is why we are seeking to address those concerns through a legally binding change.

Hywel Williams (Arfon) (PC): Tonight I was supposed to be meeting the Farmers Union of Wales in Caernarfon, rather than being here. Those hard-working and resourceful people battle the elements to produce the finest beef and lamb in the world. When they find that something they are doing does not work, they change what they do. What lesson for tomorrow’s proceedings does the Minister derive from their success?

Mr Walker: It is important for those farmers that we get a deal with an implementation period, and with the good trading terms that that can provide, to make sure that Welsh lamb and beef can continue to be a huge success internationally.

Vicky Ford (Chelmsford) (Con): The withdrawal agreement gives certainty to the British and European citizens most affected by Brexit; it gives our businesses the certainty of a transition period; and it brings certainty about the size of the bill we have to settle. Does my hon. Friend agree that the one individual who is bringing uncertainty, by his refusal to negotiate and compromise, is the leader of the Labour party?

Mr Speaker: Order. That is absolutely no responsibility of the Minister. It was a disorderly question; an answer is unnecessary and it was a complete waste of everybody’s time.

Kirsty Blackman (Aberdeen North) (SNP): The Government intend to publish a motion, an agreement and legal advice on that agreement. Can the Minister commit to ensuring that we have all of this before the beginning of the debate tomorrow? Will he also ask the Attorney General to come to give a statement about the legal advice, so that we can ask questions on it in advance of tomorrow’s debate?

Mr Walker: Yes, I do commit that that information will be available before the debate tomorrow, and the Attorney General has been clear that he will publish his analysis.

Mr Peter Bone (Wellingborough) (Con): The Minister is answering the questions admirably, but we have heard from those on the Opposition Benches the desire for time to look at the legal advice and the motion, and time to table amendments and to consider them. Given that the Opposition are, in effect, requesting an extension to the meaningful vote, will the Minister take from this that we should perhaps consider putting off the vote until Parliament has time to consider what the Prime Minister brings back?

Mr Walker: I note my hon. Friend’s representations, but the Government are clear that we will be having the meaningful vote tomorrow.

Chris Bryant (Rhondda) (Lab): The thing is there is only one possible motion that can be considered tomorrow for it to be a meaningful vote under the Act. It is very straightforward and the Government themselves argued repeatedly to the Procedure Committee that if the motion had any other riders added to it, it would not be legally competent—it would not have any legal effect. So the Government could publish the motion now. I could publish the motion for them now—and, for that matter, the business motion which we will have to have tomorrow, because of the Constitutional Reform and Governance Act 2010. They could also introduce that now. Then we would be able to have proper scrutiny. Isn’t it time we had some proper scrutiny and we stopped flying by the seat of our pants all the time?
Mr Walker: The hon. Gentleman talks about proper scrutiny. He will know that the Prime Minister and Secretary of State have been at this Dispatch Box literally hundreds of times facing proper scrutiny on this issue. We will bring forward the Government’s motion for tomorrow’s debate as soon as we can.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): I echo the words of my hon. Friend the Member for Gloucester (Richard Graham) in wishing the Prime Minister every success today. On the important decisions we face this week, when will the Government publish the World Trade Organisation tariffs and quotas which are going to be needed to assess the merits of no deal, in the event that the deal is defeated?

Mr Walker: My hon. Friend makes an important point, although I think it is for another Department to answer. We will be having a meaningful vote on a deal that ensures that we need not have those tariff barriers between ourselves and the EU. That is one of the many reasons we should support the deal.

Sammy Wilson (East Antrim) (DUP): It will not be lost on many listening to this debate that those who are condemning the Prime Minister for not getting a deal are the very ones who have made it difficult for her to get that deal because they have insisted she rule out no deal as an option. Will the Minister give an assurance that regardless of what the Prime Minister comes back with, she will not accept the diktat of Michel Barnier on Friday, who said that the UK can leave but the one thing that cannot happen is Northern Ireland leaving the EU unless the EU gives us permission?

Mr Walker: I say simply to the right hon. Gentleman that it is very clear that the UK as a whole will be leaving the EU. Whatever the outcome of these negotiations, that will be the case: we will leave the EU as one United Kingdom.

Rachel Maclean (Redditch) (Con): I welcome my Worcestershire neighbour to his place. I know he is an assiduous doorstep campaigner and I wonder whether his experience is the same as mine in Redditch, which is that people just want us to get on with this. Does he therefore agree that it is very important that we hold the vote tomorrow so that we can express the wishes of the House and, most importantly, of our constituents, who want us to deliver on the result of that referendum?

Mr Walker: My hon. Friend is absolutely right: our constituents want us to deliver on the result of the referendum. They also want us to secure the strongest economy for every part of our country—from Redditch to Worcester, and all around the country. We can do that by backing the deal.

Mr Chris Leslie (Nottingham East) (Ind): This is completely crazy. The hon. Member for Wallasey (Ms Eagle) had this absolutely right: we are nearly three years on from that referendum and yet the Minister is perhaps going to give the House three minutes to consider a motion. [Interruption.] He is shaking his head; he will not give us three minutes. So will it be half an hour—or perhaps an hour? I am not sure whether my question should be to the Minister or to you, Mr Speaker, because I feel that the House should be suspended, or at least the Government should bring forward an opportunity for the House to properly look at the motion and consider any Attorney General’s advice, because I, for one, want to table an amendment with my hon. Friends for a people’s vote, so that we can sort this out straightaway.

Mr Walker: Let me be clear that, as I said earlier in my statement, the Government will be seeking to make a statement later on today.

Charlie Elphicke (Dover) (Con): Does the Minister agree that no competent negotiator would take no deal off the table and that an extension of article 50 would simply be a bigger bridge to nowhere? Will he reject the representations from the Labour party and its fellow travellers in the Independent Group and rule out a second referendum?

Mr Walker: I heartily agree with my hon. Friend about seeking to rule out a second referendum, which I do not think would provide any solutions. All it would do is prolong the uncertainty. It is absolutely right that we should deliver on the people’s vote that this House voted for and voted to respect back in 2016.

Emma Reynolds (Wolverhampton North East) (Lab): Will the Minister confirm that tomorrow we will not be asked to consider and vote on a unicorn motion—that is, a motion that contains a withdrawal mechanism that could be unilaterally triggered by the UK, which is just wishful thinking and not agreed with at EU level?

Mr Walker: I have updated the House by saying that negotiations are ongoing, the Government are seeking legally binding changes and we will come forward with a meaningful vote tomorrow. I do not believe in unicorns and neither does the hon. Lady. We should vote for a deal.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Over the past months I have contacted hundreds of local businesses in East Kilbride, Strathaven and Lesmahagow and the message is loud and clear: they want the single market and the customs union. Is the Minister risking what businesses need from Brexit with his pursuance of the backstop issue? Not one of my local businesses mentioned the backstop. We need to get a consensus across the House for business, jobs and livelihood.

Mr Walker: The hon. Lady makes an interesting point. I agree with her to the extent that it is not traditionally businesses that express concerns about the backstop—or perhaps not businesses in Scotland; perhaps some businesses in Northern Ireland do—but we also have to recognise the concerns in the House. To get and secure a deal that will secure the market access about which she speaks, we need the House to vote for it. That means we need to address the concerns of communities up and down our United Kingdom.

Ian Murray (Edinburgh South) (Lab): If we are to take the Minister at his word—and I think we should—he is confirming that tomorrow the House will vote on something that is meaningful under the provisions of section 13 of the European Union (Withdrawal) Act. How does he think a Back-Bench Labour Member of Parliament, standing up for his constituents in Edinburgh
South, will be able to table an amendment to that motion, have it signed by MPs from across the House so that it is selectable, and understand the legal implications of the Attorney General’s information?

Mr Walker: The hon. Gentleman asks a fair question and I respect the integrity with which he does so. The Speaker has already indicated that he would be prepared to accept manuscript amendments and I have been clear that the Government will bring forward their motion and the Attorney General’s advice as soon as they can. I am sure the hon. Gentleman’s ingenuity will allow him to pursue the ends he means to pursue in a parliamentary way.

Stephen Timms (East Ham) (Lab): What assessment has the Minister made of what I think is an increasingly compelling case, which is that if the Prime Minister is able, tomorrow or subsequently, to bring forward an agreement that may be acceptable to Parliament, parliamentary approval for it should be subject to ratification in a subsequent public vote?

Mr Walker: The right hon. Gentleman makes a call for a subsequent public vote—a people’s vote. I am very clear that that is not something that this Government would ever support.

Martin Whitfield (East Lothian) (Lab): It is often said that a lawyer who acts for himself has a fool for a client. We are going to receive legal advice tomorrow that has not yet been written because the negotiations have not finished. Will the Minister ask for that legal advice to cover the fact that what we will vote on tomorrow is a negotiated agreement for the purposes of section 13(1)(b) of the European Union (Withdrawal) Act?

Mr Walker: The Attorney General has committed to publish his analysis in full.

Patricia Gibson (North Ayrshire and Arran) (SNP): Potentially extending article 50 until the end of June is, of course, welcome, but I am curious and a wee bit bewildered as to what dramatic change the Prime Minister expects by then. Perhaps the Minister could enlighten us on that, but would it not be more honest, more courageous, and more statesmanlike to abandon these futile and embarrassing attempts to hold the fractured Tory party together, revoke article 50 altogether and get on with the day job?

Mr Walker: I do not think that it would be honest or statesmanlike to turn our back on the outcome of the referendum. I know that the hon. Lady’s party likes to ignore referendum results, but our party wants to deliver on them.

Kevin Brennan (Cardiff West) (Lab): It is customary on these occasions for the House to complain that the Government have sent the monkey and not the organ grinder, but on this occasion we have not even got the monkey—we have not even got the codpiece. [Hon. Members: “Oh!”] While the Minister is enjoying his very exciting work experience day, can he confirm one thing that he said earlier in this statement, which was that the Attorney General’s advice would be available before the House sits tomorrow? Can he confirm that that will be the case—that it will be available before the House sits, and not just before the debate?

Mr Speaker: I just say for the benefit of hon. and right hon. Members that the hon. Gentleman’s choice of language is really a matter of taste rather than of order. I know that the right hon. Member for Rayleigh and Wickford (Mr Francois) will not take it in the wrong spirit if I say that whoever else might be in a position to complain about others’ use of language, I think that he is not on strong ground on that front. I have tended to indulge him because I know that he speaks with passion and conviction, but he tends to be rather robust in his treatment of others, so, all of a sudden, objecting to the hon. Gentleman is perhaps for someone else to do.

Mr Mark Francois (Rayleigh and Wickford) (Con): I was sticking up for the Minister. I am a Government loyalist.

Mr Speaker: Yeah, and I as a Back Bencher had a really good relationship with my Whips! I had a relationship with my Whips that was characterised by trust and understanding: I did not trust them and they did not understand me.

Mr Walker: The Attorney General has said that he will publish his analysis, and I believe that to be before the House sits tomorrow.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): The Minister has clearly been sent out today to defend an absolute Horlicks of a situation in Government. Given that he has already confirmed that there will be a meaningful vote tomorrow based on section 13(1)(b) of the Act and that there will not be any unicorns contained within it, can he also confirm that, if the Government cannot negotiate some last-minute changes to the withdrawal agreement and future framework, the meaningful vote tomorrow will take place on the existing negotiated agreement, which will not have changed?

Mr Walker: The hon. Lady asks a series of hypothetical questions. The Government are negotiating, and I fully expect them to come back to this House with the results of that negotiation and then to hold the meaningful vote on those. I hope that she will be joining me in the Lobby to secure a deal as we exit the European Union.

Alan Brown (Kilmarnock and Loudoun) (SNP): In order to gauge whether it is worth my bothering to turn up for the statement later on, will the Minister confirm that the statement will outline legally binding changes to the withdrawal agreement? If it does, will he tell us what red lines have been rubbed out to allow that to happen?

Mr Walker: Of course it will be worth the hon. Gentleman’s while to turn up to any statement from the Government. I look forward to him seeing that the changes that the Government have been negotiating for have been achieved.
Points of Order

4.23 pm

Ian Murray (Edinburgh South) (Lab): On a point of order, Mr Speaker.

Mr Speaker: Does it appertain to the exchanges that have just taken place? [Interruption.] Oh, very well, I will indulge the hon. Gentleman. Points of order ordinarily would come later.

Ian Murray: I am very grateful to you, Mr Speaker, but this does pertain to the exchanges that we have just had. The Minister confirmed in his answer to my question, and indeed it was confirmed in your intervention in relation to the right hon. Member for Broxtowe (Anna Soubry) that, should the Government table a motion before the rise of the House, that indeed could happen at 10.29 pm this evening and therefore no Members of this House will be able to table amendments in the normal fashion. You suggested that the rules of the House would allow you to accept manuscript amendments. Can you inform the House whether you will be able to accept all of the manuscript amendments that come in, how, given the timescale that is available, the House will be able to get cross-party signatures on those manuscript amendments, which give an indication of the support in the House, and what the process will be for our being able to place those manuscript amendments between the rise of the House tonight and the opening bell tomorrow morning?

Mr Mark Francois (Rayleigh and Wickford) (Con): Further to that point of order.

Mr Speaker: If it is on the same matter, I will hear the right hon. Gentleman. Gentleman.

Mr Francois: Of course we all know that it is entirely in your gift, Mr Speaker, whether to accept manuscript amendments, but under these very unusual circumstances, will you advise the House—to give hon. Members from all corners a chance to plan—whether you have some idea of an indicative deadline tomorrow, by which time you would expect those manuscript amendments to be in so that they can be printed and circulated, in order that all Members of the House would know the options on the table?

Mr Speaker: I am grateful to the hon. Member for Edinburgh South (Ian Murray) and the right hon. Member for Rayleigh and Wickford (Mr Francois) for their points of order. I am reluctant at this time to specify a deadline or an intended target time. I would say to the right hon. Gentleman that I very much hope—with antennae finely attuned to the wishes of colleagues and the matter of basic courtesy in this place—that representatives of the Executive branch, who I am sure are keenly listening to these exchanges, will ensure that they get that motion down as soon as possible. If that is so, it may be that there is some time available tonight for colleagues who are interested to see what the Government have tabled. They would then have the advantage of that many more hours to consider whether to table an amendment—and, if so, which—and indeed to seek to garner support, possibly cross-party, for their amendment. However, if that is not the case, we will have to adjust as best we can.

There could well be several hours tomorrow in which Members will have sight of what has been tabled and will have the opportunity to table amendments. It is not to be assumed that we will necessarily be on to the business immediately after question time. There may be a longer period of time than that for colleagues to make their judgments about the matter. Certainly as far as I am concerned, the longer time that colleagues have to table amendments if they so wish, the better. The Government are perfectly entitled simply to put the motion down just before the close of business tonight—possibly obliged to do so because of what has taken place in Strasbourg, or possibly because of a judgment that they have made. That is not really my concern. My concern is that colleagues should be facilitated; and I will do on this occasion, as on every other, everything I can to facilitate the House. My role is to champion the legislature, not to be a nodding donkey for the Executive branch.

Hilary Benn (Leeds Central) (Lab): Further to that point of order, Mr Speaker. The annunciator tells us that there is to be a statement on Brexit. It might be helpful to the House if you were able to confirm whether it is your understanding that that is not necessarily going to follow sequentially upon the other statements that are going to be made, and that it might be quite a bit later this evening. That may have a bearing on the two points of order to which you have just responded.

Mr Speaker: Certainly that statement will be the last of any statements today, but the right hon. Gentleman is quite right in expecting that it will not simply follow after the second statement. My understanding at the moment is that that statement would either come at the moment of interruption—which, I say for the benefit of those from outside the House attending our proceedings, is at 10 o’clock—or it might come a little earlier than that. But is it to be expected that it will automatically come straight after the second statement? No. It will come when the Government are in a position to make—dare I say it—a meaningful statement to the House.

Chris Bryant (Rhondda) (Lab): Further to that point of order, Mr Speaker. You have understandably been referring to the motion for tomorrow, but, as I understand it, there will have to be two motions for tomorrow. There will have to be a business of the House motion as well, because otherwise we can only have a 90-minute debate as this will be a motion brought forward under an Act of Parliament. It would obviously be good if we were able to have that motion as soon as possible as well.

One of the things that is of enormous convenience to Members is knowing when votes are going to happen. I would guess that, in particular, people who have family commitments and things like that may want to know that the votes are going to be at 7 o’clock tomorrow evening rather than at 9, 10 11 o’clock, or whatever, and the sooner that is established, the better.

Finally, would you confirm that it is not your view, on the whole, as much as you are prepared to take manuscript amendments, that it is really in the best interests of Parliament to proceed on some of the most important issues affecting our country on the basis of manuscript amendments because the Government have taken so much time to present their business in the proper way?
Mr Speaker: Taking the last point first, I am happy to agree with the hon. Gentleman and to confirm that it is certainly not my view that it is desirable to proceed on the basis of manuscript amendments. It is far preferable that colleagues should have plenty of time in which to table amendments in the usual way. If, however, that proves not to be possible, I have to adjust. It is obviously much more popular with Members of the House if I say, yes, I will consider manuscript amendments than if I simply preclude them from consideration.

As for the question of motion singular or motion plural, I think that the hon. Gentleman is, as usual right: there will need to be two motions. I am grateful. It is always useful to have the ballast of endorsement from a sedentary position from the right hon. Member for Rayleigh and Wickford (Mr Francois). I cannot count on it at all times, and therefore, when I have it, I should put it in the bank and earn interest on it. Yes, there will need to be two motions: a business of the House motion and a substantive motion relating to the withdrawal agreement. It would be helpful to know about that earlier rather than later.

At this stage, I do not know whether the Government are thinking in terms of protected time—that is to say, a guaranteed number of hours irrespective of when we start—or in terms of a conclusion of the debate at 7 o’clock and votes immediately thereafter. Again, it would be helpful to know earlier rather than later. Of course, it is perfectly possible, and highly desirable, that that will be possible. It will be about the most important decision we have now heard mean that the Government must meet a proper test. We must not be messed around. I am sure that that is not the will of the Cabinet. Quite how the Cabinet operates, when it meets, whether the Cabinet will have met to discuss this matter, and what is discussed, I have no way of knowing, so I do not particularly want to get into the matter of contempt raised previously, and of course a motion was passed by the House on that matter. I hear what the right hon. Lady says. Suffice it to say that I think it is important that we treat of this business in a responsible way, and part of treating it in a responsible way is ensuring that parliamentary colleagues and, very importantly, Back Benchers have the opportunity to express their will in both written and spoken form, as well as by vote.

I do not want to reach a premature judgment. Let us keep an eye on this as the day unfolds. However the Government make their own decisions, which is obviously not a matter for me, the way in which the House disposes of business is ultimately a matter for us all, and that must meet a proper test. We must not be messed around. I am sure that that is not the will of the Under-Secretary of State for Exiting the European Union, the hon. Member for Worcester (Mr Walker), who is a most courteous fellow, but we cannot allow that to happen. I hope the right hon. Lady, with whom I have co-operated closely on parliamentary matters over the last nine and a half years of my speakership, will accept that I will always try to do what is right by the House of Commons, and I give my commitment to ensure that I do so again.

Kevin Brennan (Cardiff West) (Lab): Further to that point of order, Mr Speaker. As I have always understood it, our system is based on Cabinet government. Does what we have now heard mean that the Government will be laying a motion to which they are inviting amendments from Members of this House and which will be about the most important decision we have taken since the second world war, and it will not even have been considered by the Cabinet?

Mr Speaker: Well, I am extremely grateful to the hon. Gentleman. I think that that is, I will not say above or below my pay grade, but on a different remuneration scale—let me put it like that. I know that he served with very considerable distinction as a Minister in the past. In fact, I remember beetle over to his ministerial office on one occasion in years gone by. He was a figure of considerable celebrity in the then Government. I have never been a Minister, still less a member of the Cabinet. Quite how the Cabinet operates, when it meets and what is discussed, I have no way of knowing, so whether the Cabinet will have met to discuss this matter, I do not know. But I can say to the hon. Gentleman that whatever motions are tabled, they will be tabled in the name, and therefore with the authority and, by implication, the full agreement, implicit if not explicit, of the Government.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Further to that point of order, Mr Speaker. On the Government’s website at the moment, there is a month-long consultation on door closure warnings on the docklands light railway. So there is now currently more consultation on door closure warnings than there is on the entire future of our country and what is going to happen on Brexit. Do you not think that the Government are being utterly irresponsible and reckless? Is this incompetence or is it just contempt for Parliament?

Mr Speaker: I do not particularly want to get into the matter of contempt today. We have had the matter of contempt raised previously, and of course a motion was passed by the House on that matter. I hear what the right hon. Lady says. Suffice it to say that I think it is important that we treat of this business in a responsible way, and part of treating it in a responsible way is ensuring that parliamentary colleagues and, very importantly, Back Benchers have the opportunity to express their will in both written and spoken form, as well as by vote.

I do not want to reach a premature judgment. Let us keep an eye on this as the day unfolds. However the Government make their own decisions, which is obviously not a matter for me, the way in which the House disposes of business is ultimately a matter for us all, and that must meet a proper test. We must not be messed around. I am sure that that is not the will of the Under-Secretary of State for Exiting the European Union, the hon. Member for Worcester (Mr Walker), who is a most courteous fellow, but we cannot allow that to happen. I hope the right hon. Lady, with whom I have co-operated closely on parliamentary matters over the last nine and a half years of my speakership, will accept that I will always try to do what is right by the House of Commons, and I give my commitment to ensure that I do so again.

Kirsty Blackman (Aberdeen North) (SNP): On a point of order, Mr Speaker. As I have not made any point during my time in Parliament when statements have not come one after the other. My understanding of what you said is that there will now be an urgent question and then three statements; the first two will come straight after the urgent question, but the third might not. How will it be communicated to Members at what time that statement is likely to come? Is it possible that it will come in the middle of the debate on the Children Act 1989 (Amendment) (Female Genital Mutilation) Bill, or will it come before or after that? When will we know, and how will we find out?

Mr Speaker: The answer is that it could come at any time, with the agreement of the Chair. I do not seek to minimise the significance of the hon. Lady’s point. However, there are precedents for most things in this House, and I can assure her that there are many precedents for statements being delivered at the moment of interruption. It is perfectly possible to have a statement that is not taken sequentially after the others but at the moment of interruption—in the case of a Monday, 10 o’clock.

It could be at 10 o’clock. However, pursuant to what the hon. Member for Rhondda (Chris Bryant) said about people needing to honour external commitments,
it might be for the convenience of the House, if the
Minister is ready to deliver that statement, for it to be
delivered to the House earlier than 10 o’clock. If I had a
sense that it would be for the convenience of the House,
I would be minded to agree to such a request. How
would it become known to Members? My strong advice
to the hon. Lady and all colleagues is to keep their eyes
on the annunciator, and we will try to ensure that there
is proper notice; it will not be at five minutes’ notice or
anything like that. On that, I can assure the hon. Lady.
I will insist.

Mr Peter Bone (Wellingborough) (Con): On a point
of order, Mr Speaker. I am concerned, like other Members,
that we have enough time to consider the motion, to
table amendments and to consider those amendments
before we debate and vote. You said that the debate
might be some time after questions. Were you indicating
that there might be statements or urgent questions, or
was there something else in your mind?

Mr Speaker: No, I was not thinking of one thing
rather than another, but it is perfectly possible that
there could be urgent questions. As colleagues know,
urgent question applications are very common in the
House; they are very commonly submitted and very
commonly granted by me, if I think they warrant the
attention of the House. It is perfectly possible that
there might be ministerial statements. It is even
conceivable—I do not say for certain, but, depending
on what happens at this very important time—that
there could be a request to secure the attention of the
House on another matter for a significant period before
we even get to that debate. That is perfectly possible; the
Standing Orders allow for it. I understand how
conscientious the hon. Gentleman is, but he should not
be unduly concerned that there will simply be no time to
consider what has been put down. There’ll be time all
right.

Catherine West (Hornsey and Wood Green) (Lab):
On a point of order, Mr Speaker. For those of us who
find the palpitations are starting in relation to the week
ahead of us—the words “as the day unfolds” are quite
inducing of panic in some Members, even those who do
not have an Executive role—may I ask whether there is
a precedent, on such an important matter, for Members
not being given 24 hours to plan and discuss points of
common interest with those from other Benches and so
on? Is there a precedent for this sort of decision making?

Mr Speaker: I am sorry if the hon. Lady is concerned,
and I do not cavil at that: these are very important times
for all of us. The answer is that there almost certainly
will be a precedent, for the reason I gave to the hon.
Member for Aberdeen North (Kirsty Blackman) from
the Scottish National party a few moments ago, which
is that there are precedents for most things in this
House. If the hon. Member for Hornsey and Wood
Green (Catherine West) is challenging me about when
there was a precise precedent, I admit I cannot tell her.
In fact, there will not be a precise precedent, because
the particular circumstances of Brexit are a little different
from anything else that has previously occurred. If she
is wondering whether there has ever been such a situation,
the answer is that there will have been precedents in the
past.

What I am trying to do is to ensure that there is
maximum time for those who care about these matters—I
think a lot of Members do care about these matters,
and may potentially have an interest in tabling an
amendment and so on—and their interests will be protected
by the Chair as effectively as I can possibly do so.

If there are no further points of order—I thank
colleagues for their interest, and I hope to keep them
updated—we come now to the second urgent question.
Shamima Begum and Other Cases

4.41 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 Shamima Begum, the death of her son Jarrah and other cases.

The Secretary of State for the Home Department (Sajid Javid): We estimate that over 900 people left the UK to engage in the conflict in Syria and Iraq. Many have been killed fighting, some remain there, some have returned and others could still come back. Some irresponsibly took young British children with them, and some had children while they were there as part of their mission to expand the so-called caliphate. We have made it very clear since 2011 that no British citizen should travel to Syria. Those who have stayed until the bitter end include some of the most devoted supporters of Daesh. One of the ways we can deal with the threat that they pose to the UK is to remove British citizenship from those holding another nationality. Since 2010, this power has been applied to about 150 people of a range of nationalities.

It would not be appropriate for me to comment on the details of an individual case—although, clearly, the loss of any child is a tragedy—but, if I may, I will address some of the issues that have been raised. First, these decisions are made very carefully. Where citizenship deprivation is being considered for national security concerns, decisions are based on advice and intelligence from the security services, counter-terrorism police, and specialist security and legal officials in the Home Office. When people dedicated to keeping our country safe give an informed recommendation, any Home Secretary should listen very carefully. Secondly, we are unable to provide support to British nationals within Syria as the UK Government do not have a consular presence there. Thirdly, the status of a child does not change if their parents’ British citizenship is subsequently revoked.

There are no easy answers. I must also think about future conflicts and the precedents that we set. I do not want any more children brought into a war zone because their parents think that they will automatically be bailed out, no matter what the risk. However, the UK is doing all we can to help innocent people caught up in this conflict. We have committed £2.8 billion to Syria since 2012—our largest ever response to a single humanitarian crisis—and we are on track to resettle 20,000 vulnerable refugees who have fled the country, with our national resettlement programmes resettling more than any other EU member state in 2017.

Of course, I understand the public interest, so I have asked my officials to expedite the publication of our next transparency report on disruptive and investigatory powers, including the most up-to-date annual figures on the deprivation of citizenship. This Government remain committed to protecting our citizens around the world, but I will not shy away from using the powers at my disposal to protect this country.

Ms Abbott: When she was 15, Shamima Begum made a very bad decision, and it is arguable that much of the tragedy that has engulfed her since then flows from it. It is also the case that she has recently made some reprehensible statements to the media. However, the Home Secretary will know that the Opposition believe that she and her baby should have been allowed to return home. Now we know that that baby is dead. We believed that she should have been allowed to return home because this schoolgirl, born and brought up in Bethnal Green, was Britain’s responsibility. As it happens, that is also the general view of the President of the United States. Above all, bringing the mother and baby home would have given the baby a chance of life.

Instead, the Home Secretary, in the face of a media outcry, chose to strip Shamima of her citizenship. He knows that many authorities contend that that was done illegally, because she was not a dual national. Article 15 of the United Nations declaration of human rights states:

“Everyone has a right to a nationality. No one shall be arbitrarily deprived of his nationality”.

Does the Home Secretary accept that the child was British? Does he further accept that the British legal system does not hold children responsible for the wrongdoing of their parents? Does he also accept that, despite what Ministers have said about the dangers of sending officials into the refugee camp, aid workers, doctors and journalists go backwards and forwards to and from those camps all the time?

Does the Home Secretary further accept that, by stripping Shamima of her nationality, he made it impossible for her to fulfil her duties as a mother and bring her baby home to a safe place? Will he confirm that, as he said earlier, as well as taking legal advice, he took advice from the police and security services about the desirability or otherwise of bringing Shamima home? Can he explain why he deemed this 19-year-old, with a baby that was not quite three weeks old, more dangerous to Britain than the hundreds of foreign fighters who have already been allowed to return?

We now know that there are other British women in those camps who have been stripped of their nationality by the Home Secretary’s predecessor, the right hon. Member for Hastings and Rye (Amber Rudd). Can he assure the House that he will work with the Foreign and Commonwealth Office to see how best those British children’s rights can be protected?

The Home Secretary’s decision in this case has caused widespread concern and alarm. We understand the issue of keeping British people safe, but this was a British baby, who is now dead. No Opposition Member condones—[Interruption.]—the Home Secretary’s decision in this case has caused widespread concern and alarm. We understand the issue of keeping British people safe, but this was a British baby, who is now dead. No Opposition Member condones—[Interruption.]—

Mr Speaker: Order. Mr Wallace, please, I respect your governmental responsibilities and the seriousness with which you take them, but I appeal to you just to listen to the exchanges. You can always look wise—that is not difficult for you—but it is best for you just to listen. As for the Parliamentary Private Secretary, Mr Hoare, you are a junior Member of the House, trying to come to terms with your responsibilities as a PPS. Your role is just to sit there and nod or shake your head in the appropriate place. It is not for you to give a running commentary on the shadow Home Secretary’s performance. I have not the slightest interest in what you have to say, and you will say no more in the course of these exchanges or I shall have to ask you to relocate yourself.
Ms Abbott: This is a very serious matter and it is unfortunate that Members on the Treasury Bench do not seem to take it with the seriousness it deserves. I say to the Home Secretary that no Opposition Member condones what Shamima Begum did—the choices she made and the things she said. But if it was his 19-year-old daughter, however badly she had behaved and however reprehensible or near criminal her choices, would he want her to bury three babies in the course of a year? The Home Secretary of course has a responsibility to protect the British public, but he also has a responsibility to appear just and fair in the eyes of the British public. This decision, which has led, as night follows day, to protect the British public, but he also has a responsibility to appear just and fair in the eyes of the British public. This decision, which has led, as night follows day, to appear just or fair to the majority of the British public.

Sajid Javid: First of all, the one thing I do concur with the right hon. Lady about is that the death of any child is a tragedy, wherever it takes place in the world. It is not something that anyone—any Member of this House—would want to see.

The Government are committed to protecting British citizens, but it is very different when it comes to a war zone where there is no consular presence. That is a fact not just under this Government; it has been a fact under successive Governments and it is true for many other European countries. For the same reasons that we do not have a consular presence, they do not have a consular presence. Whichever British citizen in that war zone in Syria the right hon. Lady might be referring to, whether a child or an adult, if there is no consular presence there is no way for British authorities—as much as someone might want to, especially in the case of a child—to provide any type of assistance.

The right hon. Lady is trying to make this issue about British citizenship. It is not about British citizenship. One confirmation I can give to one question she asked is that it is the case that if a child is born to someone who is a British citizen at the time the child is born, that child is a British citizen, even if the parent’s citizenship is subsequently removed. This is not about citizenship; it is about the ability of the British state to help. For the British state to send officials, whether Foreign Office officials or others, into Syria in a war zone would risk the safety of those officials. That is why the Foreign Office has been very clear, ever since 2011, that no British citizen should travel to Syria in any circumstances, because it is incredibly dangerous. That is the view taken on Syria by almost every other liberal democracy, even when it comes to children from their own countries and their own citizens.

The right hon. Lady suggested, on citizenship deprivation, that the Government are somehow making decisions that are making people stateless. She rightly stated that that would be illegal under international law. That means that no such decision can be made, whether by this Home Secretary, my predecessors, or previous Labour Home Secretaries. Under international law, no decision can be made unless the Home Secretary is satisfied, based on expert advice, that that individual will not be left stateless.

The death of any British child, even one born to a foreign terrorist fighter, is of course a tragedy, but the only person responsible for the death of that child is the foreign terrorist fighter.

Mr Kenneth Clarke (Rushcliffe) (Con): I think it is well established international law that one does not take away the citizenship from even one’s most unpleasant fellow citizens if it will leave them stateless. I thought it was policy not to take away citizenship unless someone had substantial citizenship of and some connection with another country. I had not previously heard it described as some sort of punishment for past misbehaviour.

May I ask the Home Secretary to address the security implications for our safety? There are thousands of European nationals who are jihadists. They are now scattering over the middle east, in camps and elsewhere, trying to get out. Does he not agree that if each European country desperately tries to turn away its own in the hope that they will go to some other country, we will actually expose ourselves to considerable danger? Is it not preferable that everybody who gives up and wants to return to their own country comes back to that country, where they can be put in the hands of the police, prosecuted if necessary, and kept under surveillance by the intelligence services for as long as is necessary?

Sajid Javid: The first point that my right hon. and learned Friend raised was on citizenship. Again, to make it clear, under international law it would clearly not be possible for the British state to remove British citizenship from anyone unless the Home Secretary who is making that decision is satisfied, based on expert advice, that that individual will not be left stateless, so he is right to make that point about international law.

On the security implications that my right hon. and learned Friend asked about, clearly there is a balance that needs to be met. The primary objective should be the safety and security of all those who live in the United Kingdom. That should be the overriding concern, based on expert advice and expert intelligence about what is necessary to protect British citizens. There is a case for more co-operation with our international partners because, as I mentioned earlier, they face many similar challenges. It is something that I discuss regularly, especially with our European partners—I discussed it just last week in Brussels with some of them—and that we are trying to get better co-ordination on so we can better manage some of the joint threats that we face.

Joanna Cherry (Edinburgh South West) (SNP): Save the Children said that the death of this innocent, newborn baby was an “avoidable tragedy”, and I still have not heard any satisfactory explanation from the Home Secretary as to why the Foreign Secretary said that it would be too dangerous to have brought this baby to safety, when many journalists have visited the camp that the child was in on numerous occasions. I also gently say to the Home Secretary that I am sure that some of these women who were “married” to jihadi fighters did not have much choice in the decision about whether to have children or not. I do not think those fighters were too interested in a woman’s right to withhold consent to sex, never mind women’s reproductive rights.

Last time I raised this matter, the Home Secretary was very stung by my criticism and suggestion that revoking Ms Begum’s citizenship might have been contrary to law, but in the meantime, many other lawyers, in addition to the right hon. and learned Member for Rushcliffe (Mr Clarke), have pointed out that the basis of his decision is questionable, because it seems quite
clear that Ms Begum has no right to Bangladeshi citizenship. There are claims that the Home Secretary did not consult either the Attorney General or the Solicitor General before making his decision—something that could leave him vulnerable in the event of a legal challenge. Will he tell us whether these claims are accurate, and will he refrain from retreating behind the argument that the case is sub judice, as you have already explained to him, Mr Speaker, that that is not the case?

Other countries, including the Republic of Ireland, that are faced with this situation are not depriving their citizens of citizenship, but are taking responsibility for citizens radicalised on their watch, rather than dumping them on poorer countries whose security arrangements are already strained to the nth degree. Finally, in the camps and hospitals of northern Syria, there are many more innocent children who are not British citizens. The Kurdish authorities need more help to deal with these families and these innocents fleeing Daesh. What discussions has the Home Secretary had with his Foreign Office counterparts in respect of that humanitarian aspect of the situation?

Sajid Javid: The hon. and learned Lady suggests that because journalists are getting into Syria—into some of the camps—that it is perfectly safe, then, for British officials to enter. She will know, first, that that is a decision for journalists to make. She will also know that, thankfully in most cases—even in war zones—journalists have some degree of protection. If it was a British official, it would be a very different category of risk, and I know that she would recognise that.

The hon. and learned Lady also made a reference to women foreign terrorist fighters. All I would gently urge is that no one should make a judgment on the threat that a foreign terrorist fighter poses to our national security based on their gender. That would be entirely wrong.

The hon. and learned Lady has also questioned the legality of such decisions. As I have said—I am happy to repeat it—these decisions are never taken lightly and are based on both expert security advice, intelligence advice and legal advice. As to the last part of her question, the Minister for the Middle East, my right hon. Friend the Member for North East Bedfordshire (Alistair Burt), will be making a statement later in which he will cover that point.

Mr Andrew Mitchell (Sutton Coldfield) (Con): Of course, the Home Secretary must decide on what is in the best interests of British public safety on the basis of information that we have not seen, and he is entirely right that it would be wrong in these circumstances to put British officials and personnel in harm’s way, as has been suggested by some on the Opposition Benches. Further to the point made by the Father of the House and former Home Secretary, however, is Britain, with its rule of law and governance structures, not wrong to leave people in unguarded space who would then be prey to terrorists and their recruiters? Has he noted that Ms Begum was 15 when she was radicalised in London—indeed, groomed by bad people—and that her family, who want her back, and her local community have repudiated her acts and disagree with what she has said and done?

Sajid Javid: I always listen carefully to what my right hon. Friend says, and he was right in his opening comment. Much has been said about this case—many accusations and insinuations and much so-called detail—that people could not possibly know because, for security reasons, No. 1, but also for other reasons, it is not possible for the Government to share the details of any such case. It would not be appropriate. It has never been so in the past and would not be appropriate now, and as I have said, the decisions would always be taken on expert legal advice.

On the second part of my right hon. Friend’s question about the security risks posed, whether it is our security or that of others, we need to look carefully at the security threats, but first and foremost I must be concerned about the safety and security of all those who live in the United Kingdom, and, where threats remain after we take action, we will work with our international partners to minimise them.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I asked the Home Secretary about the vulnerability of this little baby, who has now tragically died, at the Select Committee session. Can he confirm that Shamima Begum’s son was a British citizen? I see no reason not to confirm that, rather than make generic statements. He also told me that he had considered the interests of the child. That is a bit hard to understand, given what has happened to this little baby. Was he advised by his officials that there would be a greater risk to this child’s life if he made this citizenship decision about the mother?

Sajid Javid: I can confirm that if a child is born to a British citizen anywhere in the world, as long as that British citizen is not a naturalised British citizen, that child is British, even if the parent’s British citizenship is subsequently removed. I have mentioned before in the House, and I am happy to repeat it, that these decisions are never taken lightly—I believe that to be true of all my predecessors—but they are based on expert advice by officials. Where a child is involved, the interests of that child are taken into account.

Dr Julian Lewis (New Forest East) (Con): Can I follow the logic a little further about what is necessary to keep British society safe? I am sure that people on both sides of the House believe that the best way to deal with something such as this would be for each country to take people back, put them through the court process, prosecute them and, if necessary, imprison them. The problem is: what do we do when we do not have an offence for which a person can be prosecuted? We now have a new offence of entering a designated area. What is the maximum prison sentence that someone would serve if convicted of that offence? If it is a very short period, will the Home Secretary consider upgrading the law on treason—as was done temporarily during the second world war—to ensure that anyone who comes back will serve a very long sentence? It takes between 20 and 25 security service operatives to cover a single suspect 24/7, and that is simply impossible when there are hundreds of such suspects.

Sajid Javid: My right hon. Friend has made a number of good points. He is, of course, absolutely right: someone who returns can be prosecuted for an offence only if the relevant laws exist. He alluded to new counter-terrorism
legislation that is included in the Counter-Terrorism and Border Security Act 2019, and to the “designated areas” offence. I believe that the maximum sentence that can be received for that offence is up to 10 years. It was precisely to try to secure more tools with which to prosecute returning fighters that I made that amendment to that Bill. We are constantly considering what further improvements can be made, and what further tools can be introduced to prosecute returning foreign fighters. I agree with my right hon. Friend that it is time to look at the laws on treason, and to modernise them.

Sir Edward Davey (Kingston and Surbiton) (LD): Did the Home Secretary seek advice on whether a charity already active in the Syrian camps, such as Save the Children, could have helped the British Government to remove this British baby to safety?

Sajid Javid: As I have said, these decisions are never taken lightly. A number of factors would be considered, on a case-by-case basis, and we would look at what is in the best interests of defending our national security and act on the basis of the advice that we received.

Stephen Crabb (Preseli Pembrokeshire) (Con): The Home Secretary faces a daily set of choices and decisions to keep the citizens of this country safe which no other member of the Government faces, and he has the support of Conservative Members in doing his very difficult job. Does he agree, however, that there is still a huge amount of work to be done for us to understand why so many British children and young people from British homes chose to go and be part of Daesh, and that we need to build trust in those communities and invest in them so that more young people feel that they have a greater stake in a liberal and free society such as ours?

Sajid Javid: I very much agree with my right hon. Friend. Much work has been done when the UK has suffered some terrible terrorist attacks, and the Government have been required to consider sensibly what more can be done to help us to understand what motivates individuals either to commit acts of terrorism here or to go and join foreign groups abroad.

My right hon. Friend rightly talked about communities and community relations. It should be borne in mind that many members of the British Muslim community do not want foreign terrorist fighters to return to this country, because they fear both the precedent that that will set for future potential foreign fighters and the radicalism of vulnerable young British Muslims by those returning foreign fighters.

Rushanara Ali (Bethnal Green and Bow) (Lab): Shamima Begum was my constituent. She fled to Syria in 2015, along with two other girls, after being groomed and radicalised—mainly online—and influenced by a former classmate who had left earlier. As the Home Secretary will know, the police were working in enormously difficult circumstances, but one of the errors made was their sending letters about interviewing the girls to the girls themselves instead of their parents. The police subsequently apologised for the error. The girls were minors then, and they had not committed crimes at the time when Shamima Begum fled.

I recognise, especially given what she has said in the media, the abhorrent views that Shamima Begum now holds and the fact that she has been radicalised, but, that said, no child should face punishment for the sins of its parent, and in this case that child is the child that died. I disagree with the Home Secretary’s decision to rescind her citizenship, because doing so makes her stateless, given that the Bangladeshi authorities do not recognise that she has citizenship of their country.

That said, national security and the protection of our communities are paramount. I want to flag up some of the issues that my constituents have raised, because we need to think deeply about how we deal with them. My constituents are concerned about the fact that the case has gained the oxygen of publicity, and about the abhorrent views that have been allowed to be peddled in our media day in, day out. My constituents are worried about the repercussions and the possibility of a backlash from far-right groups. I have already had cases of innocent people, who happen to be Muslim, being attacked. Those are the issues that we have to reckon with and deal with.

My constituents are concerned to ensure that if people are returned—as they should be, given the debates about nationality—they should be prosecuted and face the full force of the law. If those people are returned into their communities, we face the massive challenge of dealing with backlashes in those returnees’ localities. Our constituents become vulnerable to attacks from the far right and other religious extremists, and they may face unhelpful media attention while they are trying to get on with their lives.

I ask the Home Secretary this, once again: will he please work with the Foreign Secretary and our allies in other countries to come up with a long-term solution? We must address the problem of people who go to conflict regions, to ensure that they do not find clandestine ways to return to our country, create more insecurity and pose a greater danger to people’s lives.

Sajid Javid: I listened carefully to what the hon. Lady said. As she said, sadly, a number of her constituents are known to have gone to Syria to join Daesh and other terrorist groups. I understand the concerns that have been raised in the community, and she touched on some of them. She might be interested to know that I recently visited a Prevent panel in Tower Hamlets to see some of its excellent work with many members of the community. It safeguards vulnerable young people not only against groups such as Daesh but against far-right extremism, which she mentioned.

The hon. Lady has said a lot, and I have listened carefully. If it would help, I would be very happy to meet her later and discuss some of those issues in more detail.

Mr Philip Hollobone (Kettering) (Con): The problem is that not enough British nationals who return from Syria are being prosecuted. We know that 900 British nationals have gone to aid Daesh in Syria and Iraq. Some 180 have been killed in theatre, 360 have returned and another 360 are likely to return in the near future. Of the 360 who have returned, just 40—10%—have been successfully prosecuted. I say to the Home Secretary that that is simply not enough.

Sajid Javid: I absolutely understand my hon. Friend’s point. He has pointed out, quite correctly, the challenges
of prosecution of foreign terrorist fighters who return to the UK. As we have heard from my right hon. Friend the Member for New Forest East (Dr Lewis), one challenge is having the right laws in place—we are making some changes to that—and another is collecting battlefield evidence. These individuals are returning from a war zone. Collecting evidence in the battlefield is incredibly difficult, but we have done, and continue to do, a lot of work through the MOD and with our defence allies and Five Eyes partners to try collect more such evidence, so that we can use it in the courts for more successful prosecutions.

Anna Soubry (Bromsgrove) (Ind): We now know that some 100 Daesh terrorist fighters have returned to the United Kingdom, and it seems that only 40 of them have been prosecuted. Meanwhile, a number of women who have given succour and support to Daesh—ISIS—have been stripped of their British citizenship. Several of them are mothers and their children are British citizens, to whom the Government, like it or not, have a duty because they are under the age of 16. The Home Secretary tells us that those young women are such a threat to our country’s security that they have had to have their British citizenship taken away from them. On what possible basis does the Home Secretary take the view that they are fit and proper people to care for children who are British citizens in refugee camps?

Sajid Javid: My right hon. Friend raises a number of points. First, there is no British consular presence in Syria, so it is incredibly difficult for the British Government to intervene directly or to provide help for any British citizen there, whether a child or an adult. That is why the Foreign and Commonwealth Office has been making it very clear since 2011 that no British citizen should enter that war zone. She also seems to question the dangers that might be posed by female terrorists. One public case that I can refer to went through our courts in June 2018. Safaa Boular, aged 18, was convicted of planning to travel to Syria and to engage in terrorist acts. Soon after, her mother, her sister and her female friend also pleaded guilty to terrorism charges. They were going to set up a female terror cell, and had they succeeded, there would have been deaths in this country. No one should make a judgment on the threat of a terrorist based on their gender.

Sir Desmond Swayne (New Forest West) (Con): So how lethal are female terrorists?

Sajid Javid: My right hon. Friend asks a good question. It has been well documented that female terrorist fighters who have gone to join Daesh have engaged in murder, recruitment and radicalisation, including of British citizens through online means. They have assisted in rape and helped to keep sex slaves, and they have also prepared suicide vests and carried out suicide attacks themselves.

Stella Creasy (Walthamstow) (Lab/Co-op): The Home Secretary is at pains to tell us that there is no consular presence in Syria. However, the aid agencies have a presence there. The International Rescue Committee tells us that the al-Hol camp in Syria is at “breaking point” because 12,000 women and children have arrived there since last Wednesday. Since then, 100 children have died, two thirds of whom were under the age of five. The Home Secretary has been quick to talk about his power to strip someone of their citizenship without due process, but can he tell us how quickly he has acted with the aid agencies to identify whether there are other British children in that camp who need our help? Surely standing up and speaking out for them represents the best of the British values that we want to uphold.

Sajid Javid: We should be very proud of what we are doing as a Government to help those who have been hurt or displaced in that conflict. The UK Government have committed more than £2.8 billion since the start of the conflict, which is more than almost any other country. As we will hear shortly in the Foreign Office Minister’s statement, we have committed a further £400 million this year. We are also leading a donor conference, and we resettled more vulnerable refugees through national resettlement programmes than any other country in the EU last year.

Mr Bob Seely (Isle of Wight) (Con): The Secretary of State has mentioned figures relating to the last couple of months. He said that about 900 British citizens had been in the caliphate, of whom 400 had returned, 10% had been prosecuted and between 100 and 150 had died. That leaves about 300 people still out there. Can he give us any further information now? Are those people meeting and gathering in any particular part of Syria? Are they intending to try to return to the UK? Will he listen to the voices of Conservative Members who think that the current treason laws are insufficient and need to be reviewed?

Sajid Javid: My hon. Friend is right to suggest that these are approximate figures. It is impossible to get the actual number of people who have gone to Syria and remain there, but he is right to suggest that there are possibly about 300 with British connections. We have received some information through the security services and through some of our allies, but it would be inappropriate to share that publicly. I can say, however, that many of those individuals remain active and very dangerous, and we are continuing to work with our allies to see what we can do to maintain our national security.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I have had a lot of contact with my constituents regarding this case and others, and they have shown absolute compassion and believe that it is a tragedy. However, they are also extremely mindful of the risk posed by individuals who have been radicalised coming back to the United Kingdom, and they want me to ask the Home Secretary to confirm that such decisions are based on evidence and clear risk assessments, not ad-hoc judgments, as has been described.

Sajid Javid: I am happy to give the hon. Lady that confirmation. Due process needs to be followed in all such decisions. As I have already said to the House, the powers are used rarely. They have been in existence for over 100 years after being set out by Parliament and put in place by this House. The last time that the House updated them was relatively recently in 2014, and they have been used by successive Home Secretaries of different political colours. On each occasion, such decisions are based on detailed expert advice, including national security assessments, intelligence and advice from lawyers.

Mark Garnier (Wyre Forest) (Con): The Home Secretary discharges his duties with diligence and care in the
interests of British nationals, but in removing the citizenship of a suspected terrorist in the middle east and thereby passing the responsibility on to a less-developed nation, possibly with fewer resources, are we not potentially putting British nationals overseas at risk? As we leave the European Union, should we not be setting an example in how we take responsibility for people we consider to be a threat not just to British citizens, but to the world in general?

Sajid Javid: My hon. Friend makes a fair point and draws out the fact that each decision must be made on a case-by-case basis. There is sometimes a fine balance to be struck about the best way to protect the national security and citizens of this country, and such decisions are never easy. There should be no suggestion that citizenship deprivation is always used whenever it is considered, and it is sometimes not used because we try to balance out the best way, based on expert advice, to protect British lives.

Kirsty Blackman (Aberdeen North) (SNP): Section 66 of the Immigration Act 2014 requires the Home Secretary to commission a review of the use of deprivation powers. That was done for the first year, but it has not been carried for the period between July 2015 to July 2018, and the Library confirmed to me that there is no requirement for that to be done by the independent reviewer of terrorism legislation. I am pleased that the Home Secretary mentioned the review today, but how has it taken me asking a written question and receiving an answer from the Immigration Minister that a review will not be commissioned until we have a new independent reviewer of terrorism legislation for the Home Secretary to confirm that one will happen? What is the timetable for the review? This House needs to see how the deprivation powers have been used, and the letter of the law in the 2014 Act needs to be carried through.

Sajid Javid: First, we are in the final stages of appointing the independent reviewer of terrorism legislation, so I will come back to the hon. Lady on the specific point about the 2014 Act. Secondly, in my opening remarks, I referred to the fact that we make regular transparency reports on the use of such powers to protect the country. The last such report was published in May 2018, and it is appropriate for us to publish another report soon, which is why I have asked my officials to expedite the preparations so that I can place a report in this House as soon as possible.

Crispin Blunt (Reigate) (Con): When the Home Secretary refers to working with allies in respect of managing the threat from British citizens now in captivity having been working or living in the ISIS area, will he confirm whether the Democratic Federation of Northern Syria is one of those allies? What help are we giving or intending to give to the DFNS to best oversee the British citizens now in its charge?

Sajid Javid: My understanding is that we do not officially recognise the Democratic Federation of Northern Syria but that British officials may deal with individuals who are themselves affiliated with the federation. When I refer to allies at the Dispatch Box, I specifically have in mind our European allies and our Five Eyes allies.

Jim Shannon (Strangford) (DUP): As a father and grandfather, my heart aches for any mother who loses a child, but that does not change my support for the Home Office’s decision, just as it does not change the heartache and loss for every victim of ISIS terrorism, including children across the world and especially here in the United Kingdom of Great Britain and Northern Ireland. Does the Secretary of State agree that the safety of our citizens must always be the priority of the Home Secretary?

Sajid Javid: I very much agree with the hon. Gentleman about the loss of any child, whether the child of a terrorist or any other child. All children, especially babies, are innocent in every way, and such a loss is a tragedy for us all. Everyone would have sympathy with that.

As the hon. Gentleman says, our duty is to prevent further loss of innocent life, including of children in Britain. The Home Office’s paramount responsibility is to keep this country safe.

Dr Phillip Lee (Bracknell) (Con): Sadly, there is plenty I could disagree with on the justification for this decision, which I do not think was the right one. As we all realise, this baby was British. The papers were not served on the mother until after the baby was born. Did the Home Secretary seek any guidance on infant mortality rates in that refugee camp or, indeed, in any other refugee camp in northern Syria? Did he speak to any international aid organisations via the Department for International Development? Did he seek for any notes to be produced by his private office to that effect? Finally, on the difficulty of removing this woman from this refugee camp, did he inquire at all, via various sources, with Kurdish authorities about whether it was possible to deliver this mother and her child to a border at which civil servants could collect the child in safe circumstances?

Sajid Javid: It is worth reminding the House that there is no British Government consular presence in Syria, which is why we have made it very clear since 2011 that no one should enter Syria. Syria is incredibly dangerous, and what the British Government can do to help or protect any British citizen is very limited.

My hon. Friend refers to a particular case, but where a child is in a camp or anywhere else in Syria who happens to be a British citizen, it is not possible for our officials, without risk to their own lives and their own safety, to enter Syria. To do so would be to provide that consular presence, which cannot happen. That is why we have been very clear in our approach.

Finally, as I mentioned earlier, whenever a decision is taken to carry out a citizenship deprivation and a child may be affected by that decision, it is taken into account.

Rehman Chishti (Gillingham and Rainham) (Con): The Home Secretary knows I have immense respect for him, but I disagree with his judgment on this case. He has just said that he is working closely with international partners and our EU partners to ensure that we keep our citizens safe here, across Europe and around the world. What is the difference between that and the policy applied by France, which is taking back all its Daesh fighters? France had a large number of Daesh fighters who went to Syria, and they are now coming back. What is the difference between France’s policy and the United Kingdom’s policy?
As I have previously raised with the Home Secretary, 900 British nationals went and 400 have come back, and 40 have been prosecuted, with some receiving heavy sentences. The United Kingdom stands for the rule of law and justice. What is the difference between those cases and this case in depriving a person of their citizenship? We need to apply our laws fairly, justly and consistently.

Sajid Javid: First, let me say that I have respect for my hon. Friend, too. I say gently to him that, although he is absolutely entitled to his view, he could not possibly know the facts of each of these cases, including the one he is referring to. He has asked me what the difference is between a case and potentially another case, and this is why we take a case-by-case approach; each case has to be balanced and a judgment has to be made about what is in the best interests of the UK and protecting its citizens. That has to be balanced against all other concerns, and that is what is done. He has also referred to France, suggesting that it somehow has a policy of taking back all children. I do not believe that is France’s policy.

Vicky Ford (Chelmsford) (Con): I have three children, and I cannot imagine what it feels like to lose one baby, let alone three. But the tragedy surely is that there are millions of people, including millions of children, in Syria today who are surviving only because of humanitarian aid. We know that people went off to fight with ISIS from not only the UK, but France, Germany, Italy, the Netherlands and many other western countries. So what more do we need to do to prevent our young people from being radicalised? Clearly, there is a concern about more fighters coming back and more radicalisation taking place. Is the Prevent strategy working well enough? What lessons can we learn from other countries?

Sajid Javid: First, my hon. Friend reminds the House that, sadly, many children have died in Syria because of the conflict, with many having died because of the acts of Daesh and its terrorist supporters. She has asked what we are doing on de-radicalisation. A number of programmes have been in place for many years. One of the key programmes is the Prevent programme. Last year, there were, I believe, approximately 7,000 references to the programme, and some 400 people were put into the Channel programme—they are the ones we would have the most concerns about—and the vast majority are coming out successfully, with no further concerns. We are also finding that there is an increase in the number who have been subject to far right extremism, so this is about all types of extremism. The heart of these programmes is about protecting and safeguarding vulnerable people, often young people.

Tom Pursglove (Corby) (Con): Ultimately, is it not the case that any Home Secretary has to make very difficult decisions, such as this, based on information that they are simply not able to share in the public domain?

Sajid Javid: That is right, and it is as true for me as it has been for my predecessors. As I have said before, it has been the case for predecessors of all political colours. This whole power of citizenship deprivation has been set by this Parliament—by parliamentarians—and it has been given to Home Secretaries to use in cases where there is good reason to do so. Ultimately, the purpose of the power is to protect our country.

Syria

5.33 pm

The Minister of State, Department for International Development (Alistair Burt): With permission, Mr Speaker, I would like to update the House on the wider humanitarian situation in Syria, following the statement by my right hon. Friend the Home Secretary. This House has followed developments in Syria for eight years now, since this terrible conflict began. Today, I regret that I have to report to the House little positive news on the humanitarian situation: there remain nearly 12 million people in need of humanitarian assistance inside Syria; more than 6 million people have had to flee their homes in search of safety for themselves and their loved ones—and as the locations of fighting have shifted, many of them have had to flee again and again; we now see 80% of Syrians living in poverty; 2 million children are out of school; and 6.5 million do not have food security, not knowing day to day if they will be able to feed themselves or their families. In addition, there remain 5.7 million Syrians who have called upon the kindness of their neighbours, sheltering in Jordan, Lebanon, Turkey, Iraq and Egypt. And that is to say nothing of the estimated 400,000 Syrians who have lost their lives through these eight years of bloody conflict. The situation is dire and heartbreaking. It is both morally right and in our national interest to do what we can.

Let me update the House on the UK’s continued leadership as part of the humanitarian response in Syria. I hope later this week to attend an annual international meeting of donors to the Syria crisis response, where I will commit that we will spend at least £400 million this year to help those who have suffered at the hands of the conflict. The United Kingdom is already one of the largest donors to the Syria crisis response, and this week’s pledge will take our total commitment to over £2.8 billion since 2012. The funding is targeted at those most in need, both inside Syria and in neighbouring countries. In total, we have now allocated over £1.2 billion for supporting Syrian refugees and host communities in neighbouring countries. I continue to be full of admiration for the generosity of those states.

Last week, I visited Lebanon, where I had constructive meetings with His Excellency Prime Minister Saad Hariri, His Excellency President Aoun, His Excellency the Foreign Minister, and other Ministers. I reaffirmed the UK’s commitment to supporting a strong, stable and prosperous Lebanon, including the country’s efforts to help so many of those most affected by the Syria crisis. Many of my conversations focused on the large number of Syrian refugees that Lebanon continues to host. We should be in no doubt of the burden placed on host countries, and the generosity that they show in supporting refugees.

I was particularly grateful during my visit to have the opportunity to visit a local school that is part of the British Council’s Connecting Classrooms programme, accompanied by the Minister of Education. I was touched by the children’s enthusiasm for learning, and proud that the UK is helping to make a difference to their lives through a £160 million commitment to the goal of reaching every child in Lebanon, whether Lebanese or Syrian refugee, with education.

I wish also to mention the contribution of other neighbouring countries. Turkey is generously hosting more than 4 million refugees and is now the largest refugee-hosting country anywhere in the world. Jordan
continues to show its support for the people of Syria. Last month, my right hon. Friend the Prime Minister and His Majesty King Abdullah of Jordan co-hosted the London Initiative 2019, an international conference for Jordan in central London. It was a great success, laying the foundations to unlock further economic growth, jobs and investment for Jordanians and refugees alike.

When I meet fellow donors later this week, as well as reaffirming the UK’s commitment to the people of Syria and to neighbouring countries, I will take the opportunity to stress again the importance of ensuring that there is regular, unfettered access for the humanitarian agencies that are trying to work inside Syria. Let me be clear: by that I mean that I will again call on the Syrian regime and its backers to end the cruelty of refusing or obstructing the delivery of humanitarian aid. More than 1 million people live in what are known as “hard to reach” areas, where ongoing hostilities and shifting lines of control make it incredibly difficult and dangerous to provide the support that people need. Throughout the whole country, 50% of the UN’s requests to the Syrian regime for permission to deliver aid are rejected or simply go unanswered.

Aid agencies continue to struggle to get the necessary approvals to operate. This is only prolonging the suffering even seeking to support those trying to deliver humanitarian refugees can return home. If the Syrian regime is not entering a new chapter in Syria, whether it is time to answer to the question I am often asked: whether we are reason for this, and no excuse. To me, it provides the opportunity to stress again the importance of ensuring that organisations such as the United Nations High Commissioner for Refugees in Lebanon over a period of time during my visit, and of course most of them want to return home—but only once the conditions inside Syria have improved and, most notably, only when they are confident that they will be safe.

So, we have to continue to stand firm. We must send a strong signal that we will not give up on the Syrian people who are being denied justice, security and a legitimate Government that can truly represent them. We must continue to press for a negotiated political settlement that can bring the people of Syria back together. The UN-led process is the legitimate forum to achieve this, and we will continue to call on the Syrian regime to seriously engage in the Geneva process.

The humanitarain situation inside Syria remains severe, with immense human suffering, as we enter the ninth year of this tragic crisis. But we will continue to stand firm, support the people of Syria, stand shoulder to shoulder with their neighbours who do so much and, ultimately, do what we can to bring this crisis to an end. I commend this statement to the House.

5.39 pm

Dan Carden (Liverpool, Walton) (Lab): I thank the Minister for providing an advance copy of his statement. As the conflict in Syria enters its ninth year, the humanitarian needs in Syria remain overwhelming. More than 12 million Syrians still need humanitarian assistance and more than 6 million refugees are displaced outside the country. We welcome the Government’s commitment to pledge an additional £100 million of UK aid—£400 million this year—for Syria at this week’s conference in Brussels.

As we have just heard in the previous urgent question on Shamima Begum’s case, we know that conditions for refugees living in camps are not as safe as they should be, and I take this opportunity to express my deep sadness at the loss of an innocent British life in a Syrian refugee camp. The situation in many refugee camps in Syria and in neighbouring states is critical. The al-Hol camp in Syria is now at breaking point. A total of 12,000 women and children have arrived from ISIS-controlled Baghuz in eastern Syria since Wednesday morning, bringing the total population to more than 65,000. In the past three months, there have been at least 100 deaths, nearly all children, on the way to or after arriving at the camp. Two thirds of those deaths are babies and infants under five years of age. Will the Minister tell the House what plans are in place now rapidly to improve conditions at refugee camps?

In 2018, more than 1,100 children were killed in fighting, the highest number since the start of the war. What steps is the Minister taking to protect vulnerable Syrian children who are key to the country’s future? Non-governmental organisations on the ground are clear: Syria is not safe for refugee returns, and I welcome the Minister’s clarity on that position today. Any discussion on returns must be based on conditions being in place to enable displaced people to make voluntary, informed and sustainable choices about their future. Where refugees do seek to return, what steps are being taken to ensure that organisations such as the United Nations High Commissioner for Refugees are present to provide the necessary support?

Although we must protect those caught up in conflict, what we ultimately want is an end to the conflict and a lasting peace so that people can return home. We have heard in recent days that the last vestige of Daesh control is under assault. Kurdish forces have made huge sacrifices in that battle against Daesh, so with the threat of US forces withdrawing from the region, what plans are in place to support and protect the Kurdish population there in that eventuality?

As the Minister has stated, NGOs active on the ground report severe difficulties reaching those most in need inside Syrian regime-controlled areas. Long approvals processes for programmes, activities and travel and visa restrictions are all impacting on organisations’ ability to carry out humanitarian work. He says that the Government will stand firm, and calls on the Syrian regime to stop obstructing the delivery of humanitarian aid. We all want to see humanitarian aid delivered, but how realistic does he think it is to expect a change of approach by that regime on access for humanitarian organisations to reach the populations that are most in need, and will he tell the House what more he is doing?

Finally, will the Minister speak urgently with his counterparts at the Home Office to bring forward an announcement on plans for a future refugee resettlement programme here in the UK, ahead of the conclusion of the current vulnerable person’s resettlement scheme in 2020?

Alistair Burt: I am grateful to the hon. Gentleman both for his questions and for the way in which he asked them.
As I indicated, UK support of £2.81 billion over the past few years has covered those refugees both outside and inside Syria. DFID works on the basis of humanitarian need; it is not on the basis of who holds power. That also means that, at present, we are providing assistance to those who have been in Daesh-controlled areas and who are in need. We provide support through governance in areas that have been under opposition control, but we are also prepared to provide for need inside those areas that are under regime control.

In this specific instance, as the hon. Gentleman said, there has been a lot of focus recently on the camps where there are those who have been involved in the fighting and who are now, because of the end of the military campaign against Daesh, in that small area and moving out of it. Our understanding is that male foreign fighters are in one camp, and spouses and children are in another. The United Kingdom does not provide aid to those who are classified as foreign fighters in their camps but we do, and rightly should, provide aid and support for women and children in the other camp.

In 2018-19, UK aid has provided in excess of £40 million to address basic life-saving needs across areas previously held by Daesh, including to children in camps for internally displaced persons. In these camps specifically, DFID-funded partners are providing support, including medical screening on arrival at the camp; medical services for children through mobile medical teams; clothing for children; mental trauma counselling for children; child protection checkpoints for unaccompanied or separated children; and activity tents for children.

We are already providing support for those who are considered the most vulnerable: children, who are innocent of what has happened around them and will be immensely damaged by it, almost whatever age they are. If they are very tiny, they may have seen things that have been imprinted on their consciousness with very little understanding of them. If they are older, they may have been subject to indoctrination or the like. Regardless of that, we are helping inside the camps to try to provide them with the assistance they need.

I am conscious of the increasing numbers. Our aid is not distributed directly by DFID workers because, as we discussed earlier, access is difficult, but we do work with agencies to provide aid. I am also conscious of the increasing needs. The recent announcement of the £400 million, including the extra £100 million, is flexible. We can adjust where that might be distributed, according to need. We are conscious of the pressures everywhere, so I hope that this will provide flexibility to deal with those concerns.

The hon. Gentleman mentioned support for children generally. When I have been in international areas, I have been impressed that there has been recognition of what the United Kingdom has sought to do in order to support children who have been displaced by the crisis, wherever they have been. We have sought to provide support for children with education both in Lebanon and Jordan, and have provided a lot for needs. Our support has helped the Lebanese education system to reach 215,000 children, and has provided access to non-formal education for almost 71,000 refugee children. Improved infrastructure and services in 200 of the most conflict-prone municipalities has helped children who have moved there, and our support has also provided psychological support, trauma counselling and basic medical assistance in the camps. Since 2012, we can say that UK support has delivered nearly 28 million food rations, 14 million medical consultations and 10 million vaccines across the region, and of course a lot of the vaccination work has been with children, so we have specifically recognised the needs of children.

The hon. Gentleman asked me about keeping in touch with agencies as the situation in Syria becomes clearer. Absolutely—it is still a conflict zone in many respects, but that will gradually change enabling us to do rather more. At present we cannot go into the areas that are conflicted, so we work through the agencies. We are doing all that we can to keep in touch with UN agencies such as the World Food Programme and others to ensure that we can give them the support that they need. However, as I mentioned in my statement, the regime is reluctant to give approval for agencies to go in at Rukban. As the hon. Gentleman will know, we made repeated efforts to get the UN convoy in there, but only two have got through—the second one recently. There is no good reason why that should have been delayed. We have pressed the regime to allow the humanitarian agencies to do their work.

The hon. Gentleman asked about the situation of the Kurdish community on the north-western border.¹ The situation there remains an uncertain stalemate. There is no clear indication of what the boundaries may be of a so-called safe zone. Turkey is entitled to take steps to ensure no terrorist attacks on it. It is very clear that it has no issue with the Kurdish population that live in Turkey; Kurds live peacefully in Turkey. It is only concerned about those who might be outside its borders planning terrorist attacks and is looking to create a safe zone that might resist that. That situation remains unclear. Since the American forces announced their withdrawal, an anticipated Turkish incursion has not taken place, and we remain hopeful that that will be the case. I should be clear that this is not the case against the Kurdish community per se but only those who might be engaged in terrorist activities. We hope that this will be resolved diplomatically and without any fighting. We are doing all we can to support that.

The hon. Gentleman asked about hopes for the regime and any serious change in these areas. At present, it does not look very good. He will know that both Lebanon and Jordan are very keen to return refugees. Refugees, in general, are keen to return, but that cannot be universally taken for granted. Some have made different lives in Lebanon or Jordan. They have now been there for many years, and are thinking about whether it may be better for them to remain. This is very difficult for Lebanon and Jordan. One thing that would help considerably is for everyone to know that they would be safe if they returned. However, those who have returned to southern Syria and are in contact by telephone with families elsewhere talk of the regime still interrogating people when they return, preventing people from returning by crossing them off lists so that they cannot go back, imposing forced conscription and the like. No one is going to be safe in those circumstances, and no international agency or collection of countries is going to urge or encourage refugees to return in those circumstances. The hon. Gentleman is right: there has to be real evidence of change by the Syrian regime. This will come only through the political developments that are taking place through the UN. But unless people can see that,

the United Kingdom will not be engaging in reconstruction and will not be urging Syrian refugees to return to unsafe areas.

The hon. Gentleman asked me to be in contact with the Home Office in relation to resettlement programmes and the like. I will certainly pass on his concerns, but of course we have had a lengthy explanation from the Home Secretary of issues affecting the Home Office and returns to the UK. He spoke very clearly and very properly about those situations.

Mr Andrew Mitchell (Sutton Coldfield) (Con): I greatly welcome my right hon. Friend’s important statement today. In a bleak situation, British humanitarian leadership and the expertise of DFID shines out. The House will want to pay tribute, too, to the extraordinary bravery of many British and international humanitarians who so stoutly put themselves in harm’s way to help their fellow human beings.

Can my right hon. Friend confirm that Britain has given more help to those suffering in this dire humanitarian situation, both inside Syria and in the countries around it, than the rest of the European Union added together? Will he again pay tribute to the quite extraordinary generosity of the surrounding countries—particularly Turkey, Jordan and Lebanon—in taking in so many people who have been driven out, often under gunfire, from Syria? Will he put pressure on other humanitarian donors and wealthy countries who are in a position to help—and sometimes, indeed, contractually bound to help—to boost their support and follow Britain’s international leadership on this matter by putting their money, too, where their mouths are?

Alistair Burt: I thank my right hon. Friend for his usual perceptive comments. He knows a great deal about the background to this. He asks first about the courage of aid workers. Bearing in mind the dreadful circumstances of yesterday’s air crash in Ethiopia, and recognising the number of aid and humanitarian workers who were on that plane from the UN and the World Food Programme, it is appropriate to recognise that those who are in conflict areas, and even those who are travelling around the region following what they believe is the right thing to do to assist humanity, are taking risks. We grieve for those who lost their lives. I am quite sure that I speak for the whole House in putting on record our sadness at yesterday’s events.

In relation to the extent of aid, I absolutely agree—the £2.81 billion has been an extraordinary contribution. Last year in Brussels, we made the third largest pledge of £750 million, and the £2.81 billion that has been an extraordinary contribution. Last year in Brussels, we made the third largest pledge of £2.81 billion has been an extraordinary contribution.

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In relation to urging others, later this week there is a conference in Brussels that, all things being equal, parliamentary business being dealt with and whipping being sensible, I am very keen to go to. I hope that will be the case. These international conferences do provide the opportunity for us to work with others. As the House will know, I keep in regular contact with other significant donors in the areas—those in the Gulf, European colleagues and the like. I am quite sure that, just as with Yemen, states have recognised their needs and responsibilities. The Brussels conference, I hope, will be an indication from all states, following the United Kingdom’s example, that this is a conflict not to turn away from even though it has lasted so long.

Stephen Gethins (North East Fife) (SNP): I thank the Minister for his statement and for setting out the massive humanitarian disaster that has unfolded, and is unfolding, in Syria. The resources that he sets out are of course welcome, but I am sure he will agree that we are looking at a massive reconstruction effort that may take the better part of decades. I echo his words about the generosity of Syria’s neighbours and the people of Lebanon, Turkey, Jordan and elsewhere. On refugee returns—I can fully understand why that is being discussed in these countries given the burden that they are under—what more can he tell us about making sure that any returns have to be done safely? I was somewhat reassured by his words earlier.

I join the Minister and others in paying tribute to the work and the bravery of the non-governmental agency sector, and pay tribute to those who lost their lives in the air disaster in Ethiopia yesterday. I reflect on the work done by UK NGOs such as Oxfam, Save the Children, Mercy Corps and others, but also some smaller NGOs such as Donna Jennings’s Sam’s House in my own constituency. What can we do to protect humanitarian workers, and what work is ongoing in terms of access to those who are most in need? That continues to be a challenge and may be so for years to come. Can any future efforts be done in partnership with these NGOs, because they cannot begin and end in Whitehall?

Finally, I hope that the Minister’s Department will commit to work with the Scottish Government and fully support their efforts, including to support and empower Syrian women and their role in the peacebuilding process.

Alistair Burt: I thank the hon. Gentleman for his comments. On reconstruction, the support that the UK provides at the moment is termed stabilisation and resilience, in that people who have absolutely nothing need access to food, water and shelter. There is a distinction drawn between providing for the immediate needs of people—stabilisation and resilience—and what is termed the longer-term reconstruction, which is the rebuilding of infrastructure and of the country. There is an international difference of opinion. There are those who have taken the side of Syria during the time of the regime in saying, “This is what Syria needs going forward in order to settle its people.” However, we have a concern about this reconstruction being provided to an unreconstructed regime, where, as I have indicated, all the evidence suggests that there are refugees it deliberately does not want back for political reasons, and that for those who do come back, there are risks attached.

It seems to us that to ask United Kingdom taxpayers, and this House, to support a reconstruction programme in those circumstances is not correct. Accordingly, we—this is a joint EU position—have taken the position on reconstruction of saying no, until we know for certain that this is a different Syria that will provide proper rights for its citizens and will not provide the basic background that can then be exploited by extremists and terrorists in future because they are dealing with a population that is
being appallingly treated. I think we are right to stick to that, but the hon. Gentleman can be reassured about the stabilisation and resilience support.

The hon. Gentleman referred to the neighbouring countries. To put some figures on the record, over the last few years we have provided £608 million for Lebanon, £483 million for Jordan and £319 million for Turkey—a total of £1.34 billion to support the 5.7 million refugees in the region and cover their needs. We are supporting the various programmes that are being run. It is a difficult balance for those states. They want to care for those who are there. In some cases, they are caring for refugees who have been there for a very long time—the Palestinian refugees—and, accordingly, we are building up issues about the length of time that host countries are able to support people for. I am sympathetic to the needs of those host countries, but it must be clear that refugees cannot be put back into a situation of danger, and the international community has to work together to deal with that.

The hon. Gentleman mentioned aid workers and, in particular, Sam’s House. He has written to me previously about it, and I commend the work of that small but very necessary agency. We work in close conjunction with it, as indeed we do with any such agency. I visited Holyrood not too long ago and had a good conversation with the Scottish Minister responsible for international development. Of course, we look to support our friends there. The protection of aid workers is about supporting the campaigns we see from time to time which say that aid workers and journalists are not a target, and ensuring that people know how important that is. I commend the hon. Gentleman for his supportive comments.

**Dr Julian Lewis** (New Forest East) (Con): I warmly commend everything that the Minister, wearing his DFID hat, has been doing to help Jordan in particular. The King and the Government are our close friends and allies, and they have been truly heroic in this situation. I have a little concern about the Minister’s position wearing his Foreign Office hat. Does the Foreign Office accept that President Assad and his regime, brutal though they are, have won the Syrian civil war? If they were to show a greater willingness to behave in a more humane way to returning refugees, would the Foreign Office and DFID be prepared to offer aid to those returning to Syria under the Assad regime’s control?

**Alistair Burt:** I am grateful for my right hon. Friend’s comments. It would be unlike him not to have slight concern about some of the things that the Foreign Office does. I appreciate the situation. First, let us be clear: there cannot be any definition of “winning” this conflict when something like half a million people have been killed—the vast majority at the hands of the regime, and a significant number at the hands of Daesh—and millions have been displaced. Should the regime and its backers claim to have won, I am sure this House would speak with one voice in its disgust at such a term.

Is it correct to say that the situation on the ground indicates that the regime is likely to stay in control of areas that it currently controls and regain control? Yes, that is the situation. The regime was rescued by Russia on one occasion and by Iran and Hezbollah on another. We do not need to rehearse the events of August 2013, but there are consequences of both intervention and non-intervention, as the House understands. The situation is plain, and my right hon. Friend is correct; the regime will count its survival as a success in the dreadful circumstances.

What happens next is really important. As I indicated earlier, if Syria’s regime and governance returns to where it was, Syria will never be at peace. First, people’s human rights will continue to be trampled on. That will provide the base of conflict for the future, and those who seek stability in Syria through the return of the regime will not get it. It is clear that there must be a response from the regime to provide for its people decently, as opposed to the conditions of war that it has waged upon its own people for the past few years. When that time comes, I will be able to answer my right hon. Friend’s question.

**Stephen Twigg** (Liverpool, West Derby) (Lab/Co-op): I welcome this statement. We can all be proud of the UK’s substantial contribution to humanitarian relief in Syria and neighbouring countries. I want to ask the Minister two questions. The first is about the area of Syria that has been liberated by Kurdish-led forces. He rightly referred to security issues in that part of the country. What are we doing to support humanitarian and development projects in that part of the country, working with its leadership?

Secondly, the Minister referred to there being 2 million children out of school. We know from Syria and other emergencies that more and more children are spending longer and longer periods of their childhood and adolescence in these protracted crises. Investing in their education and support is vital. Will some of this additional money, which is so welcome, be invested in education for children in Syria?

**Alistair Burt:** The International Development Committee and the hon. Gentleman, who chairs it, have kept a constant watch on this issue, which has really been appreciated by DFID and all our partners. We have recognised the support needed in areas that have been freed from Daesh. At the moment, DFID-funded partners are aiding the humanitarian effort by providing support to health facilities, child immunisation, de-mining activities—remains so important—and child protection and education, as well as providing emergency supplies such as food and cash. Between January and June 2018, support to the Hasakah, Raqqa and Deir ez-Zor governorates provided 260,000 medical consultations, 23,000 food rations, 300,000 cash grants and more than 5,500 people with sexual and gender-based violence services. The humanitarian services are quite significant and complete.

However, in the camps, where the women and children of foreign fighters are concerned, there are no cash transfers. The Secretary of State has taken the view that that would not be appropriate. Cash transfers are extremely valuable in many circumstances. They provide some flexibility for refugees and those who are dependent on them and help people to make easier choices. There is little evidence of any abuse, and it can be a most practical way of delivering aid. But in the particular circumstances of the women and children of foreign fighters, in order to ensure that there was no risk of divergence to terrorist sources, my right hon. Friend took the decision that cash transfers would not be used.

Finally, the hon. Gentleman asked about children. I am impressed with the number of international meetings I attend where support for children and their education and counselling has moved from a nice add-on to the protection provided by shelter and food and protection from harm to something that is absolutely fundamental. Like me, he will have seen UK aid workers and those we fund engage with children in camps. When the children arrive, their drawings are horrific and of deep violence, but after they have had some time with skilled and experienced counsellors, they can begin to exhibit signs of normal childhood, which they deserve. He and the Committee can be sure that we will continue to keep that as a serious priority.

Crispin Blunt (Reigate) (Con): First, I congratulate my right hon. Friend on the London initiative 2019 and his officials on the outstanding way in which they organised that conference. He is absolutely entitled to claim it as a great success if the international representation that the United Kingdom delivered for Jordan at that conference is reflected in future help for Jordan. He and his officials deserve plaudits for that.

My substantive question is about the custody of British foreign fighters under the aegis of the Democratic Federation of Northern Syria. The Government appear to have taken a policy position not to return those British citizens to the United Kingdom, so they will remain in the charge of the Democratic Federation authorities for the foreseeable future. What help are we giving or will we give to best oversee those British citizens?

Alistair Burt: I am grateful to my right hon. Friend for his comments about the Jordan conference, which we hope will indeed be a significant success. As was said earlier—and I will repeat it from the Foreign Office—we do not have consular access to Syria, and that is not in a situation to change imminently. Of course, at some stage in the future it will, and that will change matters significantly.

Crispin Blunt: That wasn’t my question.

Alistair Burt: I know, but at present, just to reiterate, it is not possible for us to do so, so there is no question of bringing any foreign fighters anywhere. If, like others, they return to the United Kingdom through their own devices, as they have done, then they are subject to UK control when they come back. As was mentioned by my right hon. Friend the Home Secretary earlier, that process has already happened. If fighters continue to return in that way, that will be the process.

For those who are there, my hon. Friend’s point is absolutely pertinent. It came up in Washington a couple of weeks ago when we had the global anti-Daesh conference. We were indeed very cognisant of the fact that many states wish to see justice served in an area where offences may have been committed, which implies that those currently holding and detaining them will continue to do so and will also need resource to handle the legal and judicial consequences of holding them. I can assure my hon. Friend that how best we make a contribution to that is under active consideration.

Jo Swinson (East Dunbartonshire) (LD): I very much welcome the Minister’s commitment of these new resources to help people in very desperate humanitarian states in Syria. It is clear from what he says about the interrogation of people who return, and indeed from the Syrian regime’s refusal to let humanitarian aid through, that there is no hope of safe return for refugees in the short term at least. May I ask the Minister about what we do as the United Kingdom to accept refugees? We have promised to take 20,000 through the vulnerable person resettlement scheme by 2020 and, separately, to take 3,000 unaccompanied child refugees. How many of those have to date been resettled in this country, and if the prospects for peace in Syria remain as bleak as they are today, does he think that the programme needs to be extended beyond next year?

Alistair Burt: The hon. Lady’s question covers more than my own portfolio, but my understanding of the refugee programme has always been that it is on track. My hon. Friend the Minister for Africa tells me that something like 7,000 of the 20,000 are already here. My understanding is that the programme for 20,000 is on track to be fulfilled, but it is always kept under review in relation to who the most vulnerable and where the United Kingdom can provide most assistance.

None the less, it remains clear that the policy—I think it has been absolutely right—is to concentrate our support in the areas to which refugees flee most quickly, because that provides the best opportunity for them to return. There is very little prospect of those who have come to Europe returning to Syria. It is much more likely that those who have made their homes in Jordan, Lebanon and Turkey will do so, which has got to be the right answer both for them and for Syria. Again, I will bring to the attention of the Home Secretary the question the hon. Lady raised about the refugee programme.

John Howell (Henley) (Con): The Minister has already mentioned Iran, which has a substantial military presence in and a close relationship with Syria. Is that a force for good or, as is my opinion, is it holding up the normalisation of Syria?

Alistair Burt: My hon. Friend asks a good question. Iran will say that its support for the Syrian regime was designed to stop extremist forces taking over Damascus at a crucial stage of the civil war. On the other hand, there is no doubt that support by Iran for the regime has also contributed to a civil war being waged against the Syrian people and has involved support for various atrocities carried out by the Syrian regime.

There is no doubt that Iran’s presence in Syria is a cause of great concern, not least to Israel, with the stationing of sophisticated weaponry in southern Syria that does not appear to be directed at Daesh or anyone else. Iran will have some questions to answer about how it sees its presence in the future of Syria. What we want to see is an independent Syria, free of foreign constraints upon it, but no longer a regime that wages war on its people. Those who have been its partners will need to answer for the part they have played in the past, and it remains open whether they can play any constructive role in the future.

Thangam Debbonaire (Bristol West) (Lab): I thank the Minister for his very thorough and thoughtful approach, as always, to this region and its problems. He says that 50% of United Nations requests to deliver aid are rejected or ignored by the Syrian regime, so I would like to ask him how he thinks we are ever going to be able to
trust this regime’s assessment of when it will be safe for refugees to return, what measures and methods of assessment we are going to apply to evaluate when and to what extent it is safe, and whether he can tell us anything about what work is planned to rebuild the capacity of civil society to ease that transition. If he is able to say anything about that, I would be grateful.

Alistair Burt: I am grateful to the hon. Lady for her question, and I thank her for her kind comments. Essentially, it is a UN assessment. The UNHCR and UN agencies are the bodies most likely to give their assessment of when areas of Syria have become safe for return in every sense of the word—not only an end to physical conflict there, but the circumstances being right for people to return—and we support the UN agencies in doing that.

The most likely difficulty will be differences of opinion. For example, it is clear at the moment that it is the practice for some in Lebanon to return to Syria at the weekend or from time to time. Those who fled earlier go back to certain areas, and the Lebanese Government draw attention to that and say that people would not be going back if they did not feel safe to do so. None the less, that is not a definition of safety per se.

I think the honest thing to say is that there is real pressure, rightly so, from host nations that are worried about the burden they are bearing. The first thing we can do is to make sure we continue to support them and that we do not, just because of the passage of time, neglect their needs. Secondly, we should make it clear that we do wish for and support the return of refugees. However, the international community must continue to say that that can only be when the conditions are right for safe and dignified return, and at this stage the facilitation and promotion of returns does not meet that test.

Mr Philip Hollobone (Kettering) (Con): Daesh would not have been defeated in Syria were it not for the valiant efforts of the Syrian Kurds in eastern and northern Syria. When it comes to the post-conflict political settlement in Syria, will Her Majesty’s Government be pressing for secure and effective regional autonomy for the Kurds?

Alistair Burt: My hon. Friend is tempting me towards the British Government view of the ultimate political settlement that will be decided by the Syrian people and by the international community as well. The situation is that he is absolutely correct to say that the turning back of Daesh at Kobani and the work by others to make sure that Daesh was pushed back was fundamental, as was the work done in Iraq by the Kurds and by the Iraqi security forces in Lebanon, where the Lebanese armed forces again turned back Daesh at a crucial time. Right throughout that region—supported by coalition air support, in which the United Kingdom was involved—all that has been a move in the right direction, but it is clearly correct to recognise the Kurdish activity.

It is not for the United Kingdom to determine what the ultimate political settlement in that region will be. What I do know is that representatives of the Syrian opposition have included Kurdish representatives. Clearly, no settlement in the future that will promote calm in the area can be complete unless there has been a recognition of those of Kurdish background, but also unless there is clearly an end to any risk of terrorism from those who have perpetuated that particular form of attack on others in the past.

Mike Gapes (Ilford South) (Ind): The Minister rightly referred to Turkey, Lebanon and Jordan, and the millions of refugees they have taken. Refugees from Syria have also gone to Iraq, and they were not mentioned in his statement. I understand the complexities of the Kurdistan Regional Government region and its relationship with Baghdad, but what assistance is being given to the Kurdish population in Iraq, who have been so generous in hosting not simply people from Syria, but people fleeing from Daesh in other parts of Iraq?

Alistair Burt: As the hon. Gentleman knows, I was in the Kurdish region of Iraq about three or four weeks ago. I was able to speak to the KRG—to the then Prime Minister elect and others. Our support in the region has been to provide in the case of need, and it has been delivered to those on the ground. We have recognised what has been happening in Nineveh, Mosul and other KRG areas, and support has been given to those who operate through the KRG in order to protect those who have been there. Ultimately, those in Iraq must feel protected by Iraqi security forces, so that minorities feel that they are protected by those on whom they can rely instead of worrying about which militia has control of them at various times. The KRG and others have been very clear about trying to ensure that that support is given.

Rehman Chishti (Gillingham and Rainham) (Con): I very much welcome the statement by the Minister, for whom I have great respect and admiration. The Russian Government, supported by the Iranian militias, have been successful in propping up the Assad regime. However, they do not have the money to rebuild Syria—around £300 billion is needed for that. The Minister says that he will speak to other donors about giving more, but those regional donors will have real concern about giving money that will prop up the Assad regime, which they say is responsible for killing half a million Syrians. Linked to that, we must get the endgame right in Syria. Did the United States consult the UK, as an international partner in the coalition against Daesh, when they considered withdrawing their troops? Withdrawing their troops from Syria will lead to anarchy and chaos if it is not done in the right, constructive way.

Alistair Burt: My hon. Friend asks several good questions. Let me repeat what I said about reconstruction. The UK and the EU are very clear that there should be no reconstruction of Syria and that therefore the significant aid that we have seen, for example, in relation to Iraq, should not go to Syria until there is a political settlement that guarantees safety and security there. Other donors and states may have different views.

Of course, we must also recognise that there will be competition for influence in Syria. Some states want to provide support because they believe that it will give them greater influence. I can understand that, but our position must be clear. As my hon. Friend said, the money that is needed can come only from the international community as a whole. Neither Russia nor Iran is likely to be able to find the resources to do that. We therefore have leverage to try to get the right sort of political settlement. My hon. Friend is right about that, but
other states, particularly those closest to Syria, may have different ideas. However, we will stick firmly to what we believe is right.

The US decision about withdrawing troops has become slightly clearer following the President’s original decision, which has been ameliorated and discussed by the State Department and others. The UK remains clear that the maintenance of some US influence in Syria is beneficial to the future outcome, and we hope that that will happen, but the numbers are a sovereign matter for the US.

Kate Osamor (Edmonton) (Lab/Co-op): I thank the Minister for his thorough report and his usual regard and concern for the region.

Is the Minister aware that, last year, more than 10,000 women from over 50 countries travelled in convoy from Istanbul to the Turkey-Syria border to launch a global appeal on behalf of the women unlawfully held as prisoners by the Syrian regime since 2011, often simply because of their links or family friendships with members of the Syrian opposition? Amnesty International estimates that more than 13,500 women have been jailed, with more than 7,000 remaining in detention, reportedly subjected to the most appalling treatment, including torture, rape and sexual violence. What immediate action is the Department taking with our allies to encourage the Syrian regime to cease the torture of prisoners and to secure the release of those detained women?

Alistair Burt: I am grateful to the hon. Lady and I commend those who took part in the march and others. From the beginning of the conflict, we were clear about what had sparked it: the conduct of the regime and the way in which a desire for reform in Syria—not the removal of the President—was met with violence, and we remember the killings of children. That turned peaceful protest into something rather different. I am sure that several Members have seen the evidence collected by those who escaped from Syria with photographs of what had happened under regime control. Most recently, the regime itself has started to produce the death notices of those who had simply disappeared to provide some evidence of what happened.

There are therefore two issues. One is, as the hon. Lady said, to draw attention to the horror of the regime’s treatment of women—her comments on that are accurate and well documented. Secondly, as well as drawing attention to that and making the case that a regime that conducts itself in such a way cannot expect anything from its people, we need accountability. Although the physical conflict in Syria may come to an end, we must continue to press for justice for those who have been so ill treated. The UK has contributed £9 million since 2012 to various accountability mechanisms and NGOs that gather evidence and assist victims. We also support the independent UN commission of inquiry’s investigations into human rights violations and abuses in Syria. We will continue to do that. A line cannot simply be drawn under what has happened to the Syrian people. The abuse of women should not be forgotten.

Jim Shannon (Strangford) (DUP): I thank the Minister for his hard work and commitment, which many in the House and further afield deeply appreciate. He knows that and I want to put it on record.

One and a half million Christians have fled Syria to Lebanon and Jordan during the war. Three things need to be done for those Christians to return home. They need new safe homes; they require employment opportunities, and they desire freedom of worship in their churches, which need to be rebuilt and restored. What has been done to deliver those three absolutes so that refugees can have the confidence to return?

Alistair Burt: I am grateful to the hon. Gentleman for his comments. As we have discussed in the House previously, the requirements of the Christian community in Syria for safety and protection are shared by any other community there. We have been at pains to impress upon the region that no minority community feels safe unless there is a sense that the state will protect them so that they do not have to rely on individual militias. That is a long, slow process, but we are working steadily at it and we continue to contribute to everything that will provide for greater state controls, particularly in Iraq. In Syria, the process will be longer. Elements of the Syrian community were not disturbed by the regime’s control, while others were. Our general support for the fair and just implementation of the rule of law is clear.

I also commend my right hon. Friend the Foreign Secretary’s review, led by the Bishop of Truro, on Christian persecution. It is another opportunity for contributions to the subject and new ideas. Ultimately, the protection of all protects any community, and the UK is right to insist on that.

Alison McGovern (Wirral South) (Lab): I share others’ appreciation of the Minister’s commitment to the issue and his full answers to our questions.

I too have met refugees in nearby countries who are supported by the UK’s commitment to refugees in the region. It is a humbling experience. Syrian refugees have suffered a great deal and I know that the UK’s support is much appreciated by them.

I am glad that the Minister will be at the conference in Brussels this week—fingers crossed. I want to follow up on the question that my hon. Friend the Member for Edmonton (Kate Osamor) asked about detainees and access to justice. The Minister said that we have committed £9 million to that cause. Yet in his statement, he said that we would spend £400 million on the whole crisis. It seems to me that now might be the time to increase the commitment to justice. We cannot give up on justice. Syrian people around the world feel forgotten. Our commitment to justice is a demonstration from the House that they will not be forgotten and that we will stand by them. Will the Minister commit to increasing that spend?

Alistair Burt: The people of Syria will not be forgotten as long as the hon. Lady is in the House. She has been a consistent friend to those in Syria, right from the beginning. She and a number of others in the House have made their presence felt, and I very much acknowledge what she has done.

The announcement this week is that this year’s commitment to Syria will be £400 million, which is an extra £100 million. It is flexible. It is not yet individually accredited, but we will spend a total of up to £400 million. I am keen to look at the justice and accountability mechanisms. I have met those in the UN who are involved with that. I am very happy to give the hon.
Lady a commitment that if there is a need to increase that and support it in terms of programmes, we will look to do so. I cannot commit the money now, but my advice is that our support is flexible if there is a need to provide it in different areas. That may well be one. It is very important, as the conflict physically comes to an end, that we do not forget those who suffered during it, particularly from detention and the rule of the regime.

Catherine West (Hornsey and Wood Green) (Lab): Further to the question from my hon. Friend the Member for Wirral South (Alison McGovern), what scope is there for UN agencies to collect important evidence that may be helpful should President Assad or any of his henchmen face justice at the International Criminal Court in The Hague?

Alistair Burt: UK funding for the work of the Commission for International Justice and Accountability contributed to the arrest of three former Syrian officials in Germany and France last month on suspicion of crimes against humanity. The commission’s documentary and evidence-gathering work also contributed to the recent US District Court judgment that found the Assad regime responsible for the murder of the journalist Marie Colvin. One of the earliest things that William Hague did as Foreign Secretary, when this all began, was to look at what could be done to provide help and assistance to those gathering evidence—it is not an easy thing to do—that would end up at an international court. A bit like the extraordinary work of the International Commission on Missing Persons, which did so much in relation to Srebrenica and the crisis in the Balkans, making sure that the evidence is well kept and well preserved will be essential. My noble Friend made sure right from the very earliest stage of our engagement with those in Syria that that sort of work was available. Clearly, that work has been done on a wider scale. We support that work, and where, technically, the United Kingdom supports that work we will continue to do so.

Point of Order

The Secretary of State for Northern Ireland (Karen Bradley): On a point of order, Madam Deputy Speaker. In response to an oral question on 6 March, I made inaccurate comments regarding the actions of soldiers during the troubles. It is right that I address these remarks in the House today and correct the record.

What I said was wrong. It was deeply insensitive to the families who lost loved ones in incidents involving the security forces. I have apologised unreservedly for the offence and hurt that my words caused. Today, I repeat that apology both to the families and to Members of this House. The language that I used was wrong.

Last week, I met a number of those families. I am grateful to each of them for giving me the opportunity to apologise in person. Families from throughout Northern Ireland and from all parts of the community who suffered as a result of the troubles rightly want to see justice properly delivered. Where there is any evidence of wrongdoing, this should be pursued without fear or favour, whoever the perpetrators might be.

My position and the position of the Government is clear: we believe fundamentally in the rule of law. That is the principle that underpins our approach to dealing with legacy issues and it is one from which I will not depart. That is why I launched the public consultation on addressing the legacy of the troubles. We received over 17,000 responses to that legacy consultation and I am grateful to all who took the time to respond. We are rightly taking the appropriate time to consider all responses, some containing harrowing and deeply personal stories. I will set out the next steps shortly.

Madam Deputy Speaker (Dame Eleanor Laing): I thank the right hon. Lady for her point of order.

Tony Lloyd (Rochdale) (Lab): Further to that point of order, Madam Deputy Speaker. I regret that the Secretary of State has not made a statement to the House. I hope that in the coming days she will consider whether it would be right and proper to come before the House to make a full statement. One of the prime necessities for anybody in her role is that they have the confidence not just of the political parties and broader civil society in Northern Ireland, but of the victims’ families, because of the pain they have gone through for so many years.

It is now five years since the Stormont House agreement, which said that there would be a justice process for those families. Time has gone by, but it has still not been delivered to them and the Secretary of State must know that. She must also know that she has lost the confidence of at least some of the political parties and some of those very families. That makes her own position very difficult. She has to think about what that means not simply in terms of her credibility, but her capacity to do the job. I hope she is reflecting on her position and I hope she will come back to the House to make a fuller statement.

Madam Deputy Speaker: I thank the hon. Gentleman for that point of order. The right hon. Lady and the hon. Gentleman, and indeed the whole House, know that that is not a point of order for the Chair and therefore I will give no answer to the point, but I think the whole House is pleased that the Secretary of State and the shadow Secretary of State have had an opportunity, however briefly, to air this important matter in the Chamber this evening. I thank them both for so doing.
The Minister for Africa (Harriett Baldwin): It is an absolute delight to make this statement today to the House as we celebrate Commonwealth Day together. The UK joins our fellow member states in celebrating the bonds between people, organisations and Governments across 53 countries under the theme of a connected Commonwealth.

The Commonwealth is a unique organisation, rich in diversity yet connected by a common language, common history and common values. There is much to celebrate. Celebrations of these unique connections are taking place right across the UK today. As head of the Commonwealth, Her Majesty the Queen attended the service of celebration this afternoon in Westminster Abbey. Many other senior members of the royal family, representatives from all Commonwealth countries, the Prime Minister, Members of Parliament, representatives from Commonwealth organisations and over 700 schoolchildren also attended the service. Many councils are raising the Commonwealth flag in celebration, from Dorset to Newport to Glasgow, building connections across the Commonwealth at community level. Indeed, just outside Parliament the flags of the 53 nations of the Commonwealth are flying. Along Whitehall, multiple Government Departments are also flying the Commonwealth flag as a symbol of the UK’s commitment to the Commonwealth.

In her Commonwealth Day message, Her Majesty the Queen highlighted the collective values we share as a family of nations and the networks of co-operation that we both draw on and contribute to. The Prime Minister’s Commonwealth statement, published earlier today, reflects on the UK’s role as chair-in-office, driving forward projects that span the Commonwealth, connecting its citizens in shared aims.

Across our diplomatic network, British high commissioners are celebrating today and this week with a variety of events, programme visits and receptions. Celebrations range from a fashion show showcasing recycled materials in Singapore to the Bangladesh women’s cricket team visiting a UK-funded programme helping women and children to escape domestic violence. Even embassies in non-Commonwealth countries such as Brazil are celebrating by bringing together Commonwealth colleagues to discuss shared values.

So how is the UK delivering on this, our connected Commonwealth? Since hosting last year’s Commonwealth Heads of Government meeting, the UK has taken on the position as chair-in-office—a role that we will hold until leaders from the 53 member states reconvene in Rwanda next year. It is a role that we take extremely seriously, but what does it mean in practice? We have four objectives as chair-in-office, and these can be summarised in four words: delivery, voice, solidarity and reform.

We want to deliver the commitments set out in the official Commonwealth Heads of Government meeting communiqué, the leaders’ statement, the Commonwealth Blue Charter, the cyber-declaration and the Commonwealth connectivity agenda for trade and investment. We want to promote the voice of the Commonwealth within the rules-based international system; the diversity of the Commonwealth is a strength and an opportunity. We should continue to come together as a collective voice to advocate for the rules-based international system. We want to enhance practical solidarity among Commonwealth members in international organisations by ensuring that we know about one another’s candidacies and by briefing one another on the business of regional and wider bodies to which we do not all belong. We want to reinforce the three pillars of the Commonwealth by supporting continued reform of the Commonwealth secretariat to ensure that it is a modern, agile organisation.

Since taking on the role as chair-in-office, we have been working hard to ensure that the Commonwealth delivers on the commitments made by leaders at the Commonwealth Heads of Government meeting. Many Members will be interested in the progress made on the commitments made by leaders—commitments that will benefit all 2.4 billion citizens.

At the Commonwealth Heads of Government meeting in April last year, heads made ambitious commitments to build a Commonwealth that is fairer, more sustainable, more prosperous and more secure. Over the last 11 months, the UK has been working hard to ensure that together, we deliver on those commitments. We cannot do this alone and are working closely with the three pillars of the Commonwealth—our 52 fellow member states, the Commonwealth secretariat and the many Commonwealth organisations and networks. This includes the Commonwealth Parliamentary Association, in which many hon. Members here play active roles. These three pillars demonstrate a connected Commonwealth in action.

Her Majesty’s Government have allocated over £500 million towards projects designed to deliver on the Commonwealth Heads of Government commitments. Let me highlight just a few examples of the significant progress that we have been making, from oceans to cyber-security and from trade facilitation to education.

We are building a more sustainable future through our action on the Commonwealth Blue Charter. The UK is co-leading with Vanuatu the Commonwealth Clean Oceans Alliance. Twenty-four Commonwealth member states from every region have already joined this alliance to tackle marine plastic pollution and have committed to concrete action that will reduce the scourge of plastics in the oceans. There are eight other action groups of member states targeted at different challenges to the oceans’ sustainability. In addition, with UK funds and expertise, the Commonwealth marine economies programme is facilitating the creation of sustainable marine economies in 17 Commonwealth island states, promoting growth, innovation, jobs and investment while safeguarding healthy seas and ecosystems.

We are building a more secure future through programmes to strengthen countries’ cyber-resilience. In partnership with the World Bank, we are enabling national cyber-security reviews. In Africa, these have already been delivered in Nigeria, the Gambia, Mauritius and Lesotho. We have established an African cyber-security fellowship network and helped nine African Commonwealth countries to share expertise and build capacity in critical information infrastructure protection. We are also funding training events that will benefit the cyber-security of 37 Commonwealth countries.

We are building a more prosperous future by working with Commonwealth partners to boost intra-Commonwealth trade and investment. Since its launch
last year, the UK-funded Commonwealth trade facilitation programme has already increased the capacity and capability of customs organisations in 18 Commonwealth countries. The UK and South Africa recently announced that they would co-lead the digital connectivity element of the Commonwealth connectivity agenda to boost inclusive growth. We are also promoting inclusive and sustainable trade through the SheTrades in the Commonwealth programme. More than 2,300 women-owned businesses have signed up to this initiative, which will also increase women’s participation in international trade.

We are also improving employment prospects for young people through training and skills development programmes. We are building a fairer future through supporting the provision of 12 years of quality education for girls and boys. In particular, we are providing over £200 million of support for girls’ education in nine Commonwealth African countries. During Commonwealth Heads of Government meetings, my right hon. Friend the Prime Minister offered to help Commonwealth partners who wished to address legacies of legislation that discriminates against women and lesbian, gay, bisexual, and transgender citizens. We are supporting collaboration between civil society and Governments that have responded positively to this offer.

The three pillars of the Commonwealth have made important progress, delivering on the Commonwealth Heads of Government commitments, and we will continue to drive this engagement in the year ahead to the Commonwealth Heads of Government meeting 2020 in Rwanda. This Government are determined to make the most of our two years as chair-in-office. As we mark the 70th anniversary of the modern Commonwealth next month, we also want to ensure that it can meet future challenges—from climate change to cyber-attacks—and to seize the opportunities from the organisation’s huge diversity and global reach. As I said last week, we will work tirelessly with our Commonwealth partners to build a fairer, more sustainable, more prosperous and more secure Commonwealth. I commend this statement to the House.

6.47 pm

Liz McInnes (Heywood and Middleton) (Lab): I thank the Minister of State for advance sight of her statement on this, Commonwealth Day. The Commonwealth is more important than ever in a world where there is currently a grave lack of global leadership, where the credibility and relevance of our great international institutions is under threat, and where human rights and the rule of law are being disregarded by dozens of Governments and deprioritised by dozens of others. In a world like that, we desperately need the global leadership and co-ordinated international action that the Commonwealth can offer. We desperately need a strong and united Commonwealth to demonstrate to the rest of the world why institutions such as this are so important, and we desperately need a Commonwealth that will defend and promote respect for human rights and the rule of law. If the Commonwealth can do all those things, it will remain a vital force for good in our world and a central part of Britain’s multilateral relationships, not because we simply see Commonwealth countries as trading partners, but because we see them as essential partners in all the challenges faced by the world and by each of our nations.

However, even on the day when we celebrate the Commonwealth, we must be honest about those areas where things have gone backward over the past year and where the Commonwealth needs to be a stronger force for promoting peace, democracy and human rights. We think, obviously, of the current tension between India and Pakistan. We also think of the democratic instability that we have seen in Sri Lanka, Nigeria and Kenya; of the deteriorating human rights situations in Uganda, Singapore and elsewhere; of the dreadful impunity of the Biya regime in Cameroon; and of the discrimination that continues in far too many Commonwealth countries against the LGBT community. I believe that it was a missed opportunity when the Government failed to put that issue formally on the agenda at the Commonwealth Heads of Government meeting in London last April.

Will the Minister make it a priority, when Britain becomes co-chair of the Equal Rights Coalition in June, to seek to persuade more members of the Commonwealth to join that coalition? It cannot be right that a coalition that exists to promote the human rights of the LGBT community should have on it just six members of the Commonwealth and none from Africa, Asia or the Caribbean. We have a particular responsibility to promote that goal across: that Commonwealth, along with all our other human rights goals. It is a historical debt we owe to many Commonwealth countries since it is because of us that they have these anti-LGBT laws on their statute books in the first place. The Prime Minister was right to apologise for that fact last year, but it is time for action as well as words.

I will finish with another issue where we literally owe a historic debt to members of the Commonwealth. As the Minister will know, it was recently revealed that when the men of the East Africa Force—hundreds of thousands of black, white and Asian soldiers drawn from Britain’s African colonies—received their demob pay at the end of the second world war, it was strictly calibrated according to their race, with a black African soldier paid a third of the amount given to his white African counterparts of equal rank. Many of the soldiers who faced that discrimination are still alive, but they have yet to receive even an apology from the Government, let alone compensation.

The Opposition have yet to receive any answers to the letter we wrote a month ago asking the Government, first, whether this racial discrimination also applied to the demob pay given to soldiers from the British Indian Army and the Caribbean Regiment in 1945; secondly, whether the Government knew how many men were affected in total and how many were still alive; and thirdly, what they planned to do in response. The Minister may not have those answers right now—I would not expect her to—but can she at least indicate when we can expect those answers and when the surviving men of the East Africa Force and any other affected veterans can expect the official acknowledgement and apology that are the very least they deserve?

Madam Deputy Speaker (Dame Eleanor Laing): I call Ian Liddell-Grainger.

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): Would the Minister not agree that the two secretaries-general—
Madam Deputy Speaker: I beg your pardon. I was distracted by another matter. I have failed to call the Minister, to whom I apologise.

Harriett Baldwin: Thank you, Madam Deputy Speaker, though I cannot imagine what could be distracting you from this celebration.

I am grateful to the shadow Minister for her comments about the values of the Commonwealth and the power of this association of friendly countries to share the values that she rightly stands up for. I will take her points in turn. I can give some great examples of how the solidarity of the 53 countries can lead to progress on the important topics she raises.

On human rights, she will be aware that not only the Commonwealth secretariat but the associations work closely with member states to raise standards on human rights, including by supporting countries going through the universal periodic review process. I am sure that she knows that, using UK funding, the Equality and Justice Alliance is working to create a fairer, more equal and more inclusive Commonwealth, not only for women and girls, but for the LGBT community, through civil society capacity building. It is working on a project to create a cross-Commonwealth network of high-level champions and offer technical assistance in the reform of laws that discriminate against or fail to protect women, girls and LGBT individuals. It is currently speaking with six countries about the offer of technical assistance for legislative change. That is an update since last year.

On our special responsibility, which the hon. Lady rightly drew our attention to, she will be aware that the Commonwealth charter itself states that members are opposed to all forms of discrimination, whether rooted in gender, race, colour, creed, political belief or other grounds. She will also be aware that the largest ever number of visiting LGBT activists came from around the Commonwealth to attend all four of the official forums and a wide range of special events at last year’s summit. At that event, the Prime Minister expressed her regret at the legacy of the discriminatory legislation in her words, and I can update the House on the progress of this important work. He rightly draws our attention to the Commonwealth Blue Charter, which I mentioned in my statement, and he will be pleased to know that, further to that charter, nine action groups have been established with 12 countries leading them. I mentioned that the UK and Vanuatu were taking the lead on marine plastic pollution, through the Commonwealth Clean Oceans Alliance, but he will be glad also to hear that the UK has joined the coral reef, ocean acidification and ocean change and climate change groups, and intends to join the marine protected areas group. There are 23 member countries: Australia, Antigua and Barbuda, Bangladesh, Belize, Cameroon, Canada, Fiji, which he mentioned, Gambia, Ghana, Kenya, Mauritius, Mozambique, Namibia, Nauru, New Zealand, Rwanda, Samoa, Seychelles, Sri Lanka, St Lucia, Uganda, Vanuatu and Zambia. I am delighted that some private sector organisations are also members.

Stephen Gethins (North East Fife) (SNP): I thank the Minister for her statement and join her in welcoming Commonwealth Day today.

The Scottish National party sees the value in the Commonwealth and the positive relationship that dozens of states happily independent from the UK have with others. It is a partnership built on an equal footing. Can the Minister tell us about her work on the Commonwealth? Can she tell us what work is ongoing in terms of good governance and the rule of law—obviously, very important to democracy—and reflect on any discussions she has had on the return of the Chagossians and the ruling of the International Court of Justice?

What discussions has the Minister had about the status of service personnel? I know from my own experience—of having the Army base in Leuchars—of the fantastic work done by serving Commonwealth citizens, not least those from Fiji and elsewhere. My hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) raised this point today in respect of his own constituent.

Climate change—which the Minister has not really mentioned so far—should be the defining challenge of our politics today. Will she tell us about some of the discussions that have taken place about work on the climate crisis, and, in particular, about climate justice?

Harriett Baldwin: Thank you, Gentleman, for his constructive words. I do not know whether he picked up on this, but I learnt today that according to the findings of a recent survey, 46% of people living in Scotland are actively involved in the Scotland-Malawi partnership or know someone who is, which is something to be celebrated.
He will have heard what I said to the hon. Member for Heywood and Middleton (Liz McInnes) about the issue of the armed forces and our gratitude to all who have served in them. He refers to last week’s decision by the International Court of Justice. As he will know, we are currently evaluating that decision and will respond in due course to the issues that it raised. He will know that the UK considers this to be a bilateral matter, which we will resolve bilaterally with Mauritius.

The hon. Gentleman is absolutely right to raise the incredibly important subject of climate change. It extends well beyond the 53 countries that we are discussing today, but many small island states are members of the Commonwealth, and I believe that a centre has been set up in Fiji to address the causes of climate change in the Pacific small island nations. The UK itself has pledged, beyond the Commonwealth, to spend £5.8 billion on tackling climate change during the current spending review period, and we have already helped 47 million people around the world to develop their resilience and ability to cope with its effects.

**Sir Edward Leigh** (Gainsborough) (Con): May we Back Benchers record our thanks for the magnificent commitment and work of the head of the Commonwealth over 60 years? It is truly astounding.

Our debates about free trade deals go round in circles. At the beginning of the 20th century, we were talking about imperial preference. Many of us were rather disappointed that in 1972, when we joined what is now the European Union, the Commonwealth was treated somewhat shabbily. May I have a commitment from the Government that they will work full time—as the Government of an independent country that is able to engage in a free trade deal outside the European customs union—to make the Commonwealth the greatest free trade area in the world?

**Harriett Baldwin:** I am sure that the whole House will join me in endorsing my right hon. Friend’s tribute to Her Majesty’s work as head of the Commonwealth. She has performed that duty, among others, in an exemplary way. It was a great pleasure for Heads of State from around the world to be able to spend time with her last year when they attended a private dinner at Windsor castle.

As for the trade matters raised by my right hon. Friend, some very important work is being done. It was announced last year at the Heads of Government meeting that the UK-funded Commonwealth trade facilitation programme would help member states to implement the World Trade Organisation’s trade facilitation agreement. The programme will help the developing and least-developed Commonwealth countries to adopt faster and more efficient customs procedures. My right hon. Friend rightly identified the potential for enormous increases in UK trade and investment activity with the other 52 member states of the Commonwealth, and that is one of many examples that I could give.

**David Hanson** (Delyn) (Lab): The Minister will know that much good work is being done in relation to modern slavery, and she has said that she wants to promote trade. Will she try to marry the two by telling us how she intends to support the increase in fair trade and, in particular, how she intends to support the Fairtrade Foundation’s five-point plan for the Commonwealth to promote and develop fair trade throughout the 53 nations?

**Harriett Baldwin:** I pay tribute to the right hon. Gentleman for his work with the Commonwealth Parliamentary Association. On Thursday, he asked me to give the House quarterly updates on Commonwealth matters, and here I am, only a few days later.

The right hon. Gentleman was right to raise the important work that we do with Commonwealth members in tackling both the root causes and some of the impacts of modern slavery. That is part of a much wider piece of work that is being done across the Government, with many different strands in Commonwealth countries and beyond. I believe that Fairtrade Fortnight has just ended. Let me remind him, wearing my DFID hat, that we give extensive support to a range of fair trade projects and that, more important, we try to ensure that farmers, whether or not they are involved in fair trade, are helped to achieve a sustainable price that will give them a fair livelihood.

**Dr Julian Lewis** (New Forest East) (Con): Given that the transition from colonial status to independence is often extremely difficult and sometimes downright dangerous, should we not pay tribute to all the parliamentarians and diplomats who had the vision to create the modern Commonwealth system, and should we not take some satisfaction from the fact that so many former colonies are happy to participate—with the United Kingdom—in that system, which has been so successful for so many decades?

**Harriett Baldwin:** I am happy to pay tribute to the work of the diplomatic network in focusing on the modern priorities of the Commonwealth. My right hon. Friend will have welcomed last year’s announcement that the UK is to open diplomatic representation in a further nine Commonwealth countries, thus creating a complete set of diplomatic representations in all the Commonwealth countries.

**Jo Swinson** (East Dunbartonshire) (LD): It is good to celebrate Commonwealth Day today. We are connected by 70 years of partnership and co-operation, but we are also connected by common threats such as the emergency of climate change. I welcomed what the Minister said about the Blue Charter to protect our oceans and, indeed, what she said to the hon. Member for North East Fife (Stephen Gethins) about adaptation for the states that are most vulnerable to climate change, but what more can we do to use the forum of 53 countries working together in wider international forums to push that up the priority agenda so that we can tackle the impending climate disaster?

**Harriett Baldwin:** The hon. Lady is right to highlight the important role that the Commonwealth can play in ensuring that climate change remains at the forefront of the world’s agenda. Last year, for the first time, the UK Chair-in-Office spoke for Commonwealth members at the United Nations General Assembly. As the hon. Lady will know, the UN has asked our Prime Minister to lead the work of this autumn’s conference on resilience. An enormous amount of work is being done across the Government to establish how we can work with Commonwealth members and others to tackle the important resilience strand of this crucial issue.
George Freeman (Mid Norfolk) (Con): On this Commonwealth Day, as well as congratulating all who have helped the Commonwealth to survive and thrive for so long, may I highlight its ongoing role in science? It accounts for a third of the world’s population, but 12% of the world’s researchers and 10% of global research and development—particularly in the key global challenges of food, medicine and energy, where life science has so much to offer. Will the Minister meet me and Lord Howe to look at the potential of genomics? When I was Minister for genomics, we looked at establishing a Commonwealth genomics programme to give the UK scale and leadership in the global values and standards that are key to making sure that this revolution works for the benefit of the whole world.

Harriett Baldwin: I am truly in awe of my hon. Friend’s contribution in this area. He led such work before and during his time in Government, and he continues to do so. He has cited some impressive statistics, and I pay tribute to his role in championing such work and its importance to the Commonwealth. I would be more than happy to ensure that he meets the most relevant Minister to take his agenda forward.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I join other Members of the House in celebrating the Commonwealth. I have always been very positive about it, and I think it has huge potential to do even more to unite us. Like all international organisations, however, it is not perfect. In all my years in this place, I have noticed that it is quite difficult to have serious policy discussions with other parliamentarians on issues of common concern. We have much greater influence in the Commonwealth this year, so will the Minister promise to look at how we can facilitate serious policy discussions across the Commonwealth? We need fewer junkets and enjoyable receptions, and more serious work on policy.

Harriett Baldwin: I agree with the hon. Gentleman that the Commonwealth is about more than the very agreeable opportunities for Heads of Government to meet up every two years. That is why I alluded in my statement to our important role as chair-in-office, to make sure that everything that was announced at last year’s Heads of Government meeting is taken forward.

I gave my hon. Friend the Member for Bridgwater and West Somerset (Mr Liddell-Grainger) an update on specific developments in the clean oceans work and the Blue Charter, and the hon. Gentleman will be delighted to know that in my binder there are pages and pages of very specific projects and commitments. Officials from around the Commonwealth are working together with the secretariat to ensure that real achievements are made on the ground. At the end of the day, that is what it is all about.

John Howell (Henley) (Con): The Minister will be as aware as I am that the Nigerian elections have come in for considerable criticism. Does she still think that they play a role in achieving a democratic Commonwealth?

Harriett Baldwin: My hon. Friend would be wise to read the Government’s remarks about the elections in Nigeria. In those remarks, we reflected on some of the points that observers drew to our attention. He is right that the Commonwealth and the secretariat play an important role in Nigeria and elsewhere in providing expertise to election observation missions. Reports on those missions can reflect points that are made and conclusions that are drawn. Commonwealth members and others can learn from those reports—in all our member states, democracy is in the process of continuously improving—to inform future elections.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Glaswegians hold the Commonwealth in particular affection, because the city hosted a successful Commonwealth games almost five years ago. I was privileged to take part as a volunteer and meet hundreds of athletes from around the Commonwealth. One of the most striking things about those member states and the people who came from them was the huge diversity in culture and development, particularly economic development. I remember that a bike shop in Glasgow had to donate bikes for athletes from one country’s cycling team to use in their training regime. That shows the disparity, and the chance for redistribution, of wealth and opportunity in the Commonwealth.

What efforts will be made to equip the Department for International Trade to deal in trade negotiations with the eradication of modern slavery and exploitation from supply chains? The Minister alluded to some general aspects, but it would be helpful to hear about specific projects to enable us to understand exactly what the Foreign Office is doing on that front.

Harriett Baldwin: I thank the hon. Gentleman for his service as a volunteer at the wonderful games that Glasgow hosted, and I thank all the other volunteers from Glasgow. He is absolutely right to pay attention to the range and geographical spread of the Commonwealth, the members of which include the largest country in the world by population, India, and one of the smallest, Nauru. A wide range of diverse countries make up the Commonwealth.

The hon. Gentleman asked me specifically about our work with Commonwealth countries to tackle modern slavery. He will be aware that when the Prime Minister was in Nigeria last summer, she visited a project that we fund in Lagos that provides help in a community in which children are often tempted into being trafficked. We work closely with such communities to get the message out that such routes are not the right ones to follow, and we have committed to further investment in job creation in countries such as Nigeria.

Rehman Chishti (Gillingham and Rainham) (Con): I very much welcome what the Minister has said, and I wish everyone a happy Commonwealth Day. She mentioned cricket—many things bring happiness to us in the Commonwealth, and one of them is cricket—and perhaps she can clarify an anomaly. In Australia, Sir Don Bradman was knighted, and in New Zealand, Sir Richard Hadlee was knighted, but there has been no knighthood for cricketers from Pakistan, India, South Africa or Sri Lanka, which have produced some brilliant cricketers. From Sri Lanka we had Muralitharan; from Pakistan we had Wasim Akram and Imran Khan; from South Africa we had Jacques Kallis; and from India we had Sachin Tendulkar and Kapil Dev. This is the year when we host the cricket World cup. Can the Minister ensure that we rectify that anomaly so that all our counterparts in the Commonwealth are treated fairly and equally?
Harriett Baldwin: Madam Deputy Speaker, have you ever heard such a compelling application to Her Majesty to recognise more cricketers from around the Commonwealth? I am sure that it will have been heard by the relevant people. My hon. Friend is right; I mentioned Bangladeshi women’s cricket. I am also thrilled that in Rwanda, which is one of the newer members of the Commonwealth, cricket is fast growing into a very popular, if not leading, national sport. He is right to make the link between the Commonwealth and cricket.

Chris Elmore (Ogmore) (Lab): The Minister is absolutely right to make a statement today, and I wish everyone a very happy Commonwealth Day. As part of our work in the Commonwealth, it is important to be a critical friend. I was privileged to visit Rwanda last November with the Commonwealth Parliamentary Association, and it is quite wonderful to see the progress that the country has made over the last 25 years, particularly in reuniifying communities and advancing women’s rights and equality.

The Minister has mentioned that Rwanda is hosting the Heads of Government meeting in 18 months’ time. In our role as a critical friend, it is important to note that the country still has problems when it comes to press freedom and press regulation. What more can the Minister do to make sure that, for example, British journalists from the BBC, The Guardian and various other news outlets are allowed to go to Rwanda and report on that meeting? Press freedom must be a basic principle of all Commonwealth nations.

Harriett Baldwin: The hon. Gentleman is right to mention the importance of press freedom. That applies to the Commonwealth as well as to other countries around the world, and it is a leading strand of our work in the Foreign and Commonwealth Office this year.

When it comes to Rwanda’s progress, the hon. Gentleman will be aware that this year is the 25th anniversary of the genocide. I am hoping to visit Rwanda soon—it is 10 years since I last went—to see the remarkable progress that has been made. He is absolutely right that the Commonwealth Heads of Government meeting in Kigali will be an important moment, and the world’s media will want to be there. They will not just want to report on the progress that I have highlighted; media freedom is important to enable the reporting of things on which Ministers are not always thrilled to be scrutinised, and that is all part of being a healthy democracy.

Mrs Pauline Latham (Mid Derbyshire) (Con): I should like to echo the congratulations to the Queen on her more than 60 years’ service to the Commonwealth. I am also pleased that the Commonwealth chose her son, Prince Charles, to take over from her. I note that the younger royals are taking an interest in the Commonwealth, which is a positive sign of the progression through the family. We have heard many people talking about the things that we are doing to help the Commonwealth, but we must remember that this is a two-way process. The Commonwealth helps us and we can learn from it, particularly through activities such as International Citizen Service. The young people who go out to help in Commonwealth countries come back with a much greater understanding of the wider world, and their activities also give them a lasting legacy in the form of all the things they have discovered while they were out there.

It shows them that they can be happy without looking at their iPhones and iPads every second of the day. It is also important to remember that people in the Commonwealth have sometimes been criticized for those structures have in many cases broken down in this country. It is a good thing that we are involved in International Citizen Service in the Commonwealth.

Harriett Baldwin: I am not sure that I caught a question in there, but I endorse everything that my hon. Friend has said. She rightly highlights the diversity of the Commonwealth as an organisation, the range of countries within it and the way in which we all benefit from that association and learn from each other. International Citizen Service is not specifically linked to Commonwealth membership, but many young people go out and benefit from that valuable programme in Commonwealth countries. At the Commonwealth Heads of Government meeting last year, it was a great pleasure to announce an increase in the number of Commonwealth scholarships to enable young people to come to study in the UK.

David Linden (Glasgow East) (SNP): Like my hon. Friend the Member for North East Fife (Stephen Gethins), I echo the sentiments that have been expressed on the importance of the Commonwealth. One important aspect of the Commonwealth relates to the strengthening of democracy, so can the Minister tell us which is the only other member of the Commonwealth besides Lesotho in which hereditary chieftains retain the right to make law?

Harriett Baldwin: Yes, I think it is eSwatini, to give it its latest name, is it not? [Interruption.] Oh, the hon. Gentleman meant here. Perhaps I should not be on his team next time he takes part in a quiz.

Mr Philip Hollobone (Kettering) (Con): The Commonwealth accounts for one third of the world’s population and half of the world’s top 20 cities, so on Commonwealth Day, should we not celebrate the terrific economic growth in the Commonwealth? For the best part of the last three decades, the Commonwealth economy has grown by some 260%, its growth now averages 3.5% a year and we trade in surplus with it. The Minister might be interested to know that, in contrast, the economy of the European Union has grown by just 120% over the same period, that its average growth is just 1.4% and that we have a massive trade deficit with the EU. Is it not clear that the best future for this country will involve developing our economic ties with the Commonwealth?

Harriett Baldwin: My hon. Friend highlights the fact that there are some fast-growing, emerging cities in the Commonwealth. As he says, half of the world’s top 20 emerging cities are in the Commonwealth, and many Commonwealth countries are growing much faster than countries in the EU, including the UK. However, it is important for us to trade not only with Commonwealth countries but with our European Union neighbours. I am sure he will agree that this is a question of doing both, rather than an either/or choice.

Alex Chalk (Cheltenham) (Con): International security co-operation can rarely have been more important, and GCHQ in my constituency already has close ties with certain Commonwealth nations through the Five Eyes relationship, but we need to go further. What more can be done to broaden and deepen security co-operation using the Commonwealth?
Harriett Baldwin: My hon. Friend rightly draws attention to the fact that GCHQ has great skills in the field of cyber-security. That is one of the topics that was discussed at last year’s Commonwealth summit, and the communiqué had a particular focus on working with each other on cyber-security. In my statement, I drew attention to the further work that has happened since that communiqué through working with other countries and learning from each other in order to make the cyber-security realm safer for all Commonwealth citizens.

Jeremy Lefroy (Stafford) (Con): As the Prime Minister’s trade envoy to Ethiopia, I should like to express my sincere condolences to the families and loved ones of all those who have lost their lives, and to the Government and people of Ethiopia at this tragic time. I know that my hon. Friend the Minister will join me in that, because she was there in Ethiopia with me just a couple of weeks ago and knows a lot about that wonderful country. Turning to the Commonwealth, I am glad that she has mentioned the importance of the programme for jobs and livelihoods, particularly for young people. Will she talk a bit more about that, and also tell us where we are up to with the fantastic commitment that the Commonwealth made last year at the Heads of Government meeting in respect of malaria? The Heads of Government pledged to reduce by half the incidences of and deaths from malaria in Commonwealth countries by the middle of the next decade.

Harriett Baldwin: I would like to associate myself with my hon. Friend’s remarks about Ethiopia. It was with great shock that we learned about the accident involving what is an excellent airliner. He and I are both frequent flyers on such airliners. We have obviously offered our condolences, but we have also offered to work with the Ethiopian Government and others to see whether any lessons can be learned for the wider aviation sphere. I also pay tribute to my hon. Friend’s work in that country. He also raised the question of malaria, which was identified at last year’s summit as a serious health concern for many Commonwealth countries. We know that 90% of Commonwealth citizens live in malaria-affected countries. The leading role that the UK is taking has meant that we have been able to pledge £1.2 billion to the Global Fund to Fight AIDS, Tuberculosis and Malaria over this three-year period. He also mentioned the announcements that were made on jobs, and he will be aware of the very young workforce that exists across the Commonwealth involving tens to hundreds of millions of young people. That is a huge strength, and it also points to the huge opportunity for inward investment for trade among those countries to create the wealth that will sustain employment for all those young people.

Kevin Foster (Torbay) (Con): When I was out in New Zealand last year with the Commonwealth Parliamentary Association, I noticed not only an enthusiasm to remember the past links between our two countries but excitement at what the future might hold for them. It was also clear that people out there had much more consciousness of the work of the Commonwealth. What plans do we have to promote that work here in the UK, while making it clear that this is about the Commonwealth of today rather than some hangover from imperial times?

Harriett Baldwin: I thank my hon. Friend for his work on behalf of the CPA. He highlights the deep links between Parliaments that help to strengthen the Commonwealth. Having the opportunity to celebrate Commonwealth Day, with Her Majesty attending the service in Westminster Abbey and all the flags in Parliament Square, helps to follow what we achieved last year with the hosting of the CHOGM in focusing the minds of this country’s young people on the range of ways in which we have strong links with our Commonwealth friends around the world.

Luke Graham (Ochil and South Perthshire) (Con): We have heard a lot about the connections between the United Kingdom and the rest of the Commonwealth, and on Commonwealth Day we look forward to some of the opportunities for renewable energy. In April, India will start its first geothermal energy plant, which provides a fantastic opportunity for India to showcase new technology. What are we doing to support such projects, what learnings can be used back here, and what knowledge can be shared between countries around the Commonwealth to strengthen renewable energy in India, the United Kingdom and the rest of the Commonwealth?

Harriett Baldwin: That is a great question, and I appreciate the update on the Indian project. I do not know what specific input the UK has had, but there may well be some expertise involved. My hon. Friend will be aware that the UK hosted an event last week for African Energy Ministers, some of whom were from the Commonwealth, about renewable energy investment. The City of London, as a leader in green finance, has already seen over 70 bonds listed on the stock exchange in seven different currencies, raising some $25 billion towards green projects such as the one my hon. Friend mentioned.
Points of Order

Jonathan Ashworth (Leicester South) (Lab/Co-op):
On a point of order, Madam Deputy Speaker. You may have seen today that NHS England announced the trialling of the abolition of the four-hour waiting time target in A&E departments. You will recall that the target allowed the previous Labour Government to deliver some of the lowest waiting times in history, but it has not been met under this Government since July 2015. Indeed, 2.8 million patients waited beyond four hours in A&E last year. Getting rid of the target should be based on clear medical evidence, not pressure from Downing Street. Would it not have been a basic courtesy for the Secretary of State to have come to the House today to offer a statement so that we could question him on our constituents' behalf? Have you had any notice that the Secretary of State intends to make a statement on getting rid of the four-hour A&E target?

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Gentleman for giving me notice that he intended to raise that point of order. We have not received any indication that the Secretary of State intends to make a statement to the House, but it is obviously up to him to decide whether to do so. However, the hon. Gentleman will know that there are other ways of pursuing the matter. I am sure that the Table Office would assist him with any information that he may require, although I suspect that he does not require any given that he is quite well versed in such things. At the same time, those on the Treasury Bench will have heard his concerns, which I am sure will be fed back.

Richard Graham (Gloucester) (Con): On a point of order, Madam Deputy Speaker. In wishing you and others a happy Commonwealth Day, I want to reference the fact that it is now close to 50 years since the remarkable events that eventually brought large numbers of Ugandan Asians to these shores. The success of that generation has been quite extraordinary, and the philanthropy associated with their entrepreneurial success is almost as remarkable as their commercial achievements. For example, two of my constituents, Babu Odedra and Ash Chavda, bought a redundant theatre that they are in the process of helping to restore as part of their contribution to our city. I wanted to seek your advice, Madam Deputy Speaker, as to whether you think that a celebratory 50th anniversary debate about that generation of Ugandan Asians would be appropriate.

Madam Deputy Speaker: The hon. Gentleman has clearly successfully raised an issue about which he feels strongly, making specific reference to his constituents. However, I am sure that the matter could be of wider interest, so he may want to gather colleagues from across the House to make an application for such a debate to the Backbench Business Committee.

BILL PRESENTED

Online News Platforms (Regulation) Bill
Presentation and First Reading (Standing Order No. 57)
Damien Moore, supported by Eddie Hughes, Douglas Ross, Mrs Kemi Badenoch, Paul Masterton, Vicky Ford, Bill Grant, Ben Bradley, Esther McVey, Gillian Keegan, Luke Graham and Stephen Kerr, presented a Bill to regulate online news platforms; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 22 March, and to be printed (Bill 355).
7.35 pm

Zac Goldsmith (Richmond Park) (Con): I beg to move, That the Bill be now read the Third time.

Members will know that this is a private Member’s Bill, so I will start by putting on the record my thanks to the Government and the Under-Secretary of State for Justice, my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer), for giving it Government time and for their broader efforts to help tackle the scourge of FGM and to protect those at risk of it. The Bill has passed through the other place and received cross-party support in its Second Reading Committee a fortnight ago and again last week in Committee, and I put on the record again my thanks to the hon. Member for Ashfield (Gloria De Piero) for her words in Committee and for the cross-party manner in which the issue was tackled.

The Bill was initiated by Cross-Bench peer Lord Berkeley, who became aware of an omission in existing child protection law whereby family courts do not have the power to compel the involvement of a local authority in an interim care order relating to FGM. He decided to act and piloted this simple, two-clause Bill through the other place with passion, clarity and decency, and I am grateful to him. It has been my pleasure to work with the Government to attempt to get the Bill through this place, notwithstanding one or two hurdles earlier on.

I also want to place on the record my thanks to the FGM survivor and extraordinarily effective campaigner, Nimco Ali, who will be known to many Members. She is probably this country’s best-known FGM campaigner, and using every opportunity at her disposal to push the issue right to the top of the political agenda. It was wonderful just three days ago to see on Twitter a picture of her standing in No. 10 next to the Prime Minister. Nimco has taken the issue literally to the heart of Government.

Nimco Ali’s work has extended well beyond what she has achieved in this country. She famously persuaded all three contenders in the 2017 Somaliland presidential election to commit to legislating against FGM, and I do not think that many people thought that she had the slightest chance of succeeding. The election was won by President Muse and, good to his word, he introduced an interim care order relating to FGM. He decided to act and piloted this simple, two-clause Bill through the other place with passion, clarity and decency, and I am grateful to him. It has been my pleasure to work with the Government to attempt to get the Bill through this place, notwithstanding one or two hurdles earlier on.

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FGM can, and often do, last for the duration of a person’s life. It is estimated that, around the world, at least 200 million women and girls alive today have undergone FGM. In England and Wales, shockingly, the figure is around 137,000, although not all of them were subjected to FGM in either England or Wales.

I apologise to those of a sensitive nature, but during a recent urgent question on this issue, after the Bill was blocked by my hon. Friend. The Member for Christchurch (Sir Christopher Chope), a number of colleagues raised concerns about male circumcision as if there were some kind of comparison between the two. Whatever our views on male circumcision, it must be obvious that it does not compare to FGM. The male equivalent of FGM would not be circumcision; it would be the removal of the entire head of the penis and much of the shaft, too.

Sarah Champion (Rotherham) (Lab): We often hear this argument comparing the two, but male circumcision, in my experience, is rarely, if ever, done to subjugate the boy, whereas FGM is very clearly done to end women’s sexual pleasure.

Zac Goldsmith: The hon. Lady is exactly right, and I thank her for her intervention. It is also worth saying that, whereas a culture to experiment with such an extreme form of male circumcision on a comparable level to what young girls are experiencing around the world, I suspect it would not last more than a single generation, and it certainly would not require legislation and a campaign of the sort that Nimco Ali and her colleagues have waged.

Mike Wood (Dudley South) (Con): Does my hon. Friend agree that such horrendous abuse and its lifelong effects cannot possibly be justified on the basis of cultural practice?

Zac Goldsmith: I could not agree more strongly. In fact, partly on the instruction of Nimco Ali, I am co-chair of the all-party parliamentary group on female genital mutilation. Early on, the APPG took evidence from a wide group of people, all of whom had been through different degrees of FGM themselves, and it was clear to them that their lives have, in many respects, been defined by what they went through. They were all committed to campaigning to stamp out this crime, and none of them would have any truck with the argument that this is a cultural practice and that it would be insensitive for the British Parliament to try to legislate against it or for the Department for International Development to commit funds to try to prevent the practice.

Vicky Ford (Chelmsford) (Con): I thank my hon. Friend for the huge amount of leadership he has shown on addressing this hideous crime. This is a busy night in British politics, but does he agree that the fact so many of us are present this evening is a real sign that this House says every single action must be taken to rule out this crime in our country?

Zac Goldsmith: I could not agree more, and I am grateful to colleagues for being here to take part in this debate. I do not want to jinx it, but I hope this simple Bill will go through without a Division, which makes the presence of so many Members even more valued.

The anti-FGM legislation in the UK is not insubstantial—we have actually done a fair bit. FGM has been illegal here since the Prohibition of Female Circumcision Act 1985, which was replaced by the Female Genital Mutilation Act 2003 that made it illegal to assist someone performing FGM or to commit FGM abroad. The Serious Crime Act 2015 amended the 2003 Act to introduce mandatory reporting of FGM and to create the FGM protection orders that courts can issue to protect girls who have been or may become victims of FGM, which could include, for example, forcing the surrender of a passport to prevent travel abroad.

In addition to those laws, we can collectively be proud that we have taken a lead globally. The UK was the first country in the world to create a dedicated anti-FGM aid programme, with an initial tranche of £35 million pledged in 2013. Only a few weeks ago, my right hon. Friend the Secretary of State for International Development committed a further £50 million, which has yet to be allocated, for the one purpose of helping countries around the world, but mostly in Africa.

Rachel Maclean (Redditch) (Con): My hon. Friend is right to emphasise the international nature of FGM, but does he agree that the Government have committed some £100 million-worth of funding to the ending violence against women and girls strategy in this country, too? We must ramp up these efforts.

Zac Goldsmith: I could not agree more, and I am glad my hon. Friend has raised that point. FGM is a form of extreme violence against women and girls.

Richard Graham (Gloucester) (Con): On the issue of young girls being taken abroad to go through the horrific experience of FGM, did my hon. Friend see the article by the campaigner Leyla Hussein in The Sunday Times over the weekend in which she described what happened to her aged seven? Does my hon. Friend think this extraordinary, powerful article is something that should be shared widely among other parliamentarians?

Zac Goldsmith: I thank my hon. Friend for bringing that to the House’s attention. I know Leyla relatively well. In fact, she was one of the first people to give evidence to the all-party group, and we have had meetings subsequently. I have not read the article, but I can imagine how powerful it must be given the experience she has been through and given her advocacy on this issue. She is an extraordinarily powerful campaigner.

Hannah Bardell (Livingston) (SNP): I congratulate the hon. Gentleman on the work that he and this Government have done, but does he agree that the Home Office still has work to do in having a joined-up approach? I raised the case of my constituent Lola Ilesanmi on the Floor of the House, as her daughter was under threat of FGM. My constituent’s violent ex-partner was trying to coerce her into going back to Nigeria to have her daughter cut, and the UK Government were unwilling to give her leave to remain. She has had her stay extended, but she still does not have indefinite leave to remain and there is still a threat to her daughter. Does the hon. Gentleman agree that more joined-up working is still required?
Zac Goldsmith: I thank the hon. Lady for her intervention and I agree with it, as this is a cross-cutting issue. A colleague suggested earlier that this should form part of personal, social, health and economic education in this country, which it now will, but it is a Home Office issue and a health issue, too. It covers a lot of different Departments. If there is anything at all that I or the all-party group and my colleagues on it can do to help in the case the hon. Lady has just raised, we are at her service and will do what we can.

Despite the laws we have in place and the injection of funds to campaigning on this issue around the world, clearly there are gaps in the law and the problem has not gone away. In 2016-17, the NHS reported 9,179 cases of FGM, of which 5,391 were newly recorded cases. As gone a way. In 2016-17, the NHS reported 9,179 cases of FGM, of which 5,391 were newly recorded cases. As

Chris Green (Bolton West) (Con): Does my hon. Friend look to the record in France, the approach the French take in dealing with FGM and their success as a source of ideas that we could follow to help cut down on FGM in the UK?

Zac Goldsmith: We have looked at that in the all-party group. The French engage in a much more interventionist approach, with, for example, inspections of young girls. Most of the people who have given evidence to our group feel that it would not fit this country; they feel it would be stepping over a line. However, another area where the French have been more robust than we have in this country has been in trying to identify people at risk. Certain people are at risk and others are not. Where someone has not been subjected to FGM and their parents were not either, the likelihood of their going on to subject their own child to it is very small, although it is not zero. In other families where it passes from generation to generation, a newborn girl clearly is at risk. The French are much more robust than we have been in this country on that.

Johnny Mercer (Plymouth, Moor View) (Con): I pay tribute to my hon. Friend and to his work on this, as well as that of our mutual friend Nimco Ali, who has championed this from the start. Does he agree that FGM has little to do with religious or racial sensitivities, and is straight-up child abuse and should be called out as such? Does he welcome the first successful prosecution of someone for FGM in this country only two weeks ago, the length of the sentence and the deterrent it can be in some of our communities, where some people will feel that there is no point reporting this because it will not be prosecuted? Does he agree that the length of the sentence sends a message and is encouraging in this fight against FGM?

Zac Goldsmith: I strongly agree with my hon. Friend on that. Indeed, I am going to take this opportunity to quote from what was said in response to the conviction by the National Police Chiefs Council lead on FGM, Commander Ivan Balhatchet:

“Female genital mutilation is a barbaric and violent crime—a violation of human rights—often with lifelong consequences, committed by the people children should be able to trust the most.”

He continued:

“Today’s sentencing will act as a deterrent and a warning that our society will not accept this child abuse, but prosecutions alone will not solve this problem.”

Richard Benyon (Newbury) (Con): Does my hon. Friend’s work on the all-party group and with campaigners reveal a reluctance on this among groups of people to whom children are presented, for whatever reason? We are all familiar in our constituencies with what happens when a child is discovered to have bruising or possible signs of maltreatment. Following cases such as that of Victoria Climbié, there is almost a lurch in the other direction to immediately assume that there is a child abuse problem, but perhaps that has not happened enough in respect of FGM. Is he confident that legislation such as this is going to make it increasingly easy for those cases to be presented as child abuse?

Zac Goldsmith: I thank my right hon. Friend for his intervention. I cannot give him a scientific answer, but I can tell him that the evidence the all-party group received from those people who have been through FGM absolutely concurs with what he has just said: there are parts of the establishment and social services, and people within the education system, who are very nervous indeed about pointing the finger on FGM. There is a concern about trampling on cultural sensitivities. The view of the people we talked to, like my view and, I suspect, that of many in the House today, is that those sensitivities should be pushed to one side. This is a very direct form of child abuse; child abuse is child abuse, and it is our responsibility as adults and the authorities to stamp it out at every opportunity. That message has been unambiguous, in all the evidence we have taken from those people who have been through FGM.

Bob Stewart (Beckenham) (Con): I wonder how we can convince people who think this barbaric practice is decent, such as the families involved, that it is not. How do we get to those families? Does the all-party group have any answer as to how we stop mothers and fathers taking their children and allowing this sort of thing to happen?

Zac Goldsmith: I thank my hon. Friend for his intervention. I know, because the evidence shows, that a shift is happening. I mentioned Nimco Ali’s campaign in Somaliland. It is not one where she is having to bash her head against a brick wall. Every member of the newly elected Somaliland Government is on board in a mission to eradicate FGM. In Hargeisa, the capital, huge posters have been put up and paid for by government, although they were designed by the campaign groups at the grassroots, telling people that FGM is not only illegal but unethical and immoral, and without any basis whatsoever in religion—this could not be clearer. I realise I did not answer an earlier intervention on that point.

Nimco is not the only person who has that kind of electrifying impact in individual countries. Another such person is Jaha Dukureh, who was originally from the Gambia, moved to New York and then went back to the Gambia. Like Nimco, she persuaded the Government not only to legislate against FGM, but to put resources into those people at the grassroots who are campaigning to change hearts and minds. By all accounts, she is succeeding on an extraordinary scale. I am going to come to this a little later when I wrap up, but there is
such an important role for the Department for International Development to play. We can be proud of what we have done, but we have to make sure the next raft of money, the £50 million that has been pledged, is invested in the right groups and the right campaigns.

Hannah Bardell: The hon. Gentleman mentions the Gambia. A friend of mine was, unfortunately, forced to move back there, having done a lot of work in Scotland on FGM and having helped to co-ordinate the FGM strategy in Scotland. She has now set up an NGO called Women in Liberation and Leadership, and she is supporting a young woman called Binta—that is not her real name, because we are trying to protect her—who was subjected to FGM, was raped by an older man, and has been subjected to terrible persecution by her own family and been cast out by them. We are now raising funds to try to get her into a safe house. Does the hon. Gentleman think that she is the kind of person we could do more to support and more to reach out to?

Zac Goldsmith: I absolutely do, and I strongly encourage the hon. Lady to link her friend up with Jaha, who is now a high-profile and significant figure in the Gambia. She is one of the world’s most important FGM campaigners. Indeed, she was nominated for the Nobel prize last year. Again, I would be happy to talk about that after this sitting, to see whether I can do something to link the hon. Lady’s friend up with the right people.

Clearly, there is more to be done, both here and abroad, but this Bill is part of that. I am not going to pretend that it will stop FGM—it will not—but it does provide another potentially crucial legal tool in the fight against it. I want to explain briefly what the Bill does and why it matters. First, let me point out that it has just two clauses, the second of which provides only for the Bill’s extent, commencement and short title. I therefore wish to focus on the first clause, which is the only substantive one.

At present, the Children Act 1989 allows courts to make an interim care order—an instruction to a local authority to share parental responsibility for a child. Such an order can last up to eight weeks and it can be renewed, but that can be done only if there is a belief that the child in question is suffering or is likely to suffer significant harm. The local authority would then be part of any decisions relating to where the child should live or how their welfare should be maintained. I do not think anyone would argue that a girl who has undergone or is likely to undergo FGM is not suffering or likely to suffer significant harm, but the 1989 Act does not currently allow interim care orders to be issued for FGM. A court may only direct an interim care order to be made in “family proceedings”. Section 8 of that Act defines what is meant by “family proceedings” for the purposes of the Act. It contains various statutes relating to domestic violence, forced marriage and so on, but it does not include proceedings under the Female Genital Mutilation Act 2003. The effect of that is that it is not open to a judge to issue an interim care order for FGM. Clearly, that is an omission in law—I do not think this is deliberate—but it means that our courts do not have the full suite of powers that they need to protect girls who are at risk.

As Lord Berkeley pointed out when he introduced the Bill in the other place, that means that although a family court can protect a girl who is at risk of forced marriage or domestic abuse, it cannot protect a girl who is at risk of FGM. That needs to change. David Maddison, the family lawyer who raised this issue with Lord Berkeley, has pointed out that this is not an academic or abstract concern; it is a practical one. There have been occasions when the police have sought an FGM protection order in the family court and the judge has wanted to employ the powers of the local authority in an order but has not been able to. The Bill will grant the power that has been missing.

All the Bill does is to insert the proceedings for FGM protection orders from the 2003 Act in the section of the 1989 Act that defines which family proceedings constitute grounds for an interim care order to be made. To be clear, it inserts that part of the 2003 Act that relates to FGM protection orders in section 8 of the 1989 Act. That makes FGM a family proceeding for the purpose of issuing care orders under the 1989 Act. I hope the House agrees that this is a simple and uncontroversial change. If the Bill passes, it is unlikely to lead to the issuing of a huge number of new care orders—they are rarely used—but it is important that judges have all the power we can give them to protect girls who are at risk. Currently, that is simply not the case.

I have no doubt that when some Members speak they will argue that the Bill is not enough to stop FGM entirely. I am not going to argue with that. Those Members are right that we need better support, particularly mental health support, for survivors. We need better education so that girls and boys grow up knowing that FGM is wrong. We need to get better at identifying at-risk girls, as in France where they do it better than we do.

Alex Chalk (Cheltenham) (Con): I pay tribute to my hon. Friend, who is making such a powerful speech. He mentioned the important role of education, and it is of course about education not only in the UK but internationally. On this Commonwealth Day, will he pay tribute to the work of the Commonwealth and the Department for International Development in ensuring that education is really having an impact worldwide?

Zac Goldsmith: That is the very next point I was going to make, so I thank my hon. Friend for his intervention. I have said it twice already but I shall say it a third time: I am proud of the work that the Department for International Development does. It is a Department that is often hammered by our newspapers, but it does really important work. The £35 million that it has already spent has changed lives and saved lives, and if the £50 million that has been committed is spent properly—I am sure it will be—it will go on to save lives as well.

I mentioned Nimco’s work; I do not want to embarrass her, but I know that the amount of money that it took to get her to Somaliland to do the work that she did was so small as to barely qualify as a DFID grant. I know that the work of Jaha, whom I mentioned earlier and the Gambia has cost so little that it would only just register or qualify as a DFID grant. There are so many people like that out there who could do with the kind of support that DFID can provide.

My hon. and learned Friend the Minister provided lots of reassurances when she spoke in Committee about what the Government are doing and how committed
they are to tackling FGM. I do not know whether protocol means she will have the opportunity to repeat those reassurances later—

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer) indicated assent.

Zac Goldsmith: I see her nodding her head, so she will. I look forward to that.

If this tiny, uncontentious Bill protects just a handful of girls from undergoing the horror of FGM, we will have done something worth while and important in passing it into law. I close my speech simply by thanking all Members present for their support, which I hope the Bill will get at the end of the day. I particularly thank the Clerks, the Whips Office and the Ministry of Justice Bill team, who have been so helpful in getting us to this point. Finally, I thank Lord Berkeley again for winning the arguments next door and handing us a Bill in such good order.

8.3 pm

Gloria De Piero (Ashfield) (Lab): It is a pleasure to follow the hon. Member for Richmond Park (Zac Goldsmith). The Bill passed through Committee with a large degree of consensus. Although I pressed the Minister on some issues, as I will today, it was pleasing that when something of this magnitude came before us we could seek consensus to bring about change.

Once again, we have an opportunity to discuss the Bill and what more we can do in the House to tackle female genital mutilation, because it is an abhorrent act, an abuse of children of all ages, and one we must endeavour to eradicate. The impact on women and girls is devastating and can still be felt long into later life. In the short term, there are risks of severe pain, infections and excessive bleeding. In the years following, there can be complications relating to childbirth, sexual intercourse, and menstrual and vaginal problems. I repeat the words of the World Health Organisation in saying that there is “no benefit, only harm”. Despite that, instances of FGM in the UK are occurring, which is where the Bill fits in, so I shall again outline Labour’s position on it.

To give further power to judges to intervene directly in instances of FGM with temporary care orders through a technical amendment to the Children Act 1989 is a reasonable and sensible action. Female genital mutilation protection orders are currently the best tool to tackle FGM, but allowing local authorities to provide interim care and ensure the safety of those at risk is a welcome extra step. The ability for local authorities to act in this way is currently present for cases in which a child is at risk of abuse, molestation, forced marriage or other abuses, so it seems only right and proper that it should also be present if girls are at risk of FGM.

As it stands, it is difficult to know the full extent of FGM in the UK and just how many people are affected. NHS Digital has produced experimental statistics, but many recorded cases are not necessarily newly committed instances of FGM. Estimates are significantly higher than the figures produced, and we know that, given the obstacles associated with reporting and recording FGM—for example, the act is likely to be committed by a family member—scores of cases go unreported. I therefore press the Minister to outline what the Government are doing to provide more accurate data and recording of FGM occurring in the UK, to help us fully to understand the extent of the problem.

Just as the scale of FGM in the UK is likely to be larger than it seems initially, so the Government must do more to tackle it. Last month, we saw the first prosecution for FGM in the UK. With estimates of those affected in the tens of thousands, it seems staggering that that is the sole example of a prosecution for carrying out the act. The Minister has spoken in the past about strengthening the laws on FGM in a number of ways, to increase protection for girls at risk, but clearly such measures fall short when compared with the numbers actually prosecuted. Just as they identify who is at risk, will the Minister tell me what the Government are doing to identify the perpetrators of this barbaric practice and to bring them to justice?

I welcome the Minister’s previous comments on the cross-departmental approach that the Government are taking to tackling FGM. Such an approach is necessary and appropriate for a problem that must be tackled not only through prosecutions, but through education and by tackling the culture and assumptions that lead to FGM, as Members have said. Will the Minister tell us more about what the Government are doing to increase education and awareness of FGM, and about the ways in which schools and local groups in at-risk communities are being involved?

Does the Minister recognise that it is cuts to other Departments, much like those to the Ministry of Justice, that have ruined the vital provisions on which many vulnerable women at risk of FGM depend? Our NHS is strained at every level, after years of underfunding: schools are under-resourced and understaffed; local authority budgets have been slashed to the bone; and there is a catastrophic shortfall in the provision of children and women’s services. These frontline services are best placed to identify, intervene and prevent FGM, but they have been decimated by the Government’s near decade of austerity. What assessment, if any, have the Government made of the impact of the austerity agenda on the tackling of FGM? What extra provision are the Government affording the services tasked with addressing it?

Ultimately, this is a welcome Bill. Despite the efforts of a certain Member on the Government Benches, we are pleased to see it brought before the House again. It provides an extra tool for local authorities and judges to fight FGM and prevent its occurrence. As my colleague Baroness Massey said in the other place, at the very least it “adds to the armoury of those who hear these cases, and that can only be to the good.”—[Official Report, House of Lords, 20 July 2018; Vol. 792, c. 1420.]

Alone, though, it will not be enough to protect the many girls throughout the UK who are at risk of this barbaric abuse. It must be met with greater action by the Government, and I hope the Minister commits to just that this evening.

8.9 pm

Mrs Maria Miller (Basingstoke) (Con): I am proud to take part in this debate today. I would like to commend not only Lord Berkeley in the other place and my hon. Friend the Member for Richmond Park (Zac Goldsmith) for the work that they are doing, but the Government
for realising that legislation in this place can be improved and that FGM has absolutely no place in society. We have a great deal of legislation in place at the moment to try to prevent FGM, but it is not working as well as it should. I am proud to take part in a debate where that is acknowledged. I am proud, too, that we are supporting those who, clearly, have done a huge amount of work to identify ways in which we can improve the legislation on our statute books. Making existing legislation more effective by enabling care orders to be issued in connection with girls who are at risk of FGM will help to save some girls. It will also help to outlaw this abhorrent practice in some communities. As hon. Members said earlier in this debate, the number of Members who are here this evening shows the strength of feeling on this issue across the House.

The Bill in front of us today comes at a timely point, following as it does the first conviction in the UK for female genital mutilation. I applaud the Government for being so gracious with their support for this Bill. I am sure the Minister will come on to talk about that later. FGM has been illegal in the UK since the Prohibition of Female Circumcision Act 1985, which was then replaced by the Female Genital Mutilation Act 2003, and extended by the Serious Crime Act 2015. Successive Governments of all colours have wanted to try to act on this issue, but today’s Bill shows that we have not gone far enough and that we do need to go further, and I hope that it enjoys wholehearted support across the House.

If we are to have really effective legislation, then as legislators we should acknowledge that law alone is not enough and that there is a much broader context: how society views these issues; how our schools deal with things such as relationships and sex education; and how the Government put this issue into a much broader strategy on violence against women and girls. We should be encouraged by the current situation where, as has been said, we have not only relationships and sex education, but, for the first time in more than a decade and a half, guidance on how an issue such as female genital mutilation should be dealt with in our schools. The small point I would make is that it is not enough to have guidance and to make it mandatory that schools deal with the issue; we have to make sure that it is being implemented in practice on the ground.

These are not easy issues for schools to deal with, and sometimes they can get the wrong message from this place—for example, that schools can allow parents to withdraw their children from such lessons. That is a “get out of jail free” card in communities where these issues are difficult, and we cannot send that message out from this debate today. We must not only encourage schools to engage with parents on the issue of FGM, but ensure that they are doing so. It is important that schools ensure that parents do not withdraw their children from relationships and sex education. We need to do all we can to ensure that schools see their responsibility in this area. It is, of course, right that we not only give parents the respect that they deserve in terms of their views on relationships and sex education, but respect the rights of children to get the education that they need to live in a modern society, and that must include understanding the appalling impact that FGM can have on women’s lives.

Mrs Miller: My hon. Friend is absolutely right to raise that point. We should not allow anybody to hide behind religious or cultural practices when it comes to relationships and sex education. Every child in this country deserves to understand how these issues affect them, and the Government are absolutely right to have made it mandatory for children to attend relationships and sex education. It is particularly important that relationships education has been made mandatory among primary school aged children; it is only by teaching children what a good relationship looks like that we can hope to be able to give them the wherewithal to tackle the online world in which they live. That is a very important enabler that the Government need to ensure is in place. It is not enough for them simply to pass this Bill today, to put it on to the legislative books. They need to ensure that parents are engaging with it and that teachers are confident about the issues so that they can talk to parents.

It is also incredibly reassuring that the Government are looking at this issue as part of their wider cohesive strategy on violence against women and girls that crosses Government Departments. On the Women and Equalities Committee, we do not always encounter cross-departmental strategies on issues to do with discrimination. We have been extremely impressed with the commitment of the Government to have not only a strategy in this area, but a refresh of the strategy on a regular basis, which I was pleased to see will also happen when it comes to sex and relationships education as well. If we are to make this particular piece of legislation work as it should, it needs to be seen alongside the other issues that are covered in the violence against women and girls strategy—issues such as the link between pornography and violence against women, online abuse, and the impact of alcohol on violence against women. The Government are right to have this sort of comprehensive strategy in place. Again, I think they will find extremely strong support from all parts of the House for their very collaborative and cohesive approach.

Eddie Hughes rose—

Mrs Miller: I give way to my hon. Friend and fellow Select Committee member.

Eddie Hughes: I thank my right hon. Friend for giving way, not least because the purpose of my rising was to commend her for the excellent work that she has done. This piece of legislation is part of a jigsaw that plays into how the Government have served to deal with violence against women and the equalities agenda more
generally in society. These are very valuable pieces of work that she and her Committee have done, and I just wanted to commend her for that work.

Mrs Miller: I thank my hon. Friend for doing that. He is right to say that it is a jigsaw of issues that must fit together. I see Members sitting on the Front Bench from three different Departments, working seamlessly together on these issues. This Government have a lot to be commended for, especially with regard to the cross-departmental working on these issues, to the way in which they have characterised these sorts of acts against women as cowardly acts, and to making sure that the right support is in place for victims and for bringing perpetrators to justice.

In any of those issues—I am sure that those Ministers sitting on the Front Bench will be very aware of this—there is a need to have support in place, as the pressure that additional legislation brings, particularly on our colleagues in local government, cannot be ignored. I am particularly grateful to the Government for making sure that additional resources will be available to local authorities to deal with any extra pressures that this amendment to legislation imposes. When it comes to issues to do with children, where pressures are already acute, we cannot expect local authorities to be effective unless they have the resources to put the necessary support in place.

Sarah Champion: I completely agree with the right hon. Lady on the need for additional resources for local authorities. Does she share my concern that the National FGM Centre—a collaboration between Barnardo’s and the Local Government Association—is having its Government funding stopped in 2020, especially given that it is the main resource that local authorities are using at the moment?

Mrs Miller: The hon. Lady raises an important point about specialist provision and resources. I hope that the Ministers on the Front Bench will take that point away and consider how we can ensure that very specialist resources are available to local authorities, because it will be difficult for them to have that sort of expertise in-house. The hon. Lady makes an extremely valuable point, as somebody who has campaigned vigorously and with incredible compassion on these issues.

I want to underline the important role of the Department for International Development, which other Members have referred to in interventions. We should be proud that our country is the first country to have a dedicated anti-FGM programme, working across the globe. It is important for the House to underline that the Department has supported 8,000 communities to abandon, or campaign to abandon, FGM.

The Government have supported the Girl Generation programme—the largest ever global work on the issue, with over 900 organisations working to end FGM. The work that is happening outside the UK is not only important for women in those countries, although that would be justification enough to do the work; it is also invaluable in underlining the human rights of those women in their own countries. Last but by no means least, this work helps to change attitudes that can still influence communities in the UK. The importance of DFID’s work has to be acknowledged. Those who may be naysayers about our contribution to this global world should reflect a little on their views when they consider how this work can so enormously change the lives of millions of women across the world.

This is not a debate in which we will be thinking about internal processes too much, but it would not be right not to point out at least that the reason that we are here today is because of our private Members’ Bills system, whereby an individual Member—quite unrepresentative of the majority feeling of the House—can block a Bill. This is not just a Bill that will do something very small and day to day; it is so important to women’s lives. The whole House has to acknowledge that the need for reform of our private Members’ Bills system is long overdue, and we need to find a way of giving priority to that reform of this place. If we do not, we continue to run the risk of this House being brought into disrepute by individual Members exercising what might be a very principled point of view on the procedure of this place—although I am not sure that this particular objection was as principled as that. We need to acknowledge that this place can look prehistoric from the outside. If we are going to regain the trust of people in Parliament, this sort of reform has to be given priority at some point in the parliamentary calendar.

Zac Goldsmith: I could not agree more strongly with my right hon. Friend on the need to reform the process. Does she agree that this kind of small, technical amendment—which is effectively what this Bill is—is exactly where the PMB comes into its own, because there is no natural legislative hook on which the Government can hang it?

Mrs Miller: My hon. Friend is absolutely right. If we are going to have a Parliament that works correctly, not just in a post-Brexit world—which is probably more of a challenge than we are thinking about at the moment—but in a modern, transparent and media-literate world, we have to look carefully at the way in which our systems work to enable Members to make such small but important changes in a timely manner, without the need to go through the parliamentary procedures that this Bill has had to go through simply because of the views of one individual.

I very much wish this Bill well. It is a great example of making good legislation even more effective. It will amend the Children Act 1989 to make female genital mutilation protection orders available, and to ensure that we can protect more children who find themselves in a situation where the adults around them may not have their best interests at heart, and who may be at risk of this appalling practice. This Bill should receive support from every single Member in the House.

8.25 pm

Sarah Champion (Rotherham) (Lab): It is a great honour and privilege to be present in this debate because I really think that this House works best when we come together to protect the most vulnerable. I hugely congratulate the hon. Member for Richmond Park (Zac Goldsmith), who has done so much to secure the safe passage of the Bill. I add my support to the recommendations made by my hon. Friend the Member for Ashfield (Gloria De Piero) on how we can better protect all children from female genital mutilation.
As has been mentioned, FGM is not a cultural practice and we should not be seeing it as such; this is child abuse and it must be dealt with harshly, as child abuse. FGM has been illegal in the UK since 1985, but the lack of prosecutions has enabled people to come up with the myth that it is a cultural practice, rather than a crime against a child. I am very pleased that last week the strong sentence of 11 years was given to someone who facilitated FGM. That is the sort of message that needs to go out—that we will act, prosecute and jail people for this crime against children.

FGM is a big issue in this country. NHS Digital statistics from April 2017 to March 2018 show that there were 4,495 newly recorded cases of women and girls where FGM had been identified, that 6,195 individual women and girls had an attendance where FGM was identified or a procedure relating to FGM was undertaken and that there were 9,490 attendances reported to NHS trusts and GP practices where FGM or a procedure relating to FGM was identified. These figures, though, will be a massive underestimate of the actual problem of FGM in this country because of the hidden nature of the practice. Research has shown that there is no local authority in England and Wales where there is not a woman living with FGM. It is estimated that 103,000 women between the ages of 15 and 49, and 10,000 girls between the ages of four and 14, have undergone FGM, and there are a further 60,000 girls at risk of FGM in the UK.

I would like to bust the myth that this is just about UK girls being taken abroad for this practice. It is not—it is happening in this country as well. In recent years, there has been a phenomenon of cutting parties where people have figured out that it is cheaper to bring the cutter into this country and invite girls round—well, invite their parents round—for them to be cut. This is a UK problem.

That is not to say that girls are not taken abroad. Yes, this happens to young girls, but the most horrific case that I heard of was of a woman from London, born and brought up here. When she was 15, her parents asked if she would like to go back to the country that they grew up in to see what it was like. Of course, she welcomed this opportunity, and, at 15, went back. Literally as she came off the plane, she was introduced to the lady who was going to take her back to the village. At 15, this Londoner was taken back to the village, pinned down and cut. How does someone get over something like that? To be honest, she has not got over it.

Since 2015, health professionals, teachers and social workers have had a mandatory duty to report known cases of FGM to the police, but that is when it happened to people under the age of 18. I would like there to be consideration of support for women over the age of 18 once the crime has been committed. I had a meeting with a dozen women. Between them, they had about 20 children, so they had been to at least 20 GPs, 20 midwives, 20 nurses, 20 consultants—20 health professionals. Almost all the women had been advised to have caesareans because they had been stitched so closely that the damage it would have caused to even try to give birth naturally meant that it was not going to happen. The health professionals recognised that, because of their FGM, they could not give birth naturally. Not one of those women had that raised with them, ever, by any of those health professionals. No one offered them support or the chance for a prosecution—and that is just a group of 12 women that I met.

We talk about what is happening in France. I have only recently discovered that in the French health system, someone who has been subjected to this crime gets reconstructive surgery as an adult. A friend of mine, Marie-Claire, said that after having her reconstructive surgery, she felt like a proper woman—a sexual woman. She felt able to have sexual relations with her partner for the first time. That literal rebuilding of someone’s self-esteem as well as their body is something we need to be doing in this country. If someone was in a car crash and needed facial rebuilding, we would see that as something that the NHS would do, so why do women not automatically get that right for this crime?

This is also about justice. We need these women to know that they can get justice. As I said, it is great that the prosecution has happened, but there are many historical cases where justice has not even been mentioned to these women because what they have been through has not been recognised.

Having undergone FGM is a real barrier for women in coming forward for things like cervical screening. Many women do not want to go to a GP to report gynaecological issues because they are concerned that it will be raised and there may be prosecutions against family members. We need to get the reality of what is going on out there so that people can access the proper health support they need. If a woman is repeatedly missing her smear, rather than just writing her off and seeing her as someone who is not engaging, we need to be asking questions: “Are there reasons why you don’t want to come for your smear, and is there a way we can help and support you to overcome that?”

Hannah Bardell: The hon. Lady might be aware of the project My Body Back, set up by an incredible woman called Pav. It has a clinic in London and one in Glasgow, providing services for women who have suffered sexual violence or, indeed, FGM. I would commend those services to any woman who needs that specialist care.

Sarah Champion: I have heard of it but not visited. However, that is two centres for an estimated 160,000 women and girls. We need to have more and it needs to be statutory.

When we talk about prosecutions and mandatory reporting, the crime has already been committed and the damage, both physical and psychological, has already been done. We need to be doing much more about prevention. I would like to speak in support of the National FGM Centre, which is a collaboration between Barnardo’s and the Local Government Association. It receives funding from the Home Office, the Department for Education and the Department of Health and Social Care. None of those Departments is continuing its funding beyond 2020 because it is deemed that the centre ought to be generating its own income. I understand that. However, its main support services go via local authorities, which are already suffering under huge cuts and do not have additional resources to start buying in specialist support for FGM.

The National FGM Centre does great work. It embeds FGM specialist social workers within multidisciplinary safeguarding teams. It works from the bottom up,
empowering communities to tackle this crime themselves and to get the word out that it is a crime and it should not be happening. The centre also does amazing training for professionals and provides a knowledge hub so that all local authorities can share the information. With the best will in the world, if the funding stops, the prevention work will stop with it.

Mrs Miller: I thank the hon. Lady for giving way. We agreed earlier that it is important for local authorities to have the funding, but I am not sure whether I agree that we should not encourage local authorities to take on this responsibility, because surely getting them to prioritise funding of facilities such as the one she mentioned is a great way to try to raise their awareness of this issue.

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. We have 13 Members waiting to speak, and the Minister needs to wind up the debate. I do not want someone to miss out on the opportunity to make a speech. Can we all look after each other in this important debate?

Sarah Champion: I thank the right hon. Lady for her intervention, but I disagree. We need a centre of expertise. When resources are tight, we need to be able to push and make local authorities prioritise. If the Minister wants to do that and guarantee that all local authorities will make provision and ring-fence that money, I will be happy, but there still needs to be that centre of expertise.

The other area that I would like to touch on is relationships and sex education. I welcome the fact that children will now be taught about FGM at secondary school, but we need to teach them about it at primary age children. They need to be empowered to say no. We need to teach primary age children that they can say no, and they should not suffer in silence. Their parents need to know about it. That is why I think a centre of expertise is needed.

Simon Hoare: I can assure the House that I am not. I echo entirely the comments that my right hon. Friend the Member for Richmond Park made about the all too demonstrable need for reform of how we deal with private Members’ legislation. As my hon. Friend the Member for Richmond Park (Zac Goldsmith) said, this is a simple Bill of just two clauses, but it is terribly important, and it beggars belief that a Bill of such importance was blocked for no particular apparent reason. It reminds me of the dictum of the late Ronald Reagan—if the 11th commandment is, “Thou shalt not speak ill of a fellow Conservative,” my hon. Friend the Member for Christchurch (Sir Christopher Chope) stretches that almost to the point of breaking.

My hon. Friend the Member for Richmond Park rightly praised the work of Nimco Ali. I do not want to interject a moment or two of partisanship, but I will pause to make this point. I thought it was heart-warming—absolutely heart-warming—to see the pictures on social media last week of Nimco and our right hon. Friend the Prime Minister, at the very heart of Government, discussing FGM and other women’s issues. For my party, which all too often allows itself to be painted as out of touch or not interested in such issues, if we wanted a startling picture showing why that is not the case and how our party is able to deal with these important issues, that was the picture. The fact that my hon. Friend has taken up this issue and run with it with such passion and so authoritatively—he is too modest, I know, and he may blush—is so important. He has added not only to a public health issue, but, I suggest, to the profile of our party on this issue.

I rise to speak in this debate as the father of three daughters: Imogen who is 10, Jessica who has just turned nine and Laura who is six. At least, that is what Laura’s birth certificate says; from the way she talks to me, she is six going on 26. When a parent sees the little, fragile bodies of small children, we do have to wonder where on earth somebody came up with the idea of FGM. As others have said, this is not a medical procedure and it is not the religious requirement of one faith or another; it is quite simply child abuse. If it was a practice in which a young girl’s arm had to be broken or some fingers or toes removed, we would have been in a state of uproar. However, over the years, there has been a squeamishness among politicians about dealing with some of the issues that have masqueraded or hidden under the cloak of cultural sensitivity. I could not care less who, if anybody, is offended by this Government and this united Parliament standing up and saying, “It is wrong, it is abuse, it has got to stop, and if you do not agree with us in that analysis, then the full weight of the law will be brought to bear upon you.”

Eddie Hughes: My hon. Friend mentions that this is not a medical procedure. One of the problems is that the medicalisation of the procedure can sometimes be seen to give legitimacy to it, and that is far from being the point. It is frequently the case that the procedure is carried out where there is no anesthetic, so it is incredibly dangerous with the possibility of future infection for the woman and of ongoing medical problems.

Simon Hoare: My hon. Friend is absolutely right. It carries all the concomitant health risks of the backstreet abortionist and of the barber surgeons of the 18th century,
but things have moved on so much since then. That is why it is extraordinary, when we pause to think about it, that this debate or this Bill is even required.

A number of right hon. and hon. Members have spoken, perfectly properly, about awareness. This debate and the Bill, the event at No. 10, the work of the all-party group on female genital mutilation—my hon. Friend the Member for Richmond Park leads it with such conviction—and the work of people such as Nimco Ali are so important in raising awareness. As the hon. Member for Rotherham intimated in relation to smear tests, raising awareness of such an issue will obviously involve certain personal issues—about personal health, or perhaps about embarrassment—and I think this is frightfully important. Those women who have been genitaly mutilated should in no way be made to feel ashamed or reluctant to seek medical advice and help or to turn up for smear tests. Let the House say clearly, “It is not your fault.” We are focused properly on blaming the perpetrators and on arresting the practice in this country and—I say on Commonwealth Day—hopefully throughout the Commonwealth and elsewhere.

I say to those who have been mutilated, “Do not hide in shame or embarrassment. Something horrendous was done to you and, as a civilised society, we are here to help.” If this debate helps to raise awareness among community leaders throughout the local government family, in sports clubs, in law enforcement and in our GPs’ surgeries, that is good. A problem, which FGM clearly is, ceases to be as much of a problem when it is talked about frankly, openly, honestly and with no sense of shame.

I have to confess to the House that, much to my wife’s amusement, I cannot watch “Casualty” because I do not like the sight of blood, which makes me feel a little wobbly. My hon. Friend the Member for Richmond Park explained in typically gentle terms what the male equivalent of FGM would be. He rightly made the point that the linkage between or coalescence of FGM and circumcision is erroneous. When he described the male equivalent of FGM, several hon. Members, including me, put a handkerchief to their eyes and clenched their knees a little tighter. If this was a male issue, it would not have been tolerated for as long as it has been. The fact that it has affected little girls is all the more shaming and should prompt, as it is doing, greater action and attention.

I welcome the prison sentence that was handed out recently and the fact that anyone who commits FGM now faces a prison sentence of up to 14 years. It is also important that anyone found failing to protect a girl from the risk of FGM will face up to seven years’ imprisonment. That takes away the protection for aunts, cousins, grannies—or grandfathers, for that matter.

It is perfectly proper that the Bill is an amendment to the Children Act 1989 because, as has been pointed out, the issue affects children.

In making my final point, I will breach the ministerial code as it relates to Parliamentary Private Secretaries—the Whips are on duty; they can sack me at their leisure—by speaking, albeit briefly, about the work of Departments, starting with the Home Office. I commend my hon. Friend the Minister for Crime, Safeguarding and Vulnerability for her violence against women and girls strategy. The Department for Education is doing very important work. I am delighted to see my right hon. Friend the Secretary of State for International Development on the Treasury Bench and I commend the Department’s work. This is a collective, governmental approach to stamping out child abuse. The Under-Secretary of State for Justice, my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer), who will reply to the debate, looks at me with a squint in her eye. Indeed, I have neglected to mention the Ministry of Justice, which is putting in the sentences that will ensure that the Bill will be a deterrent.

In a small way, this small Bill takes a huge step for the rights of women and girls. It seeks to end a terrible example of child abuse and I am delighted to speak in support of it.

8.49 pm

Dr Rosena Allin-Khan (Tooting) (Lab): I would like to start by belatedly wishing everybody a happy International Women’s Day. I am sure Members across the House took part in events in their constituencies. It is an honour to be here on the Labour Benches discussing a subject of the utmost importance with Members from across the House. It is worth remembering that while International Women’s Day on Friday saw so many fantastic events celebrating women and young girls from across the globe, there were children being violently abused not just in far-flung lands that we have never visited, but right here in the UK. That is why we are all here tonight.

Women and girls face unimaginable pain through the abhorrent crime of female genital mutilation. They also face a lifetime of medical problems as a result. And those are the lucky ones: the ones who do not die from the procedure. As Governments across the world begin to crack down on this horrific crime, there are reports that younger and younger girls are being targeted—girls as young as three. Despite more women coming forward to recount the harrowing ordeals they have experienced, to date there has been only one successful prosecution in this country. As Members have so eloquently articulated tonight, if this were happening to young boys or if this were little girls’ toes or fingers being cut off, we would be doing something.

I stand here with colleagues from across the House tonight and say that this is not done in the name of any religion—certainly not any religion I know—and nor is it acceptable cultural practice in any culture that I know. It must be stamped out and we must take a lead. Together, we must say, as we are doing, that we will not accept it. We must say that the people who are found guilty of committing this barbaric act, and those who know about it, should pay, and pay heavily. It is clear that more needs to be done to prosecute perpetrators far more effectively. That includes ensuring that Members do not block Bills that seek to stamp out this crime and provide victims with justice. Just as we look to support teachers and medical professionals to flag any concerns that a child may be being abused, the Government should provide frontline services with the resources they need to detect the tell-tale signs of FGM and to stamp it out.

I have two young daughters, aged four and five. When I think about them going to school in the morning and standing in line with their friends waiting to go into their classroom, it breaks my heart to think that in our children’s classrooms there are children who are being
taken and forcibly mutilated: mutilated without any say in what happens to their bodies; and mutilated without any consequences for the perpetrators of this abhorrent crime. People who commit such barbaric acts need to know that tonight we are saying, “We are watching you and you will be punished.” We need to tackle this at its core and show that people will be prosecuted to the full extent of the law.

All women and girls need to be valued equally. I hope that by next International Women’s Day, the young girls and women who have been victims of this brutal and horrible crime will have found justice.

Several hon. Members rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): May I just suggest about five minutes each to give everybody equal time?

8.54 pm

Mrs Pauline Latham (Mid Derbyshire) (Con): I congratulate my hon. Friend the Member for Richmond Park (Zac Goldsmith) on bringing forward this addition to the Children Act. I remind him that, although he has been working with Nimco Ali, who is a fantastic campaigner, and Jaha, who has had fantastic success in Gambia, this all started with Jane Ellison, a former Member of Parliament for Battersea, when she formed the all-party group on female genital mutilation. She did some amazing work to bring this issue to people’s attention and she was devastated that there was no prosecution during her time here.

We have just had a prosecution, but it is hard for young people to testify, sometimes against family members, or, if not family members, against people who are friends of the family. It is really difficult for relatively young girls to go through with the prosecution. Although we have had only one prosecution—and it is incredibly important that we have had one—I can understand why we have not had more, but now that we have had that prosecution, I would like to see people feeling less frightened to come forward.

I also believe that teachers need more training to recognise the signs of when girls are going to be taken abroad. I know that it does not happen all the time and that a lot happens here, but some are taken abroad, just as they are for early marriage and forced marriage. Teachers need to be trained to recognise the symptoms of what is happening. Doctors and nurses also need additional training to make them report what they see. Many doctors in the past have seen this but have never done anything about it to protect people, because they believed that it was not their job to do so and that they should let sleeping dogs lie. That really should not be the case, because what is happening to young girls is brutal. There is the risk of bleeding to death. There is a huge risk of infection. Somebody earlier likened this to abortion in the 1950s. It is no better than the knitting needle and the gin, because there is no protection for these girls and absolutely no pain relief for them either. The perpetrators need to realise that we are serious about catching them and stopping FGM in this country.

I congratulate the Secretary of State for International Development, my right hon. Friend the Member for Portsmouth North (Penny Mordaunt), who is sitting on the Front Bench. She has put an enormous amount of work and funding behind trying to stop FGM in other countries around the world. I commend her for her work because it is really important that it is not just us who are doing this; we have to help other countries to stamp it out as well. As was said earlier, we have seen the success in Gambia, which is incredibly important to this campaign. It can be stamped out once we get over the barrier that it is not cultural and not religious—it is just sex abuse for these young girls. We must get that over, and I commend the Secretary of State for the work she has done and the huge amount of resources she has put into this issue.

I also commend the hon. Member for Rotherham (Sarah Champion), who made a very passionate speech, a lot of which I was going to say but I cannot, because she has already said it. What has been really good about this debate is that it has united both sides of the House. We work better when we work together. There are things that divide us, but on issues such as this, we can all work together, just as we can on raising the age of marriage and forced marriage.

Sir William Cash (Stone) (Con): Will my hon. Friend give way?

Mrs Latham: Yes, of course.

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. The hon. Gentleman has only just walked in. It would be rather unfair on the other people who have been here. I think he should wait a little while.

Mrs Latham: Thank you, Mr Deputy Speaker. I think I know what my hon. Friend was going to say, because he was talking about something that we worked on together to try to bring this issue to the fore some years ago. We have to recognise that what has happened in this country has not been as successful as it could have been. We need people in this country to really go for the perpetrators, and anybody who knows anything should report it to the police. As I said, however, it is very hard for young girls to testify in court against family members or friends of the family, and we have to work together to try to make it easier for these cases to come to court and to have successful prosecutions.

8.59 pm

Helen Whately (Faversham and Mid Kent) (Con): I congratulate my hon. Friend the Member for Richmond Park (Zac Goldsmith) on his work on this issue, particularly the progress of his Bill, and I pay tribute to Lord Berkeley, in the other place, who originally brought this measure forward, and to the vocal and courageous campaigners, such as Nimco Ali, who several Members have mentioned. It is the work of brave women such as her that is making a difference and turning the tide against FGM.

I am going to read out the story of a 14-year-old girl who now lives in the UK and who I will call Aminah, although I warn hon. Members that it might not make for very comfortable listening. She says:

“I was six years old when it happened to me. I knew what was going to happen. I knew they were going to cut me because a lot of my friends had had it done. My friends had told me that it was really painful, that it was horrible, so I was terrified. I was at school, when they told me it was ‘my time’. My uncle and aunt came to take me from the school. It was my sister’s time too - she was eight years old. The woman who cut us was my grandmother’s sister - and she was going to cut us in a tent near a huge tree.
They used ropes to tie our legs apart and there were lots and lots of girls there. I could hear screaming, lots of horrible screaming and there was so much blood. Girls were crying. Then they said it was my turn. I ran away - I ran as fast as I could but they sent boys after me and they caught me. They took my legs and my arms and carried me back. One of them was my older brother - he helped carry me back to the cutter. They tied me down, I was fighting as hard as I could, but they were stronger. I was screaming. The old woman, my great aunt, used a razor blade - it was clean and new, but there was no anaesthetic when she cut me.”

Members can find out more about her story on the website of the sexual health charity, Brook. I read it because although we talk about FGM—we normally just use the acronym—it is the stories that really bring home how disgusting and completely abhorrent the practice is.

One of the most harrowing aspects of Aminah’s story is that it was done to her by people she trusted: her uncle, aunt and great aunt. FGM is carried out on girls by people who love them. It is done out of fear that uncut girls will not find husbands and will be ostracised or considered unclean by their communities. Some communities believe it can be used to control female sexuality and increase male pleasure, and it is done supposedly for these girls’ own good, but it can kill. For the majority who survive, the short and long-term health consequences are appalling: there is the immediate pain of being cut without anaesthetic, followed by a long, painful healing process; the risk of haemorrhage; the risk of infection from contaminated instruments; and, in the long-term, very serious health consequences from repeated urinary tract infections, difficulty menstruating and problems with childbirth, not to mention the trauma and psychological damage.

At least 200 million girls and women worldwide have undergone FGM. No religion endorses FGM, but myths and deeply ingrained traditions perpetuate it. In every society where it is practised, it is a sign of deeply entrenched gender inequality, and FGM is happening here in Britain too. According to the NHS, between April 2017 and March 2018, 6,195 women and girls were treated by the NHS for FGM, and in 85 of them, the FGM was known to have taken place in the UK, although the NHS is clear that this data is not complete, so the true figure could be substantially higher. The National FGM Centre estimates that 60,000 girls are at risk of FGM—either of being cut in the UK or being taken abroad to undergo the procedure—and that 137,000 girls and women in the UK are living with the consequences of FGM.

That is despite the fact that FGM has been illegal in Britain since 1985, that the Female Genital Mutilation Act 2003 created an offence of taking a girl abroad to undergo FGM and that the Serious Crime Act 2015 further extended the law by introducing an offence for failing to protect a girl from the risk of FGM and for the anonymity of FGM victims. Currently, anyone who commits FGM faces up to 14 years in prison. As we know, last week, the mother of a three-year-old girl was sentenced to 11 years in prison. This was the first FGM conviction in the UK. It is awful, in some senses, that that can be considered a success—a success that a conviction was secured—but it has proved very difficult to secure convictions, and the fact that one has been secured sends, I hope, a strong message that FGM is not okay, and there will be consequences under UK law.

The 2015 Act also introduced FGM protection orders, which give courts powers including the power to remove children’s passports to prevent them from being taken abroad. The Bill will close a small gap in the law to make the process of issuing protection orders a little bit easier.

I will wrap up now, Mr Deputy Speaker, because I can see that you would like me to do so. Let me simply say that ending this barbaric practice, and overturning the misogyny that underpins it—as well as the cultural practices that have enabled it to continue—will not be easy, but the Bill brings us a small step closer to doing so, and every step that can save a child like Aminah from suffering as a result of FGM is a step worth taking.

9.5 pm

Maggie Throup (Erewash) (Con): Some powerful speeches have been made tonight, none more so than those of my hon. Friend the Member for Richmond Park (Zac Goldsmith) and my hon. Friend the Member for Faversham and Mid Kent (Helen Whately), whose description of FGM was truly horrendous.

As public awareness of the abhorrent practice of FGM increases and the momentum swings firmly behind positive action which will ensure that women and girls are fully protected, we as legislators have a duty to strengthen existing laws to ensure that the courts have all the necessary powers not only to prosecute those whose facilitate FGM, but to safeguard victims and those at risk. This is a simple Bill, but it gives us an opportunity to protect members of our society who have no voice and cannot speak for themselves, namely children.

The campaign against FGM in British society is not, as some advocates of the practice have suggested, a war against religious groups or cultural practices. It is simply about doing what is right, so that women and girls can lead normal, healthy lives and have control over what happens to their bodies. We must recognise that in the case of nearly all victims of FGM it is not their choice to be cut, because they are too young, while older victims find themselves being coerced into the procedure, heavily influenced—as we have already heard—by dominant family members, or by people who play central roles in their communities. As we have also heard, last Friday, 8 March—International Women’s Day—a 37-year-old mother was jailed for 13 years for this and other offences. The judge described the crime as “barbaric and sickening”, and also made it clear that FGM was against the law and a form of child abuse. That single piece of evidence perhaps best highlights why the Bill is required.

The Children Act 1989, as amended, allows a judge to grant an interim care order if there are reasonable grounds to believe that a child has suffered significant harm, or is at risk of suffering significant harm. However, the Act does not currently include the Female Genital Mutilation Act 2003 in the list of statutes under section 8(4), and that therefore does not constitute “family proceedings”. Had the Bill been on the statute book, a judge might have had the opportunity to grant an interim care order in the case that I have mentioned, thereby protecting an innocent victim from the irreversible pain and trauma.
with which she will have to live for the rest of her life. The National FGM Centre has estimated that, in England alone, 60,000 girls are currently at risk of FGM. My right hon. Friend the Home Secretary has said: “we will not tolerate FGM and not rest until perpetrators of this horrific crime are brought to justice.”

There are some pieces of new legislation that appear to be merely adjuncts to existing laws, but whose long-term consequences may be profound. The Bill definitely fits into that category, and it has been a pleasure to sit on the Committee that has brought it to this stage. However, during proceedings on the Bill, I received emails from academics and lobby groups raising several issues. One individual made a good point when they highlighted the need for community-led educational information, and more support for dialogue with FGM-practising communities. I know from listening to other speakers that that is definitely happening.

It has also been highlighted to me that data may have been misinterpreted. For example, in 2016-17 it was reported that 9,179 cases of FGM were identified in England, of which 5,391 were newly recorded. It is important to note that that does not mean that 5,391 girls had recently been subjected to FGM; that was the number of cases that had been newly identified. Of course, it follows that those new cases may not have occurred in this country.

We must use every tool in our armoury to stamp out FGM, not just here in the UK but across the world. We celebrate Commonwealth Day today, and it is incumbent on our Commonwealth friends to play their part in stamping out this practice. Many countries where FGM is prevalent have laws against the practice, but, as we have found in this country, the enforcement of the law is often the problem.

To eradicate FGM, we need community groups and individuals who are passionate about campaigning to stop it. We need the legislation in place to secure prosecutions, and we need the powers in the Bill to protect those who are at risk. FGM is a human rights issue, a gender equality issue—or, I should say, a gender inequality issue—and a health issue, but justice should always remain our focus.

It is surely not right—indeed, it is shameful—that in our civil society, where the number of at-risk girls is so high, only one person has been successfully prosecuted since the practice was first outlawed in 1985. If this Bill, which clearly commands cross-party support, allows the courts to safeguard a handful of girls who are at risk, I believe it will have done its job. I look forward to its speedy passage on to the statute book.

Several hon. Members rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Can I just remind people to stick to five minutes, please?

9.12 pm

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): I congratulate my hon. Friend the Member for Richmond Park (Zac Goldsmith) on introducing the private Member’s Bill to deal with this important issue.

Last week we celebrated International Women’s Day, a joyous occasion on which women and girls came together to celebrate their achievements, the women who helped them to realise those achievements and our victories on the long road to equality. Today’s debate reminds us of not just how far we have come, but of how far we still have to go.

FGM is a barbaric practice that has no place in the world today. It is often, as other Members have said, performed by a local cutter—not by someone with any medical skills—in a barbaric way without pain relief. The affected women have their genitals cut into such a state that they end up with significant long-term consequences. As well as the short-term consequences of pain, trauma, shock and bleeding—in some areas of the world where there is little access to medicine, such bleeding can lead to serious infection, sepsis and death—women may experience difficulties passing urine that can go on into the long term, incontinence, frequent and chronic urinary tract infections, pelvic infections, problems with menstruation, kidney failure, cysts and abscesses, difficulties with sexual intercourse and complications with childbirth.

Complications with childbirth are particularly prevalent among those who have had the procedure of infibulation, which is where the vaginal opening is made much smaller. There is the possibility of reversing or undoing that procedure during pregnancy in advance of labour, if midwives and surgeons are aware of it. Indeed, as other Members have suggested, some women will have been sewn up by the time the next pregnancy occurs.

Jim Shannon (Strangford) (DUP): The hon. Lady has clearly outlined what needs to happen legislatively in relation to such physical and emotional abuse. Does she not agree that it is also time for a cultural change in the societies in which it occurs? If a cultural change comes into play, methods and habits will change, so it has to start there.

Dr Johnson: I thank the hon. Gentleman for his intervention. He is absolutely right, and I will say more about that later in my speech.

Given how barbaric this practice is, it is surprising how common it is, with more than 200 million women in the world said to be affected by it. Recent statistics show that 150 British-born women were identified by NHS Digital as having had the procedure, and that 85 of them had had it here in the United Kingdom. It is estimated that around 130,000 women in the UK are at risk, and 1,000 new cases have been identified by the NHS this year.

While researching for this debate, I read about the case last month of the first person to be convicted of FGM in this country. It involved a mother who was found guilty of FGM. Her daughter was only three years old. That young girl was pinned down in her north London home and had her genitals cut and partly removed. Her mother claimed that this had been due to her failing on to a cupboard door. In my work as a paediatrician, I have heard some tall stories about how injuries to children might have occurred, but it was clear that the jury did not believe the woman in that case.
Children of that age do not have enough strength to escape the knife or to escape their attackers. That is why we need laws to protect these vulnerable children from a harm that is sadly often perpetrated by those who are closest to them and who should be protecting them the most. I am proud that the UK is a world leader in introducing legislation in this area. Since the passing of the Prohibition of Female Circumcision Act 1985, it has been illegal to mutilate the clitoris or the labia, or to help someone to do that.

The Government improved things further in 2003. Recognising that girls and women were being taken abroad for these procedures, they increased the territorial reach of the legislation so that UK nationals or UK permanent residents taking someone overseas or allowing or helping the procedure to happen overseas would also be guilty of a crime. This was widened further in 2015 to ensure that people who failed to prevent the procedure from happening were also guilty of a crime, and to provide anonymity for victims. The FGM protection order was also created at that time.

Updating these laws is a continuous process to ensure that children are protected. It is right that we have strong sentences of up to 14 years for those found guilty of FGM and up to seven years for failing to protect a child from it, but it has been difficult to get convictions. We need to look further into the reasons for that, and particularly, as the hon. Member for Strangford (Jim Shannon) says, into how we can change the culture in society so that FGM does not happen in the first place.

So what does the Bill do? It puts in place a crucial amendment to the Children Act 1989 that adds children’s powers into family proceedings. The Act gave powers to the courts to impose an interim care order, a care order, an interim supervision order or a supervision order. What do these orders do? Essentially, they allow the courts to share parental responsibility and allow local authorities to take children into care. The test that is applied is that there should be reasonable grounds to believe that the child has suffered or is at risk of suffering significant harm. I do not think that any Member in the House would doubt that the risk of FGM would meet that threshold. At the moment, however, if an FGM protection order is being applied for and there is also a desire to apply for an interim care order, they need to be applied for separately, which takes time and creates increased procedure. The Bill will ensure that both can be dealt with in a single process.

David Simpson (Upper Bann) (DUP): I know that the hon. Lady has a great deal of experience in the medical profession. Does she agree that FGM is nothing but pure cruelty to young children, and that any parent allowing it, no matter what their culture is, should face the full rigour of the law?

Dr Johnson rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. I asked people to speak for only five minutes, and I am concerned that some Members might not have a chance to speak. It is only Conservative Members who are waiting to speak, so they are actually cutting into each other’s time.

Dr Johnson: Thank you for that guidance, Mr Deputy Speaker. I will aim to wrap this up quickly.

My final point is that the law is useful, but we also need education. There is a cross-Government strategy to prevent violence against women and girls, and that includes health professionals, identification, mandatory reporting, teachers who are in a trusted position keeping children safe, charities, the work of Nimco Ali and others, international work, DFID’s flagship programmes, UN resolutions and so on. Children need to be educated so that they develop key skills, not necessarily just about FGM in isolation, but self-esteem, social and emotional skills. They should also be taught where to get support if they are worried. All that will empower our young women.

In summary, this amendment to the law will make it easier to protect children from FGM, which is a dreadful form of child abuse. I congratulate those who have successfully campaigned to get the Bill through the House.
My final point is about why the problem is so hard to eradicate. We have heard that it is a broad cultural issue, that people are frightened to report it and that it comes with stigma and shame in some communities. The women who carry out the act do so from a place of love. They do it because their ancestors did it to them, so they are doing what they think is right. This is about education, so we need to examine how we teach not just victims and young children, but also the women who carry out the act. We must therefore consider the new sex and relationships education that is being introduced into schools on a compulsory basis, and we must ask ourselves some searching questions as a society. Do we think it is right that parents can withdraw their children from such lessons? How do we tackle the difficult issue of some communities protesting outside schools because they do not like what the Government are trying to teach children when that education involves precisely the issues that we are debating tonight?

We must eradicate the horrific mutilation of young women and girls. I look forward to supporting the Bill and seeing it progress through the House tonight.

9.24 pm

Vicky Ford (Chelmsford) (Con): I am delighted to support the Bill tonight. FGM is a hideous crime that has no place in our society, and I am pleased it has been illegal in the UK since 1985 when a law was introduced by the then Conservative Government. The law was tightened up again in 2015 by a Conservative-led Government, which is why it is completely correct that this Government are leading the work again tonight.

It is estimated that 200 million girls and women across the world, over 130,000 of them in the UK, have been subjected to FGM. It has been independently suggested that some 60,000 girls and women in this country are at risk today. We know that, for many of those girls, FGM often happens in another country, which is why it is crucial that we continue to support the work of DFID to make sure our young girls and women are protected not only in the UK but overseas.

I want to use my time to give a strong shout out for DFID’s work. People often ask us on the doorstep what we get from the DFID budget, so I will set out some of the things we are doing with it. Since 2013, DFID-supported programmes have helped more than 8,000 communities— that is 24.5 million people—pledge to abandon FGM. We have helped to make the practice illegal in Gambia, Nigeria and Mauritania, and we have helped Burkina Faso, Egypt and Uganda to strengthen their laws. More than 3 million girls and women have received FGM protection and care due to the work of DFID-supported projects.

The new £50 million programme in Africa will go to projects that seek to change attitudes by supporting grassroots activists, youth initiatives, doctors, midwives and nurses to help end FGM all over Africa. A total of £15 million is going into Sudan to reduce the social acceptance of FGM, and another £12 million will go to the UN trust fund to help protect women and girls in some of the world’s poorest countries from practices such as FGM, child marriage and domestic and sexual violence.

In our debate on Thursday for International Women’s Day, I pointed out that girls in developing countries are two and a half times more likely than boys not to attend school and three times more likely than boys to be a victim of modern slavery. Through DFID, the Government are supporting work across the world not only to reduce and stop FGM but to stop violence against women and to help all girls get the education they deserve. I am thankful for this Bill.

9.28 pm

Fiona Bruce (Congleton) (Con): I rise briefly to support this much-needed amendment to the Children Act 1989. I will chiefly focus my remarks with reference to the sentencing remarks of Mrs Justice Whipple in the central criminal court on 8 March 2019, following the first successful conviction in the UK of the offence of FGM. I understand there is no appeal, so I am not contravening the sub judice rule.

The circumstances of this particular incident have been described as “barbaric” and “sickening,” and they were indeed that. A 37-year-old mother was found guilty of mutilating her three-year-old daughter, and by way of highlighting the gravity and horror of the offence, I hope colleagues will forgive me for some of the graphic description I will relate from the court remarks. The conviction led to an 11-year sentence. During the proceedings, the jury heard a recording of a 999 call in which the mother said that her daughter “had been trying to get some biscuits and had fallen on metal and the metal had ripped her private parts.”

This was a few hours after she had clearly been mutilated. Mrs Justice Whipple said that by the time the girl got to hospital, “she had lost a lot of blood, so much so that consideration was given to transfusing her.”

The consultant operated on her that evening. The next remarks are graphic, but they show the reality of the injuries on a child just three years old:

“he observed three separate cutting injuries—one to the labia minora on the right side which was missing; one to the labia minora on the left side which was hanging by a hair of skin; and one to the clitoris in a curvi-linear shape, with a clot formed beneath it which, when removed, caused the wound to bleed. In his view, there were three separate cuts each of which had been deliberately inflicted by a sharp instrument.”

The judge referred to those injuries having probably been inflicted by a knife, scissors or a scalpel. Four consultants, expert gynaecologists and paediatricians, separately agreed with the view that this must have been deliberately inflicted injury by a sharp instrument and that this must have been part of a joint plan—in other words, at least one other person was involved. The commission of this offence would have required the participation of more than one person. It is particularly offensive therefore that the offence was premeditated by the child’s mother, the person whom this three-year-old should have looked to most in the world for protection, and that it was carried out in her own home, where she should have felt safe. Who is to say how this will affect her ability to trust and form relationships in the future?

As the judge said, there were physical consequences, but the “true significance” may become apparent only “in puberty or adulthood” when “she recognises that her body is different, and that may cause her embarrassment or inhibition in forming intimate relationships.”
In other words, there is a “significant and lifelong burden” for this child to carry.

Many colleagues have said that religious and cultural sensitivities should not be used in any way to justify FGM, and that of course is right. This was a terrible offence. I would go so far as to say that it was evil. It was interesting to note that in the evidence given to the police in a recorded interview this three-year-old referred to a “witch-lady”. Witchcraft objects were found in the home of the convicted individual by the police. This little three-year-old girl has been traumatically harmed, as was her nine-year-old brother, who witnessed his sister’s distress immediately after her injuries. They are both now in foster care, but after the event. It would have been far better if, under the Children Act 1989 as is now proposed, an order could have been made before to protect them from the risk of such gratuitous physical and psychological injuries.

9.33 pm

Eddie Hughes (Walsall North) (Con): It is a pleasure to follow my hon. Friend the Member for Congleton (Fiona Bruce). It was also a pleasure to have been in the Chamber for the start of the debate to hear my hon. Friend the Member for Richmond Park (Zac Goldsmith) move the motion. It is particularly important, or relevant, that a male MP should be taking this Bill through, because men have so much responsibility for the fact that this practice exists in any form at all. My understanding is that there are examples of FGM in Egyptian mummies, so the practice has been historically prevalent for a very long time. If we ask ourselves why, we see that it is frequently at the behest of, or for the pleasure of, men. Men feel that it is an opportunity to subjugate women—what an incredible indictment that is.

As men, we should realise that we have a particular duty to speak out on this subject. It has been a pleasure to be part of the debate and to hear other male MPs making the case this evening. It is so great that Members on both sides of the Chamber are standing together.

9.37 pm

Chris Green (Bolton West) (Con): It is a pleasure to follow my hon. Friend the Member for Walsall North (Eddie Hughes) and his insight into this severe problem and the historical context of the evils from so many years ago still being visited on children and women to this very day.

So many of the points that I would have made have already been made and I am conscious of the limitation on time. I send my appreciations to the hon. Member for Rotherham (Sarah Champion) for her insight into this problem and the points that she made, and to my hon. Friend the Member for Richmond Park (Zac Goldsmith) for his insight into the French system, which is very different from the one in the UK. It is perhaps not right that we look to the French when thinking about what system to adopt in the United Kingdom.

It is a significant problem that FGM was first made a criminal offence in the United Kingdom in 1985 but to date there has been only one successful prosecution. I understand that there have been three unsuccessful prosecutions in the UK. Successful prosecutions, and significant sentences to go with them, would form a deterrent. That would contribute to deterring people from engaging with and supporting FGM. We are right to have a zero-tolerance attitude to FGM and I welcome this amendment to the 1989 Act, but will my hon. and learned Friend the Minister say what more can be done to deliver a zero-tolerance approach to FGM?

9.39 pm

Mike Wood (Dudley South) (Con): I shall speak only briefly because at least one more Member still wishes to speak. I congratulate my hon. Friend the Member for Richmond Park (Zac Goldsmith) on bringing the Bill back to the Chamber—from what almost seemed like the dead—and I congratulate Lord Berkeley in the other place on piloting it so effectively.

As has already been said so clearly, and as was concluded by the Home Affairs Committee in its 2016 report, female genital mutilation is an horrific abuse. It is not justified by any religious requirements. There are no medical arguments for it; quite the contrary. Beyond the immediate pain and suffering caused by the procedure, there is ongoing risk of medical complications and lifelong psychological effects for many women many years after they suffered the procedure. There can be no question of trying to justify the procedure on the basis of any cultural practices. It is abuse, plain and simple.
It is child abuse. It is evil and it is wrong, whether it happens here in the United Kingdom, or anywhere around the world. It is right that we do everything that we possibly can to prevent it from happening. It is also right that, where there is proof of female genital mutilation, we do everything that we can to bring those responsible to justice and make sure that they receive the very, very severest of penalties that are available.

Securing a criminal conviction for FGM is notoriously difficult. Despite the fact that this has been an offence in the United Kingdom since the 1980s, it is only in the past few weeks that a successful prosecution has been brought. The difficulties in collating evidence to a standard that is high enough to secure a criminal conviction mean that, even now, it is often very difficult to persuade witnesses to come forward. Often, by the time cases are uncovered—whether it is by doctors, hospitals, social workers or other agencies—the time for medical proof of who could have been responsible, or even the time that the procedure could have been carried out, makes it very difficult to pin it down to even a location, let alone an individual.

Therefore, it is particularly important that we do everything that we can to stop it happening in the first place. That is really where these orders have a particularly important role to play, which is why this Bill is so vital in closing one of the loopholes that makes it difficult to secure an order for those children who are at increased risk of being subject to female genital mutilation.

It is perverse that the care orders under the Children Act, which allow for orders to be made in cases where children are at risk of forced marriage or of domestic violence, cannot be used effectively to protect those children from the severe abuse of female genital mutilation. By closing that gap in the law, it means that agencies that go through the courts to take care of children at risk only have to make the single application to secure protection against the full range of risks. That will make girls and women far, far safer.

This is an extremely short Bill. It is a fairly simple change to our legislation, but it could make an absolutely massive difference to far, far more girls and women in this country and around the world than we might be able to imagine.

9.44 pm

Matt Warman (Boston and Skegness) (Con): I rise briefly to support this excellent Bill and to make two very simple points.

First, as many hon. Members have said, there is no excuse—be it cultural, religious or medical—for any of the practices that are labelled under the broad-brush bracket of female genital mutilation. However, as my hon. Friend the Member for Faversham and Mid Kent (Helen Whately) said, these are often things that are done to young girls by those who love them most. There is an enormous challenge in that, because we should not claim that the people who do this do not love their own children, but that they are committing acts of child abuse.

I hope that this law sends out a very clear message that, in this country and hopefully in many others that will follow the lead set by my hon. Friend the Member for Richmond Park (Zac Goldsmith), FGM is not an acceptable practice in the 21st century, and nor should we have allowed it to persist for as long as it has. That is a profoundly important cultural point in a landscape where there is no cultural excuse for a practice that many have quite rightly described as barbaric. I know that this point is not within the Minister’s purview at the Ministry of Justice, but I hope that we can tackle this aspect of FGM in the strongest possible terms, as part of this Government’s and other Governments’ good work on FGM; we need to address an issue that goes beyond simply the legally prosecutable, into a wider set of complex international and cultural dynamics on which we have a duty to lead the way.

My second point is only just within the scope of the Bill, and that is to say that we could have addressed this issue some time earlier were it not for the arcane procedures of this House. It shames us all that this issue had to be taken on in this way. I know that the Minister has stepped into the breach with great enthusiasm because, as both sides of the House have agreed, it is absolutely the right thing for this Government to be doing, but it is not right that the procedures of this House allow us to be in this position. When times are perhaps a little calmer and we are not starting statements at 10 o’clock at night, rather than finishing the business then, I hope that we may be able to address that issue because doing so will allow us not only to deal with such matters with greater speed, but to take on many other issues. I hope that this Parliament can be just as modern as this Government have been in getting with the 21st century.

9.47 pm

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): The Government are pleased both to support this Bill and to give it Government time. It is a very short piece of legislation. With two clauses, it is a simple Bill intended to fill a small and unintended gap in the law. It will further protect women and girls, and will allow our courts to make orders and to do so quickly—in a single proceeding—to protect children who are at harm. I thank all Members from across the House who have taken part in this important debate.

Many points have been made in the debate, and I will try to draw them all together. As my hon. Friend the Member for Richmond Park (Zac Goldsmith) started by saying, there has been a cross-party effort to bring this legislation through the House swiftly and with some consensus. I thank the hon. Member for Ashfield (Gloria De Piero) for her helpful comments. My right hon. Friend the Member for Basingstoke (Mrs Miller), in her powerful speech, drew attention not only to the cross-Governmental approach to addressing FGM, but to the presence of so many Departments on the Treasury Bench during this debate. I thank Ministers from the Home Office, the Department for Digital, Culture, Media and Sport, the Department of Health and Social Care, the Government Equalities Office, the Department for International Development, the Department for Work and Pensions, the Ministry of Housing, Communities and Local Government, the Department for Education, the Department for Business, Energy and Industrial Strategy, the Wales Office and the Ministry of Justice for taking part in this debate through their presence today.

A number of Members have highlighted the importance of this Bill because of the effects on the victims. My hon. Friends the Members for Richmond Park, for Sleaford and North Hykeham (Dr Johnson), for Dudley...
South (Mike Wood), for Stevenage (Stephen McPartland) and for Walsall North (Eddie Hughes), and the hon. Member for Ashfield, all highlighted these effects. My hon. Friends the Member for Faversham and Mid Kent (Helen Whately) and for North Dorset (Simon Hoare), and the hon. Member for Rotherham (Sarah Champion), said quite rightly that FGM is child abuse.

That point was made in the sentencing remarks of the judge in a recent conviction for FGM. Perhaps those who marked the terrible effects most closely were those who told stories of the impact on the victims, such as the terrible story of Aminah told by my hon. Friend the Member for Richmond Park (Zoe Lofgren) and the horrific story told by my hon. Friend the Member for Redditch (Rachel Maclean), showing us so graphically the terror of the girls who are experiencing this crime and the impact on their lives for ever.

So what are we doing, as a Government, to address FGM? My hon. Friend the Member for Richmond Park mentioned the legislation that goes back several decades to ensure that we are taking steps on FGM. In 2015, we strengthened the law to improve protection for victims by, for example, introducing a new offence of failing to protect a girl from FGM, and allowing for protection orders. My hon. Friend the Member for Bolton West (Chris Green) asked what more can be done. I am very pleased to say that we are taking steps across Government to ensure that we wipe out this dreadful crime. The Home Office’s FGM unit has participated in over 100 outreach events to raise awareness of FGM. The Department of Health and Social Care has provided £4 million for the national FGM prevention programme, in partnership with NHS England. The Department for Education has announced its intention to reform the curriculum in schools to teach children about the effects of the emotional damage, and has provided nearly £2 million for a national programme to improve the social care response to FGM.

However, as my hon. Friend the Member for Redditch and for Chelmsford (Vicky Ford) pointed out, it is not just about tackling FGM in this country but tackling it overseas. DFID has done a significant amount of work. In addition to a £35 million package to end FGM across 17 countries in Africa, at the end of last year the Government announced a £50 million package to support an African-led movement to end FGM by 2030. That is the single biggest investment by an international donor.

Many Members referred to the statistics on those who have experienced this horrific crime. As the hon. Member for Ashfield rightly identified, we do not know the precise figures on those who are suffering from FGM in this country who have had that crime perpetrated here, but, as the hon. Member for Rotherham stated, we know that it is happening and that, as the hon. Member for Tooting (Dr Allin-Khan) said, it is happening to children at a very young age.

It is very, very difficult to prosecute this dreadful offence. Like my hon. Friend the Member for Congleton (Fiona Bruce), I would like to refer to the powerful speech that the judge made in a recent conviction of a perpetrator of FGM who committed an offence against her daughter. I will read a few of the words from that judgment, which are incredibly powerful. The judge said to the perpetrator:

“You were convicted following a trial of female genital mutilation...The person mutilated was R. R is your daughter. She was just 3 years old when you cut her. FGM has long been against our law. Let’s be clear: FGM is a form of child abuse. It involves deliberate physical mutilation. It is a barbaric practice and a serious crime. It is an offence which targets women, typically being inflicted on women when they are young and vulnerable. It is often done with the collusion of family members. And then it is hidden. This case contains all those features.”

For that particular crime, although there were convictions for other crimes, the judge sentenced the woman to 11 years. As my hon. Friend the Members for Faversham and Mid Kent and for Boston and Skegness (Matt Warman) rightly mentioned, what is so terrible about this crime is that it was done by someone the victim trusted and in a home where the victim should have felt safe. Those were both aggravating factors in the sentencing.

We are tackling this issue by increasing the protections that we offer to victims of FGM. The Bill will define FGM protection orders as family proceedings for the purposes of the Children Act 1989, which will provide for a simplification in the court process. That is a sensible and practical change, which will allow our courts to make orders quickly, in a single proceeding, to protect children at risk of harm.

I would like to answer a number of the points put to me in the debate. My hon. Friend the Member for Bolton West rightly referred to the different procedures and medical examinations that take place in France and elsewhere, but those take place in a different social and legal framework from the UK so are not directly comparable. Frontline medical staff have a mandatory duty to report known cases of FGM in under-18s to the police. As my hon. Friend the Member for Mid Derbyshire (Mrs Latham) said, there is a need for medical staff to report it.

The hon. Member for Ashfield asked what we are doing to get more prosecutions. There is now an FGM lead prosecutor for each area who liaises with the police. She also asked what we can do to educate more. The Home Office’s FGM unit has participated in more than 100 outreach events and is raising awareness of FGM across the country. As I mentioned, the Department for Education is reforming relationships and sex education and health curriculum guidance, to stipulate that secondary schools should address the physical and emotional changes caused by FGM.

The hon. Member for Rotherham rightly mentioned local authority funding. She is right to say that the Department for Education made more than £1.6 million available to run the National FGM Centre for three years. As she acknowledged, the centre hopes to become self-sustaining from April 2020. The University of Bedfordshire is evaluating the centre, and that evaluation is due to be completed by July this year. The Secretary of State for International Development mentioned to me that DFID and the NHS are looking at co-funding specialist expertise, to help deliver services such as those at Queen Charlotte’s Hospital, and she is happy to speak to the hon. Lady about that.

This is a small change, but it will add to the measures that the Government have brought forward to tackle FGM. No one who has spoken in this debate, and neither my hon. Friend the Member for Richmond Park nor the Government, has suggested that the Bill will end FGM. We cannot be complacent about the threats to women and girls. The Government will continue to work to prevent FGM here and abroad, to support...
the victims of FGM and to pursue those who cause or allow this terrible practice to continue. I am happy to make the commitment that my hon. Friend the Member for Richmond Park asked me to: we will continue to ensure that victims are protected. My hon. Friend the Member for North Dorset and the hon. Member for Tooting referred to their children. We need to continue to protect the children of others across the world.

I would like to end by thanking those who have taken part in the debate. I pay tribute to my hon. Friend the Member for Richmond Park, who has not only steered the Bill through the House so ably but, as we heard in his speech, has done so much to campaign so well with individual campaigners and cross-party to help solve FGM issues here and across the world. I thank my hon. Friend the Member for Walsall North, who rightly pointed out that we need to thank both men and women who have taken part in this debate. This is not just a female issue solved by females; it needs a co-ordinated approach, cross-party and cross-gender. I congratulate Lord Berkeley on identifying the issue that a small change in the law could solve and on introducing the Bill in the other place. I thank the Members who sat on the Bill Committee, and I thank my Bill team yet again for the tremendous job they have done. It has been reassuring and heartening to see such solid cross-party support and clear commitment to the Bill. I commend it to the House.

Question put and agreed to.

Bill accordingly read the Third time and passed, without amendment.
on alternative arrangements will be legally binding. I hope, too, that that legally binding commitment that the alternative arrangements do not need to replicate the backstop in any respect will go some way to reassuring hon. Members that the backstop does not predetermine what our future relationship with the European Union should be.

The joint instrument also puts the commitments set out by Presidents Juncker and Tusk in January on to a legally binding footing, underlining the meaning of best endeavours, stressing the need for negotiations on the future relationship to be taken forward urgently and confirming the assurances we made to the people of Northern Ireland—for example, providing a United Kingdom lock on any new EU laws being added to the backstop.

The second document is a joint statement that supplements the political declaration and outlines a number of commitments by the United Kingdom and the European Union to enhance and expedite the process of negotiating and bringing into force the future relationship. For example, it refers to the possibility of provisional application of such a future agreement and sets out in detail how the specific negotiating track on alternative arrangements will operate.

As I said, negotiations are continuing and the Government will provide an update to the House at the earliest opportunity should there be further changes. I completely understand that hon. Members of all parties will want to have the opportunity to study the documents in detail and analyse their import. Clearly, there will be an opportunity during the debate scheduled for tomorrow for Members to question the Prime Minister and other Ministers and to seek answers.

During Law Officers’ questions last week, my right hon. and learned Friend the Attorney General made a commitment from the Dispatch Box to publish his legal assessment, which will be available to all Members in good time before the debate. [HON. MEMBERS: “When?”] Hon. Members ask “When?” Since my right hon. and learned Friend has just seen the outcome of the negotiations in Strasbourg so far, hon. Members would want him to consider carefully the implications of those documents rather than rush out an opinion to meet the deadline for this evening’s statement.

This evening, we shall table the motion that the House will debate tomorrow. We have already published the withdrawal agreement and political declaration and the other papers required of us under the European Union (Withdrawal) Act 2018, and they will be supplemented by the documents that I have drawn to the House’s attention. Tomorrow, the House will vote on the improved deal.

I believe that the deal we have already secured represents a good deal for the whole country and delivers on the result of the referendum. When I knocked on doors during the referendum campaign, the clear message I got from people who voted to leave the European Union was that they wanted to take back control, particularly of our borders, but also of our laws. The deal ends free movement and allows us to deliver a skills-based immigration system, and ends the jurisdiction of the European Court of Justice in the UK. Under the deal, we will also take back control of our money, no longer sending vast sums to the European Union. We will leave the common fisheries policy and the common agricultural policy and take back control of our trade policy.

I also found in 2016 that, whether people voted to leave or to remain, they wanted us to have the deep and special partnership with the European Union that my party’s manifesto committed us to delivering. The political declaration—the framework for the future relationship—allows for that. In the meaningful vote tomorrow, the House will face a fundamental choice. We said that we would negotiate a good deal with the EU and I believe that we have done so. The EU has been clear that, with the improvements that have been announced and continue to be negotiated, this will be the only deal on the table. Tomorrow there will be a fundamental choice: to vote for the improved deal or to plunge this country into a political crisis.

If we vote for the improved deal we will both end the current uncertainty and deliver Brexit. The House was clear on the need for legally binding changes to the backstop. Today, we have secured those changes. Now is the time to come together to back this improved Brexit deal and to deliver on the instruction of the British people. I commend this statement to the House.

Keir Starmer (Holborn and St Pancras) (Lab): I do not complain for not having had advance notice of the Minister’s statement. I am not sure that he has got advance notice of it. [Laughter.]

What an absurd situation the Prime Minister has got herself into. Having lost the meaningful vote on 15 January by an historic majority, on 29 January the Prime Minister stood at the Dispatch Box and told this House that she would seek legally binding changes to the backstop. Her precise words, standing at the Dispatch Box, were these:

“What I am talking about is not a further exchange of letters but a significant and legally binding change to the withdrawal agreement.”

Let us see what document is put on the Table tomorrow. I did not hear the words from the Dispatch Box that the withdrawal agreement is being changed. She said:

“It will involve reopening the withdrawal agreement….I can secure such a change in advance of our departure from the EU.”—[Official Report, 29 January 2019; Vol. 653, c. 678-9.]

She then voted for an amendment in the name of the hon. Member for Altrincham and Sale West (Sir Graham Brady), which called for the backstop “to be replaced with alternative arrangements”.

It sounds as if none of that has happened, nor is likely to happen.

Turning the joint letter from President Tusk and President Juncker of 14 January into an interpretation tool—a legal interpretation tool it may be—adds nothing. The statement that there is no duty to replicate what is in the backstop is here in the letter of 14 January. That is not new. That is not today; that was in the letter. If all that is happening is to turn this letter into an interpretation tool for legal purposes, I remind the House what the Prime Minister said on 14 January about the letter. She said that she had been advised that this letter would have “legal force in international law”. To stand here today and say that this is a significant change, when she is repeating what she said on 14 January, is not going to take anyone very far.
[Keir Starmer]

We will look at the detail. We will look at whether the withdrawal agreement has been changed. [Interruption.] I am looking forward to the reaction tomorrow when the withdrawal agreement, unchanged, will be on the Table. [Interruption.]

Mr Speaker: Order. I appeal to Members on both sides of the House to calm down. I say to very senior Members who, from a sedentary position, are chuntering really very inanely, do try to grow up.

Keir Starmer: I will wait to see the detail, but as I understand it the withdrawal agreement is being placed on the Table tonight for a vote tomorrow—this agreement unchanged. If I am wrong about that and the document has been changed, I am sure I will be corrected in just a minute.

That cannot be described as legally binding changes to the backstop. Nor could the steps outlined—we will have to see what they are in full—allow the Attorney General to change his opinion that under international law the backstop would endure indefinitely until a superseding agreement took its place in whole or in part. Members of the House will recall that in the Attorney General’s advice last time, he focussed on the fact that the only remedy under the withdrawal agreement for breach of the good faith or best endeavours obligations is a temporary suspension of obligations unless and until the parties return to the negotiating table in good faith. That was announced just now as part of the breakthrough new agreement. It is there in article 178(5) on page 292, and has been since the document was signed off on 25 November. So that is not new either.

It sounds again as if nothing has changed, and if that is right, the Prime Minister is left with a pile of broken promises. It is as much a matter of trust as of substance. I am sure that many tomorrow on the Government Benches will be disappointed when they look at the detail. They should be disappointed, but not surprised. We have repeatedly raised questions about the Prime Minister raising expectations that she could not meet. The whole approach has been misguided and the fault lies squarely at the Prime Minister’s door, so can the Minister now please confirm: does the whole Cabinet now support the position as it now is? When will the House receive the Attorney General’s updated legal advice?

And I ask for a straightforward answer to the question: is a single word of the withdrawal agreement different now from the document that was agreed on 25 November?

This has been a wholly unsatisfactory 24 hours, but symptomatic of the last two years. Tomorrow, the House will express its view. These Benches will reject it. We expect the House to reject it and then we can move on and break the impasse.

Mr Liddington: When the right hon. and learned Gentleman got to his phrase about how the Opposition Front Bench was going to reject it, I thought that was the one that had been prepared a very long time in advance. I completely understand that he—like other Members of the House on all sides—is going to want to study the detail of the texts, but I want to make a number of things clear in response to his questions.

First, the joint instrument has equal status in law to the withdrawal agreement itself. Therefore, the withdrawal agreement and the joint instrument that has been negotiated today have to be read alongside each other; they have equal legal force. Secondly, the Government were chided over the question of alternative arrangements. Actually, it is a significant advance to have written into a legal text now a date of the end of 2020, because working actively to achieve that now becomes a legal obligation on both the United Kingdom and the European Union.

The right hon. and learned Gentleman also questioned the point of putting the promises made by Presidents Juncker and Tusk in January into law, and yet the thrust of his critique had been that we needed to put things into law rather than rely upon promises, so I think, again, there is a definite advance in line with what this House had wanted.

The right hon. and learned Gentleman asked me specific questions on the Attorney General. I did say in my opening statement that he is obviously reflecting urgently, but also with due consideration by proper analysis, on the documents that have been negotiated today, and he will provide his assessment to the House, as he has promised to do, as early as he can tomorrow and ahead of the debate.

The right hon. and learned Gentleman asked me about the Cabinet. The entire Cabinet endorsed and voted for the deal when it last came before the House. What we have today are improvements upon the deal which the Cabinet has supported, so the whole Cabinet is supporting these improvements.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I welcome my right hon. Friend to the Dispatch Box at this late hour. His statement is of the greatest interest to many of us who want to know whether this is a genuine improvement to the problems that existed, and my vote will be based on what I interpret from this. Given the number of issues here—the joint legally binding instrument, the interplay with the UK’s unilateral ability to revoke the backstop and then refer it to an independent tribunal—would it not be better to have a statement from the Attorney General? Would it not be better for him to appear in the House to explain his findings and be questioned and then, if that takes longer, for us to push back the vote to the following day? It would be better to know what we are voting on than to rush the vote and repent.

Mr Liddington: I am grateful to my right hon. Friend for his comments and for the work that he and others have done in developing ideas for alternative arrangements and for trying to make sure that they really are built into the mainstream of the work we do and embodied in legally binding and enforceable commitments. I will ensure that the Attorney General is aware of the request for him to appear tomorrow. On the timing of the debates, obviously the business for tomorrow has already been announced in the normal way, and I emphasise that the Prime Minister made a clear commitment from this Dispatch Box last week to the timetable for this week. She was pressed by right hon. and hon. Members from different parts of the House to provide clarity, and it is her clear intention to stick to the timetable she announced.
Peter Grant (Glenrothes) (SNP): I am grateful to the Minister for his statement. I can understand why the BBC was the best source of information—we could not have it in advance—but it is disappointing that no arrangements appear to have been made for the statement to be circulated to Members. I hope he will confirm that before we finish tonight it will be available to all Members.

The Minister has given us bold words about changing the peace process guarantee. That is what the backstop is—a peace process guarantee—and we should not let it be called anything else. Despite the spin, that guarantee remains in place, and must remain in place, so can he confirm that the Government are still bound by exactly the same political guarantee that they entered into in December 2017 and that it is the UK Government’s responsibility to come up with a way of managing the Irish border that complies with their red lines and with the Belfast agreement in its entirety?

For those of us for whom the peace process guarantee was an advantage, not a problem, nothing has changed: we still have the same rotten deal taking Scotland out of the European Union against the express wish of 62% of our sovereign national citizens; we still have the same sell-out of Scotland’s fishing fleet—exactly the kind of sell-out that the Secretary of State for Scotland promised to resign over and still has not; and no doubt in tomorrow’s debate and possibly later in the week, we will get the same condescending answers to questions about the impact on Scotland by saying, “Can I remind the hon. Gentleman that Scotland is part of the United Kingdom?” Tonight, we are seeing more clearly than ever the price of being part of this increasingly dis-United Kingdom.

There have been intensive briefing sessions for the European Research Group—taxpayer-funded but representing themselves—and a briefing for Arlene Foster, First Minister of nowhere, so can the Minister confirm at what time tonight the First Ministers of the national Governments of Scotland and Wales will be briefed, or will they be left to hear it on the news while others who hold no national Government positions are given preferential treatment? Will he not accept that the mood of Parliament and the four nations is that this deal cannot go through and that the only legitimate choice to give Parliament the people is not between this deal and no deal but between this Brexit and no Brexit? May I ask him to ensure that the Prime Minister and her Cabinet colleagues are fully aware that if the Government continue to insist on dragging the people of Scotland out of the European Union against their will, on these or any other terms, the people of Scotland should be given the chance to decide which of the two Unions matters more to us? The answer to that question will not be the answer that the smiling right hon. Gentleman on the Government Front Bench expects or wants.

Mr Lidington: The Prime Minister is still engaged in the talks in Strasbourg, but it is certainly her intention to speak personally to the First Ministers of both Scotland and Wales at the earliest opportunity once those talks have concluded.

I must say to the hon. Gentleman that I take exception to his insinuation that the Government are in some way resiling from their support for the difficult and challenging process of peace building and reconciliation in Northern Ireland, which ought to unite members of all parties in the House. As has been said repeatedly by the Prime Minister and others, our commitment to all the undertakings that were given in, and flow from, the Belfast/Good Friday agreement continue undiminished, and will always do so while this Government are in office.

Finally, let me say that I thought the hon. Gentleman painted a caricature of the Government’s attitude to Scotland and the Scottish people. I will not go into the political knockabout, although I am sorely tempted to do so, but I will say this: it is a bit rich for him to give lectures about respecting the results of referendums, given that when his then party leader—now airbrushed out of history—described as a “once in a generation opportunity” the vote for Scottish independence was put to the people of Scotland, it was rejected decisively. I only wish that the hon. Gentleman would accept that mandate from the Scottish people.

Sir William Cash (Stone) (Con): My right hon. Friend said that the documents would be available and on the table tonight. When will they be laid, and can we see them this evening? May I also ask whether the whole set of documents is at treaty level? The documents will be examined extremely carefully by many Members throughout the House and by my European Scrutiny Committee, and we shall need as much notice as possible. Will the Minister tell me at what time the Attorney General’s opinion will be available tomorrow, having regard to the timing of the debate, and whether the Attorney General will come to the House to explain his opinion on the documents before the debate and in good time?

Mr Lidington: It is certainly our intention to lay the documents as early as possible this evening. They must be laid before the House concludes its business tonight if they are to be formally taken into account during tomorrow’s debate and votes. I would expect nothing other than that from my right hon. Friend and his Committee would want to consider them very carefully. The Attorney General will make his assessment available as soon as possible, in line with the commitment that he gave the House from the Dispatch Box last week.

Hilary Benn (Leeds Central) (Lab): The Minister referred in his statement to the possible suspension of our obligations in respect of the backstop. As he will know, however, under article 178 of the withdrawal agreement that can happen only after the arbitration panel has ruled on the question referred to it, and after a whole process has been followed if one party has failed to comply with the ruling of the arbitration panel. If consideration of the issues raised by the arbitration panel in relation to the backstop involves questions about the interpretation or application of EU law, can the Minister confirm for the House that any such questions would have to be referred by the arbitration panel to the Court of Justice of the European Union, and that any ruling of the Court—despite what he has said tonight—would be binding on the arbitration panel, on the European Union and, crucially, on the United Kingdom?
Mr Lidington: I will say a couple of things in response to the right hon. Gentleman. First, he is right in this respect: the treaties themselves, as he knows, make it clear that the European Court is the final arbiter of the meaning of European law. We have seen that affect, for example, the ratification of the trade agreement with Canada and the agreement with Singapore. The withdrawal agreement is not part of European law, however; the withdrawal agreement and the joint instrument that is now associated with it have the status of treaties under international law, not European law.

Secondly, the right hon. Gentleman referred to the question of arbitration. Frankly, we would not want the EU to have the right to act arbitrarily against us without regard to some due process, so I do not think it is unreasonable for there to be a process.

Nicky Morgan (Loughborough) (Con): On 29 January, this House set a bar for the Government of replacing the backstop. Can my right hon. Friend confirm that meaningful commitments have been secured to replace the backstop with alternative arrangements?

Mr Lidington: There have been, certainly, meaningful changes that affect, in the way that the House required, the operation of the backstop. I believe that what has been agreed in the joint instrument tonight delivers on what the House requested in January.

Sir Vince Cable (Twickenham) (LD): I commiserate with the Minister on the latest stages of his retreat from his happy days as Europe Minister, when he managed to make my then party leader, Nick Clegg, sound positively Europhile. Is not the fundamental problem that this agreement, with or without a legal codicil, does not reduce uncertainty, but merely postpones the whole question of what kind of long-term relationship we have with the European Union?

Mr Lidington: The only way in which we can get certainty about the long-term relationship is to get on with negotiating it. We can only do that once a withdrawal agreement has been implemented and we have formally left the European Union. If the right hon. Gentleman wanted to join those Government Members who are anxious to get on with the negotiations as rapidly as possible, I would welcome that.

John Redwood (Wokingham) (Con): As the Attorney General rushes out his advice early tomorrow on this latest development, will he also share with the House his views on other very worrying features of the withdrawal agreement, including the open-ended financial provisions determined by the EU against us; the EU’s ability to legislate against our interests without our being able to stop them; and the continued very large role of the ECJ, an aspect of which was mentioned in a recent question?

Mr Lidington: It will be for the Attorney General to decide what he puts in his assessment. I am sure that not just he but many other legal authorities will want to comment on the documents. The matters contained in the new documents that I have described to the House, as well as the other matters to which my right hon. Friend referred, are likely to fall within the scope of the withdrawal implementation Bill when it comes before the House.

Nigel Dodds (Belfast North) (DUP): The Chancellor of the Duchy of Lancaster has clearly come to the House tonight with a partial statement. He has outlined the documents that the Government are going to publish but, as he has told the House, the negotiations are still under way. Can he give us an indication of when that element of these extremely important negotiations is likely to be concluded, and when the House is likely to be updated on this? Clearly, all of this will need to be taken together and analysed carefully, because at the moment we are speaking without having had sight of the precise texts. We will certainly analyse them very carefully.

Mr Lidington: I completely understand the right hon. Gentleman’s wish for detailed analysis. He asked about the other matters that are still under negotiation. I hope that those talks will conclude before the end of our exchanges on my statement, but if not, I would expect there to be a conclusion overnight.

Mr Owen Paterson (North Shropshire) (Con): If the alternative arrangements are now effectively going to be written into the treaty in a legally binding manner and with a legally binding date, that is good news. However, should the negotiations not go well, or should we not meet the date of the end of December 2020, would this sovereign country be able unilaterally to leave the arrangements in the withdrawal agreement in a legally binding manner?

Mr Lidington: My right hon. Friend is tempting me to go beyond the subject matter of the statement that I have been able to give the House this evening. I have said that the talks are ongoing, and I am sure that the Prime Minister will personally want to address the points that he has raised tomorrow.

Mr Pat McFadden (Wolverhampton South East) (Lab): If this is a fig leaf, it does not cover very much. It certainly does not cover the Government’s desperation to give the European Research Group and the Democratic Unionist party an excuse to come in off the ledge. So when it comes to arbitration, can the Minister confirm that article 174 of the withdrawal agreement will still stand? It states:

"Where a dispute submitted to arbitration...raises a question of interpretation of a concept of Union law...the arbitration panel shall not decide on any such question. In such case, it shall request the Court of Justice of the European Union to give a ruling on the question. The Court of Justice of the European Union shall have jurisdiction to give such a ruling which shall be binding on the arbitration panel."

Does that still stand?

Mr Lidington: I think I answered that question earlier—[HON. MEMBERS: “No, you didn’t!”] The key point is that the withdrawal agreement, and the obligations that are incorporated within it and within the joint instrument, are obligations binding on both parties in international law.

Vicky Ford (Chelmsford) (Con): In my memory, all-nighters in EU negotiations were perfectly normal. I was in the one on the future of the eurozone and the one on the banking crisis, and I think we had an all-nighter on mobile roaming. We even had one on loft insulation. I congratulate the negotiating team on getting so much agreed. If this House approves the withdrawal agreement tomorrow, how soon can the negotiations on the future partnership start?
Mr Lidington: The preparatory work on those substantive negotiations can start immediately after agreement has been given to the withdrawal agreement and the associated documents. The legal negotiations proper can commence only once we have become a third country, but what is included in the documents that I have described to the House this evening is more detail on the early programme of work, so those substantive legal negotiations can progress at an accelerated pace once we get to them.

Anna Soubry (Broxtowe) (Ind): I am a little concerned, because I have to say that I agree with the concerns of the hon. Member for Stone (Sir William Cash). It may be a first, but I think we would all agree that he made an important point.

Mr Speaker, this may be a question more for your good self than for the Minister, who as ever does a good job in difficult circumstances. A press conference is about to be held by the Prime Minister and Mr Juncker, and the BBC’s Brussels reporter says that the EU is adamant that there has been no change at all to the backstop position. Most importantly, we will need the advice of the Attorney General—[HON. MEMBERS: “Question!”] There will be a question. This is meant—[HON. MEMBERS: “Get on with it.”] The more you interrupt, the more I will continue.

Mr Speaker: Order. The right hon. Lady has rather a good point. I suggest that people show some patience and some manners. The right hon. Lady will be heard, and if there are people who have not the basic tolerance to hear her, perhaps they can repair somewhere else.

Anna Soubry: Thank you, Mr Speaker—I cannot think why I left. In any event, the point is that tomorrow is in effect a short day, and there is a lot to be considered and debated, so can the Minister for the Cabinet Office assist us? When will we get the motion, when will we get the Attorney General’s advice, and what opportunities will we have to question the Attorney General and then move to having a proper debate on the matter—the most important since our decision to enter the second world war?

Mr Lidington: The documents and the motion will be published, I hope and believe, later this evening—

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): It’s on Twitter.

Mr Lidington: There are many things for which I take responsibility under this Government, but Twitter accounts are not one of them. The Attorney General is preparing his legal assessment as we speak. He is as conscious as anybody of the commitment that he gave to the House last week, and if I know anything about my right hon. and learned Friend, it is that he will do his utmost to provide that assessment at the earliest opportunity, as I am sure will many other legal experts.

Mr Mark Francois (Rayleigh and Wickford) (Con): If the Government’s motion is on Twitter, could the Minister not just read it out?

With regard to the legal advice, which really is the crux of the whole issue, we are in an extraordinary situation, because the Attorney General has been involved in negotiating the deal, and therefore to some extent he will be marking his own homework when he advises the House—[HON. MEMBERS: “No.”] He will. It is inevitable. Given that, can I ask two questions? First, how early will we get the legal advice? In answer to the urgent question earlier, the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Worcester (Mr Walker), implied that we would get the advice by the time the House sat tomorrow, but it sounds as if that has already slipped. After all this, it would be suboptimal to get the advice a few minutes before the actual debate begins, and I am sure that the Government can appreciate that. Secondly, as the advice is so critical, will the Attorney General be speaking in tomorrow’s debate? If not, how can Members of this House ask him questions about the advice that he has provided?

Mr Lidington: The Attorney General is as keen as anyone to provide that assessment to the House, but clearly he would have been wrong to do it without sight of the final versions of all the documents that have been the subject of negotiations. The House would have had every reason to complain were he and the Government to have come forward with an assessment based on draft documents that subsequently changed. The course of action that the Attorney General is taking is completely reasonable, and I reiterate that it is his intention and the Government’s intention for the documents, and for all the advice on those documents, to be provided as soon as possible.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I have a copy of the Government’s motion here, and paragraph (3) says clearly not that the backstop is removed or that the withdrawal agreement is changed but merely that it “reduces the risk the UK could be...held in the Northern Ireland backstop”.

That is the Government’s own motion, which they have not bothered to share with the rest of the House, although it was shared on Twitter about half an hour ago. We still do not have the document, which is quite frankly contemptuous.

It is my understanding that there was an agreement with the EU over the weekend but that it was rejected by members of the Cabinet and the Attorney General, which is why we are in this impasse tonight—it is why the Prime Minister’s trip was cancelled. Will the Minister for the Cabinet Office please tell me what has changed since what was being discussed on Saturday, which was rejected by the Attorney General and members of the Cabinet?

Mr Lidington: What has changed is that there has been a successful outcome to the negotiations. When I came into the Chamber, the talks were still ongoing and I was not in a position to say precisely when the Government’s motion would be tabled. I am now advised by the business managers that the motion is in the process of being tabled, and the documents to which I have referred will be deposited in the House for the information of all Members as rapidly as possible thereafter.

Stephen Crabb (Preseli Pembrokeshire) (Con): I start by thanking my right hon. Friend for confirming that nothing in this evening’s statement indicates in any way a desire on our part to shirk our obligations under the
[Stephen Crabb]

backstop, which are based on solemn promises to the people of Northern Ireland. Does he agree that tonight underlines again that, if this House is to implement Brexit in a smooth and orderly way in any shape or form, the deal before us remains the only show in town?

Mr Lidington: This has been a long and hard-fought negotiation, and the EU has made it clear that the deal now on the table is it and that there are no further negotiations. The House—that means every Member of the House, whichever side they are on—has a responsibility to take decisions so we can move forward in the national interest.

Alison McGovern (Wirral South) (Lab): What we have learned this evening is that the withdrawal agreement is still intact, the backstop is still in place and, as my hon. Friend for Cardiff South and Penarth (Stephen Doughty) pointed out, the Government have given themselves little or no real extra powers in this whole process. It is clear that there will be no agreement that satisfies many Conservative Members and that the only way out of this Brexit mess is to find consensus across this House, would the Minister not agree?

Mr Lidington: I think that the hon. Lady is underestimating the content of what I announced earlier. The joint instrument that has been agreed has precisely the same status in law as the withdrawal agreement itself, so it should be read as a protocol to the withdrawal agreement. It is also the case that placing the end of 2020 date for alternative arrangements into legal text takes us a considerable way forward. I am not normally averse to looking for consensus where that can be achieved, but I do think that that means, for one thing, that we need to have clarity from the Labour Front-Bench team about exactly what they are prepared to support.

Mr Richard Bacon (South Norfolk) (Con): Notwithstanding the laudable desire of the Government to adhere to their timetabling commitments, does the Minister understand that it is essential that this House has an opportunity to question the Attorney General on his advice before tomorrow’s debate starts? Will the Minister also have a word with the Leader of the House, who is sitting very near him, to make sure that he has an opportunity to question the Attorney General pursuant to earlier points of order this afternoon, that I undertook earlier, I shall also make sure that the Attorney General is a ware of the comments

Mr Chris Leslie (Nottingham East) (Ind): I am not sure that the Minister’s statement is necessarily helping to win over the room this evening. In fact, I have just heard that President Juncker has said that this announcement will complement the withdrawal agreement “without reopening it”. Is the fundamental problem not that the promise to leave the single market and the customs union was never going to be compatible with having a frictionless, open Irish border? I feel embarrassed for the Minister, who is trying to spin this thinnest of gossamer threads for 80 of his European Research Group to try to climb down. Is it not already clear that it is not going to bear their weight?

Andrew Bridgen (North West Leicestershire) (Con): Will my right hon. Friend update the House on the state of the legal challenge by Lord Trimble, who believes that the backstop and the future partnership are in breach of the Good Friday agreement, as do many others in this House?

Mr Lidington: I can understand the interest in this. The last thing that I can do is comment on either the timing or the content of live legal proceedings. That is entirely a matter for the courts and it is outside the jurisdiction of Ministers.

It might be helpful to the House, as I have just received word from Strasbourg, if I say that in addition to the two documents I outlined in my statement, I can confirm that the Government will also be laying a unilateral declaration that will form part of the package the House will vote on tomorrow. This declaration is focused on the temporary nature of the backstop and we would make it formally, alongside signature of the withdrawal agreement. Once made, the declaration would have legal status in international law, and such declarations are commonly used by states alongside the ratification of treaties. The declaration clarifies what the UK could do if it were not possible to conclude an agreement that superseded the protocol because the EU had acted contrary to its obligations. In these circumstances, the UK’s understanding is that nothing in the withdrawal agreement would prevent it from instigating measures that could ultimately lead to the disapplication of its obligations under the protocol. Were the UK to take such measures, it would remain in full compliance with its obligations to avoid a hard border on the island of Ireland.

Stella Creasy (Walthamstow) (Lab/Co-op): We understand—it is clear that we should be looking at Twitter rather than listening to the Minister—that the Irish Government have said that the unilateral statement is the UK “talking to themselves”. Given that it is a unilateral statement, will the Minister confirm who else would possibly agree to it? Otherwise, it really is just more hot air. This country deserves better.

Mr Lidington: I can understand that the hon. Lady will want to look at the text when it is available, but as I have just said, such declarations are used frequently by states when they come to ratify international treaties, and they do have legal status in international law.
Nigel Huddleston (Mid Worcestershire) (Con): Does my right hon. Friend agree that those of us who wish to respect the result of the referendum and deliver on Brexit should be comforted by the comments in the statement that my right hon. Friend has made, because they appear to provide the reassurances that we were seeking on the backstop? Not unsurprisingly, some who do not wish to implement Brexit appear to be uncomfortable with the reassurances he has given this evening, for a variety of understandable reasons. Nevertheless, when we vote tomorrow, should we all not remember what we promised the electorate at the general election?

Mr Lidington: I do agree with my hon. Friend. Many of us in this House and many people outside the House who voted and campaigned to remain in the European Union have said that we accept the majority verdict of the British people but want to deliver that in a way that secures jobs, living standards and investment in the United Kingdom and the integrity of our Union.

Caroline Lucas (Brighton, Pavilion) (Green): Will the Minister confirm whether the unilateral declaration to which he is referring is indeed a so-called conditional interpretative declaration? If it is, what is his response to the fact that in a debate a few weeks ago secured by the right hon. Member for Gainsborough (Sir Edward Leigh), the Under-Secretary of State for Exiting the European Union, the hon. Member for Spelthorne (Kwasi Kwarteng), said:

“I must stress that it is not entirely clear...that a conditional interpretative declaration would have the effect that he seeks in allowing the United Kingdom unilaterally to...”


Mr Lidington: I have to advise the hon. Lady to look at the detailed text as soon as it becomes available. I am sure there will be opportunities for her to seek that kind of detailed answer tomorrow.

Julian Knight (Solihull) (Con): I have no legal training whatsoever—apart from, perhaps, a brief passing acquaintance with libel laws as a journalist—so I cannot give any tedious lectures on legal jiggery-pokery, but I do go door knocking, and every weekend people say to me that we need to leave the EU in an orderly fashion. Does my right hon. Friend agree that if what he has announced satisfies Government Members over the backstop, we need to take the leap of faith? Let us get out and forge a new future. We promised that to the British people; let us deliver it.

Mr Lidington: My hon. Friend is right. I refer again to the fact that our party’s manifesto two years ago said that our aim was to negotiate a new deep and special partnership with the European Union. That sits alongside our commitment to leaving the European Union in line with the verdict in the referendum. The negotiations that have concluded tonight enable us to get on with those twin objectives, which is what I believe the majority of British people now wish us to do.

Mr Clive Betts (Sheffield South East) (Lab): I refer the Minister to a sentence in his statement, when he said:

“The first provides confirmation that the EU cannot try to trap the UK in the backstop indefinitely.”

There are two interesting words there. First, the word “confirmation” is a simple affirmation that there is not any change—it is confirmation, so there is no change. Secondly, the word “trap” implies unreasonable and deliberate action by the EU, so is the Minister saying that if the EU behaves reasonably and there is simply a genuine failure between the UK and the EU to agree on a way forward, the UK could remain in the backstop indefinitely?

Mr Lidington: First, of course, all parties agree that the backstop, were it ever to be used, is temporary. Indeed, article 50 is not a legal basis for any sort of permanent relationship between the European Union and a third country of any kind. On the specific points that the hon. Gentleman made, the language that I used in the statement reflected the concerns that have been expressed often inside and outside this House that there would be an effort by some countries within the European Union to keep us in the backstop because, such critics argued, they would see economic advantage or leverage in so doing. What the joint instrument makes very clear is that any such action would be a breach of the EU’s formal international legal obligations.

Sir Edward Leigh (Gainsborough) (Con): The hon. Member for Brighton, Pavilion (Caroline Lucas) has alluded to the Adjournment debate that I had a few weeks ago on this issue of the conditional interpretative declaration, which I have been pressing the Government to use for some time. Can my right hon. Friend confirm that, under international law, such an interpretative declaration does indeed have the full force of international law, it is legally enforceable, it has exactly the same weight as the withdrawal agreement and the advantage of it is that it allows us to make a statement that the backstop is indeed temporary, or has a time limit, and it is now up to the EU if we have made such an interpretative declaration to refuse to ratify the treaty? A mere protest is not good enough, so this has full legal force. It is a very useful instrument and the House should pay the closest attention to it.

Mr Lidington: My right hon. Friend has been a consistent advocate of this approach and I have heard him speak and intervene a number of times in this Chamber on that theme. I am happy to confirm that the description that he has given is accurate.

Hannah Bardell (Livingston) (SNP): Can the Minister tell us when the history books on this Brexit shambles are written, what will he and his Conservative Government be most proud of: destroying the futures of our young people; decimating the economy of the UK; or, my personal favourite, supercharging the case for Scottish independence?

Mr Lidington: It is always dangerous for anyone to speculate about what the history books will say, but I hope that, when those come to be written, they will acknowledge that this Government delivered on a clear referendum verdict in 2016, but did so in a way that made it possible successfully to complete the negotiation of a new partnership on trade, security and political co-operation with countries that are our fellow democracies and our closest neighbours and that will remain our friends and allies.
Charlie Elphicke (Dover) (Con): As I understand it, negotiations are ongoing. Indeed, bits have been added by my right hon. Friend as he has been on his feet. The documents, we understand, are yet to be finalised, and the Attorney General has yet to opine. If it is such a great deal, why the rush? Why bounce the House into a vote tomorrow? If it is such a good deal and if this is truly a victory, why do we not take a few days to cogitate, reflect, look at the detail and then come to this House and have the vote when we have gone across the detail and have had that chance for full and frank consideration?

Mr Lidington: The House has considered these issues on a number of occasions and has passed various amendments. In particular, on 29 January, it passed the amendment tabled in the name of my hon. Friend, the Member for Altrincham and Sale West (Sir Graham Brady). That made specific requests. What the Government have done is to negotiate, and negotiate successfully, for changes that respond to the views that the House expressed that night. In many debates, and certainly outside this place, the sense I get is that people want wise decisions taken. We need, on behalf of our constituents, to decide on the future of this country, get on with delivering the referendum result and with the negotiations that then follow.

Kevin Brennan (Cardiff West) (Lab): This afternoon, the Under-Secretary of State for Exiting the European Union, the hon. Member for Worcester (Mr Walker), who came to make a statement in response to the urgent question of the Leader of the Opposition, repeatedly told the House, very clearly and in terms, that the Attorney General’s advice would be available before the start of play tomorrow. The Chancellor of the Duchy of Lancaster has not repeated that; indeed, I think he has been careful not to repeat that tonight. Can we believe anything that is said from that Dispatch Box anymore?

Mr Lidington: I had hoped to be able to come to the House and give this statement a lot earlier this evening, but the reality is that the international negotiations were not longer than they had been expected to be, which in my experience frequently happens with international—particularly European Union—negotiations. The Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Worcester (Mr Walker), made his comments in good faith, as he always does, on the basis of the information available to us at the time. The Attorney General will be deeply conscious of his obligations to the House and will not want to delay.

Mr Peter Bone (Wellingborough) (Con): I am grateful to the deputy Prime Minister for coming to the House at this very late hour to give us as much information as he has. Both sides of the House have complained that there will not be enough time to consider the motion. We do not actually know what the motion is, but I understand that it will be taken at 7 o’clock tomorrow and there will be no protected time. We will not have had time to have considered the legal advice, so may I make a suggestion to the deputy Prime Minister? In his previous answer, he said that negotiations have been going on until the last minute. Would it not be better to have a statement from the Attorney General tomorrow, a statement from the Prime Minister tomorrow and the debate the following day? This is one of the biggest votes that we will have, and it is ridiculous that Parliament should be bounced into it.

Mr Lidington: The texts of both the political declaration and the withdrawal agreement have been available to all right hon. and hon. Members since November last year, so Members of this House have had many weeks to acquaint themselves with the detail of those documents and the arguments that surround them. The new material comprises the documents that have been negotiated today. This House has to face up to the need to get on and take decisions. We cannot just have a further delay in making the decision about whether or not we accept this package. The EU has been clear that this is the deal on the table, and it is asking us to make our choice.

Kate Hoey (Vauxhall) (Lab): It has been well over two and a half years since 17.4 million people voted to leave. Has the Minister noticed that we now have a situation where the hon. Member for Stone (Sir William Cash) and the right hon. Member for Brxotowe (Anna Soubry) actually agree? I also agree that we should be leaving this for 24 hours; we should have all these statements tomorrow and then the vote on Wednesday. Why are we rushing? Will the Minister also answer one question that someone asked me when I was on my way here today: why on earth do we need an international treaty to leave the European Union?

Mr Lidington: Mr Speaker, I am informed that the text of the motion and the documents are now available to right hon. and hon. Members. It is only a few days since this House voted by an overwhelming majority for the sequence of debates and contingent debates that have been set down in the business statement and in commitments by the Government, and which should govern business this week. It is the House that has wanted us to stick to this timetable, and I think that the public want us to get on with this and get back to focusing on the national health service, housing, crime and the other subjects that concern them.

Sammy Wilson (East Antrim) (DUP): While the Minister has indicated tonight that he does not have the full details to give to the House and he is going to put the documents down for further study, does he recognise that it is important that there is the ability to fully consider these important documents, since the most important decision we are going to make will be based on them? He has talked about legal changes throughout his statement, but does he understand that those legal changes will be judged on whether they give the Government control over any backstop, whether they ensure that we have the ability to decide on our future trade, laws and money, and whether they maintain the integrity of the Union—and that that is how this agreement tonight will be judged tomorrow?

Mr Lidington: I believe that the package of measures does deliver on the changes that this House has sought. I hope that the right hon. Gentleman, when he has had the chance to consider the actual text in detail, will agree with that conclusion and will be prepared to support it.

Ian Murray (Edinburgh South) (Lab): The Minister has said repeatedly tonight and in the statement that is being handed round that these are legally binding changes
to the Northern Irish backstop issue. If that is the case, could he tell the House and the country why, then, the Attorney General has been quoted directly tonight as saying that he is “agonising” over his legal advice?

Mr Lidington: I am not commenting on what might or might not have appeared on social media. I listed in my statement a number of illustrative cases where the legal status of the backstop had been changed by what has now been agreed. I hope that when the hon. Gentleman studies that, he will come round to that point of view as well.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): My issue with this withdrawal agreement is that it will leave every country and region of this nation poorer as a result of it than we would be otherwise, and nothing the Minister has said tonight changes anything. But given that he is focused on the backstop, will he not just admit that nothing has changed in respect of that either? There is still no fixed end date to the backstop and there is still no unilateral right of the UK to withdraw from it.

Mr Lidington: I am not sure whether the hon. Lady was saying that she had objections to the backstop, or not, because there have been mixed messages from her side of the House. The risk with what she said about the economic consequences is that she is seeking to re-fight the referendum campaign of 2016. Whether we liked that result or not, the result of the referendum was as it was. No European leader has questioned the democratic legitimacy of that referendum result, and I do think that there would be some serious damage to what is already fragile public confidence in our democratic institutions were we simply to disregard it.

Alison Thewliss (Glasgow Central) (SNP): On a slightly different matter, the Hansard Society says that 485 Brexit statutory instruments have been tabled but only 247—some 52%—have completed their passage through this House. I have here one of the ones for tomorrow. It is ridiculous in its level of detail—and all of this is supposed to be done by Brexit day. How much are the Government hiding in these SIs, and how can we in this House possibly hold them to account?

Mr Lidington: To judge by the size of that document, it is probably a combined statutory instrument which brings together identical changes in regulatory arrangements that have to be reflected in changes to different secondary legislative instruments. The Committees that deal with statutory instruments in this House and the House of Lords have expressly called on the Government to use combined SIs in that manner.

Martin Whitfield (East Lothian) (Lab): The Prime Minister has said tonight that the UK can unilaterally withdraw from the backstop. Which court will the European Union and the arbitration panel go to if they choose not to accept our unilateral departure?

Mr Lidington: The normal international legal procedures would have to be followed were either party wanting to challenge whether the other had failed to carry out its obligations. What the Prime Minister was describing in her comments this evening is how the United Kingdom would give effect unilaterally, if it came to it, to a situation in which the backstop had in practice become permanent, which is not supposed to happen either under article 50 or in the terms of the solemn legal commitments that the EU is entering into.

Geraint Davies (Swansea West) (Lab/Co-op): The right hon. Gentleman has made it clear that an arbitration panel will supersede in international law the European Court of Justice and be empowered to rule out the backstop. Who will appoint the arbitration panel—the World Trade Organisation? Will it be a group of independent judges, like those who impose investor-state dispute settlements in commercial trade? Why should we trust the panel? I want to see the backstop continuing with the peace process.

Mr Lidington: The arbitration panel and the arbitration process will exist to judge whether the parties have delivered on their legally binding obligations under the withdrawal agreement, which will have the status of a treaty in international law.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Is it not the case that, despite this statement, the major problem for many of us is that supporting the British Government’s Brexit policy tomorrow would mean leaving the EU without any detail on the future relationship—a blind Brexit, which would be completely irresponsible?

Mr Lidington: I would dissent from that. The Government made it very clear in the White Paper published last summer what their objectives in that negotiation would be. The political declaration shows the extent to which there are shared objectives for that deep and special partnership. As the political declaration says, there is a spectrum, and this House and the Government have to choose the degree of alignment that we prefer. There will be opportunities in the withdrawal implementation Bill and subsequent legislation for Parliament to express its views. Of course, if, as I hope, we agree on a new partnership treaty with the European Union 27, it would be an international treaty that would have to go through ratification processes, including consideration by this House in the normal way.

Kerry McCarthy (Bristol East) (Lab): It is ridiculous that we are here at this time of night trying to work out what on earth is going on, based on Twitter rumours and bits of paper that are being passed to the deputy Prime Minister and read out in dribs and drabs. Can we focus on what will actually happen if the deal is voted down tomorrow; all the indications are that it will be? When will we get a chance to decide on ruling out no deal? When will we get a chance to decide whether we need to extend article 50, to try to sort out the mess we are in?

Mr Lidington: The straight answer to the hon. Lady is as set out in the resolution of the House last week about what, under such contingencies, would take place on Wednesday and Thursday of this week. I would say to her that I think she and many in the House would have complained had I or another Minister not come forward with any kind of statement this evening. I did acknowledge at the start of my remarks that I would have preferred to have given a complete and thoroughly prepared statement. I have done my best to update the House, as I thought was right and as the House would expect, on the basis of the state of negotiations as they stood when I came into this Chamber.
Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Evidently, the UK Government and the parliamentary process is in absolute chaos tonight. It seems, as far as they have got, that the EU will be legally bound to good faith, and the UK Attorney General is agonising. Meanwhile, from Dublin we learn that the withdrawal agreement remains unchanged, and the joint statement is a legal interpretation of what is in the withdrawal agreement. It is all calm in Dublin, in utter contrast to what is happening here. It should be remembered that this is a debate between damaging the UK economy by 6% and by 8%. Given that, and with 18 days to go, we must surely be able to lay amendments tonight, so I hope this motion has now been tabled and that amendments can be laid to save people’s jobs, to save the economy and to save business. That is the damage the right hon. Gentleman's Government are trying to do by deciding on the two points they are putting forward.

Mr Lidington: I am advised that the motion has been tabled. It is of course a matter for you, Mr Speaker, to determine which amendments are selected for debate tomorrow.

Nic Dakin (Scunthorpe) (Lab): Will the ECJ have a role in the independent arbitration referred to in the right hon. Gentleman's statement?

Mr Lidington: The arbitration panel will have people appointed by each side—the European Union and the United Kingdom—with an independent chair.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): When the Brady amendment was pushed to a vote, I abstained to give the Government the opportunity to seek the changes they were hoping to get in the withdrawal agreement. It seems this evening that those changes will not all apply. However, the Labour party opposed that change. In the letters that were exchanged between my right hon. Friend the Leader of the Opposition and the Prime Minister, we sought changes to the political declaration. Unless I am mistaken, every amendment that we have tabled so far has sought changes to the political declaration. I find myself confused this evening that we are now talking about changes to the withdrawal agreement, which we opposed, that we have not asked for previously. However, may I ask the Minister about the political declaration? At what point will the political declaration reflect the will of the House in terms of what deal is acceptable, and will he consider legislating to underpin that deal so that any change of Prime Minister does not change the outcome of our Brexit?

Mr Lidington: If I may, I will deal with some of the points that I know the hon. Gentleman and others—on his side and on my side of the House—have been concerned about. Obviously, the withdrawal agreement Bill will provide an opportunity for the House not just to debate, but to consider amendments and come to a view about how we should approach future negotiations and, in particular, what the role of the House of Commons should be in those negotiations.

On two of the specifics, we have guaranteed protections for workers’ rights and workplace health and safety. There will be a legislative commitment in the EU withdrawal Bill that we will not let our standards fall in these areas, alongside a guarantee that Parliament will have a vote on whether to adopt new EU rules in the future.

On environmental standards, our environment Bill will ensure that, where future laws could affect environmental protections, the Government will explain how they do not weaken them, and we will create a legal duty for the Government to monitor any strengthening of EU laws in this area and to report to Parliament on the Government’s intended course of action in those areas. There will be no reductions in our already high environmental standards. We are committed to maintaining them.

Anna McMorris (Cardiff North) (Lab): This seems nothing more than smoke and mirrors from a weak Prime Minister, struggling to hold it together after two and a half years of negotiations. With no changes to the withdrawal agreement—just on best endeavours and the protocol—will the deputy Prime Minister tell me how we unilaterally leave the backstop, and where this would leave Northern Ireland?

Mr Lidington: The hon. Lady should first read the document, which has either been laid before the House or will be laid shortly. It is absolutely clear that, in all the Government do, the document will fulfil the United Kingdom's obligations in their entirety under the Belfast/Good Friday agreement. At the risk of repeating myself, it is simply not accurate to say that the changes in the joint instrument have no legal force. They have the same legal force as the withdrawal agreement itself.

Several hon. Members rose—

Mr Speaker: Ah. Sir Geoffrey Clifton-Brown has come among our number. [Interruption.] Somebody sneezed. I think it is in excited anticipation of the hon. Gentleman’s contribution.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): This is an exciting moment. My right hon. Friend gave an answer to the hon. Member for Bristol East (Kerry McCarthy) that if the deal is not voted through tomorrow, we will vote on no deal on Wednesday and an extension of article 50 on Thursday, in accordance with the Prime Minister’s statement last week. Will the contrary apply? If we vote for the deal tomorrow, will there be sufficient time before 29 March to get the necessary legislation through the House?

Mr Lidington: We would do whatever we could to achieve that. In that happy eventuality, discussions will open immediately through the usual channels to seek agreement on the swift passage of the Bill.

Neil Gray (Airdrie and Shotts) (SNP): Everything has changed but nothing has changed. Will the Minister explain why, of all the information published this evening, the only unilateral declaration was the UK’s opinion about its ability to remove itself from the backstop?

Mr Lidington: I am advised that that is either being published as we speak or will be published imminently.

Wayne David (Caerphilly) (Lab): Further to the question asked by my hon. Friend the Member for Cardiff West (Kevin Brennan), the Government are clearly reluctant for the Attorney General to come before the House. Is that because the rumours are correct that he has strong reservations about tonight’s agreements?
Mr Lidington: I do not think that any Minister is shy about coming before the House. The Attorney General is doing his job, which is to look at the texts that have been negotiated during the course of this evening and form a view on them.

Jim Shannon (Strangford) (DUP): The Chancellor of the Duchy of Lancaster will know the story of the emperor’s new clothes. We hope that tomorrow morning the emperor’s clothes will not reveal something embarrassing for the right hon. Gentleman and the Prime Minister. The Irish Cabinet met tonight and will meet again after the EU Brussels summit. Have the Republic of Ireland and the EU agreed to a legally binding, time-limited backstop? We need to ask for a definition of “legally binding”. Who has the Prime Minister met who has that power, without ratification?

Mr Lidington: It is clearly for the Irish Government to make any statement about their view on what has been agreed. However, my understanding is that the documents have been agreed by the Prime Minister and President Juncker, acting as the head of the Commission, the appointed negotiator for the 27 member states.

Alex Sobel (Leeds North West) (Lab/Co-op): The Chancellor of the Duchy of Lancaster has asked us to consider the joint instrument, which seeks to replace the backstop by December 2020. Will we know in December 2020 whether the customs border will be on the border of Northern Ireland, in the Irish sea, or whether there will be no border at all? Is it not true that the joint instrument is not worth the paper it is not yet written on?

Mr Lidington: No. The arrangements on alternative measures are an important element, but not the only element of the joint instrument. The joint instrument supplements and has equal force to the withdrawal agreement. The objective of the work to which not just we but the European Union are committed, and which, if the agreement is approved, we will be legally obliged to undertake, is to replace the backstop or any need for it with other arrangements. I would have thought that the entire House would welcome that.

Dr Sarah Wollaston (Totnes) (Ind): Even if this monumental fudge is enough to satisfy the ERG and just about manages to scrape through the House tomorrow, what happens next if it is not ratified by the European Parliament?

Mr Lidington: It is for the European Parliament to take its decision on this, just as it is for the House of Commons to take our decisions on this matter. The Prime Minister is due to meet President Tajani of the European Parliament in Strasbourg this evening, so I am sure she will be wanting to explain to him what has been agreed with the Commission.

Kirsty Blackman (Aberdeen North) (SNP): This feels like neither democracy being done nor democracy being seen to be done. I cannot imagine that anybody watching thinks it is anything other than a shambles. The statement is taking place incredibly late at night. It is being added to as the Minister stands on his feet. The motion has only just been laid. We are being asked to deliberate on and debate legal advice and documents that we have not yet seen. Worst of all, there is no protected time for the debate tomorrow, so if Members have the ability to question the Attorney General on the legal advice he has provided, that will eat into the time for debate. It is absolutely necessary that the Government change the programme motion before the rise of the House so that tomorrow we have protected time, rather than having to make a choice between questioning the legal advice and having time for debate.

Mr Lidington: Happily, business management is no longer a matter for me. There was something surreal about the hon. Lady’s description of a plot to come to the House late in the evening, as if I had somehow been in touch with President Juncker to urge him to keep the talks going for as long as possible because I wanted to delay getting to my bed and delay the hon. Lady getting to hers. The reality is that this has been a continuing difficult international negotiation and it was right that I made a statement to the House this evening about the progress that had been achieved in so far as those discussions had been concluded. I think that is better than the alternative, which would have been not to come to the House and leave hon. Members completely in the dark about what had been taking place in Strasbourg.

Bill Wiggin (North Herefordshire) (Con): May I first thank my right hon. Friend and the Prime Minister for the enormous efforts they are going to on behalf of all our constituents? My constituents are particularly frightened of the backstop because it locks us into the European Union in a way they do not want and because it hampers negotiations on a trade deal, which is what we all really want. Can he tell me, therefore, if the changes that have been negotiated will make those fears go away?

Mr Lidington: I certainly hope that the fears of my hon. Friend’s constituents will be thoroughly assuaged when the people of Leominster come to study these documents in detail. What is very clear is that any attempt by the European Union to gain trade leverage by manipulating the backstop or trying to delay were it ever to come into force would amount, under what has been agreed today, to a flagrant breach of the European Union’s solemn legal obligations. We would have a right to redress in the relevant tribunal were that to take place.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): The Minister’s language in his statement implied both a significant and meaningful change to the withdrawal agreement, yet President Juncker’s letter in relation to the negotiations uses very different language and has a very different tone. Why is that?

Mr Lidington: If the hon. Lady is referring to a letter that has been issued today, it is not one I have seen, so I cannot easily comment on that. People will pick their own tone to express what has been agreed. That is not unusual in international negotiations. We are clear that the changes that have been negotiated today are significant, and I have described a number of ways in which that is the case.

Ruth Cadbury (Brentford and Isleworth) (Lab): Will the Minister confirm whether the Government have a legally binding agreement or merely a legally binding assurance?
Mr Lidington: As I have said repeatedly, it is a legally binding agreement because the joint instrument has precisely the same status and force in international law as the withdrawal agreement.

Mike Kane (Wythenshawe and Sale East) (Lab): I think the Minister has comported himself well tonight. I feel sorry for him, because in answers to my right hon. Friends the Members for Leeds Central (Hilary Benn) and for Wolverhampton South East (Mr McFadden) and my hon. Friends the Members for Scunthorpe (Nic Dakin) and for East Lothian (Martin Whitfield), he has been unable to say, in the event of a dispute between the UK and the European Union, who in the process would be the arbiter of that dispute. If he does not know that, why on earth should we vote for the Prime Minister’s deal tomorrow?

Mr Lidington: I encourage the hon. Gentleman to re-read the withdrawal agreement, because the process for resolving and arbitrating in cases of an alleged breach are very clearly laid down there. This is the sort of system that exists in most international treaties for dispute resolution and arbitration.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): Jean-Claude Juncker has apparently said recently in Strasbourg that there will be “no third chance” and that MPs must back the reworked deal tomorrow or “there may be no Brexit”. My question is this: where do I sign up?

Mr Lidington: Well, that was not a question I expected from the hon. Gentleman. What I say to him is that I believe that the interests of his constituents are best served by our delivering on the outcome of the referendum and then negotiating at pace the ambitious deep and special partnership with the European Union that I think the great majority of people in every part of the United Kingdom want to see.

Chris Stephens (Glasgow South West) (SNP): Among the other documents that the Minister referred to that are going to be published in the next few hours, will he confirm whether the Government’s economic impact assessment on the withdrawal agreement will finally be published, or will Members of this House once again be asked to vote blind on the economic consequences of the Prime Minister’s deal?

Mr Lidington: The withdrawal agreement does not of itself form part of an economic impact assessment. I think the hon. Gentleman is referring to the political declaration, and there, the Government have published a range of analyses to explain the predicted economic impact of a number of different potential future relationships with the European Union. Because the approach set out in the political declaration is capable of reaching resolution at different points in the spectrum described in that document, we have taken the nearest proxy for it. We have explained our methodology completely, and I think that any reasonable questions that the hon. Gentleman has are answered in the document that the Government have already published.

David Linden (Glasgow East) (SNP): People flicking through their TV channels will be forgiven for thinking that this is like Sky Sports’ transfer deadline day show given the amount of late-night horse trading that is going on. On a serious point, how many times today have Downing Street officials referred to the Prime Minister’s office spoken to Arlene Foster, and, if this is a United Kingdom of equals, how many times have the Government spoken to the First Ministers of Wales and Scotland?

Mr Lidington: The Prime Minister personally has tried to make sure that the First Ministers of both Scotland and Wales have been updated on all significant developments during the negotiations. The negotiations are an ongoing process, and no Prime Minister will give a running commentary on them, but the Belfast agreement itself mandates the United Kingdom Government to keep all the main political parties in Northern Ireland briefed about what they are doing, and we discharge that duty.

Sir William Cash (Stone) (Con): On a point of order, Mr Speaker.

Mr Speaker: Oh, very well. I have some remarks to make in a moment that I hope will be helpful to the House, but pending that, let us hear the hon. Gentleman.

Sir William Cash: We understand that the media have been in possession of these documents for some time. We have not had the same opportunity, but, as far as I understand, they are in the Table Office now. Could we be assured that they will be put on the internet so that the public at large can be guaranteed an opportunity to see these documents in full?

Mr Speaker: They are Government documents, so really it is for the Government to make that arrangement, but I see the Minister for the Cabinet Office champing at the bit, so let us hear from the fella.

Mr Lidington: Further to that point of order, Mr Speaker. My understanding is that all the documents are in the Table Office now—[HON. MEMBERS: “The Vote Office!”] In the Vote Office, Mr Speaker. The motion has been tabled and I can give a clear assurance that, when I came to the Chamber and for a fair part of my statement and response to questions, the talks between the Prime Minister and President Juncker were continuing in Strasbourg. As far as I am aware, the Government have not given any prior copies to the media, and in fact could not have done so because talks were still taking place. I do not know what was happening at the Strasbourg end, because of course there was a negotiation going on when texts were being circulated between the two sides.

Sir William Cash: Further to that point of order, Mr Speaker. I asked for a guarantee that they would be on the internet, because the public, as well as Parliament and the Vote Office, want to see them.

Mr Lidington: Further to that point of order, Mr Speaker. If they are not already there, they will be published on gov.uk as rapidly as possible.

Mr Speaker: I am very grateful to the right hon. Gentleman for that confirmation. I have also been advised by the senior Clerk at the Table—aide, abetted and reinforced by another distinguished ornament of Chamber and Committee Services sitting immediately to his left—that the documents are on the website of the Department for Exiting the European Union. That is
characteristically up to speed and helpful of the Clerks, and I thank them for that service, as I am sure the House does.

Mike Gapes (Ilford South) (Ind): Further to that point of order, Mr Speaker.

Mr Speaker: Yes, yes. The hon. Gentleman is not hailing a taxi, but nevertheless I am happy to hear his point of order.

Mike Gapes: While the Minister was speaking, the journalist Paul Waugh had on his website some of the documents. I went to ask in the Vote Office whether the documents were available. I was told no. They had been received electronically, but they had to be printed by the Journal Office. I seek your clarification, Mr Speaker, as to when in this House copies of those documents were available, given that journalists clearly had been given them and that they were in printed form and put out by Mr Paul Waugh on Twitter.

Mr Speaker: My understanding—there was some earlier huddled consultation about this matter between me and the Clerks at the Table—is that the documents were laid at 10.58 pm. I say that for the benefit of the hon. Gentleman and the House. I would not want, particularly when engaging with someone of his seniority and distinction, to be imprecise, and I certainly would not want to say 10.57 pm or 10.59 pm, subsequently to be corrected by the hon. Gentleman, who is a stickler for precision at all times. I gather they were laid at 10.58 pm and then distributed more widely thereafter. I hope that that is helpful in a factual sense. It may not be as satisfactory as he would like—that is qualitatively a different point—but it is the factual answer.

Kevin Brennan (Cardiff West) (Lab): On a point of order, Mr Speaker. I do not want to over-egg the point, but it is important for what Ministers say to the Chamber from the Dispatch Box to be accurate, and for there to be a procedure whereby, if there is a change, they can inform the House about that change and the reasons for it. Earlier today, we were given assurances about the timing of the legal advice from the Attorney General in a ministerial statement, and as far as I am aware, no statement was given to the House altering the information that was presented to Members. What is the procedure that Ministers should follow in such circumstances?

Mr Speaker: The short answer is that if someone inadvertently gives incorrect information to the House, it is a matter of honour for that Member to take the opportunity to correct the record at the earliest possible opportunity. I do not know whether that will prove to be so in this case, for it is as yet uncertain when the legal advice will be published. To be fair to the hon. Member for Worcester (Mr Walker), I think that, in responding to questions, he gave the House his honest assessment, at the point at which he gave it, of when he thought that the material would be provided. I know that the hon. Gentleman is very proud of his late and distinguished father, and I think that if he were subsequently to discover that he had given incorrect information to the House, he would literally be rushing. “Rushing” is not too strong a word—to the Dispatch Box to correct the record.

I trust that the hon. Member for Cardiff West (Kevin Brennan) will be in his place tomorrow to discover what the situation is. I think that there is a premium on early discovery of this advice, but we have already been through the question of how the views of the Attorney General can be established and how he can be probed before the debate if Members are so inclined. [Interruption.] Somebody is muttering something about codpieces from a sedentary position—and not just somebody: no less a figure than the Solicitor General. I am sure that the chuntering is eloquent, of a fashion.

Let me say, before we proceed, that I hope it will be helpful to the House if I indicate an advisory cut-off time of 10.30 on Tuesday morning for manuscript amendments to tomorrow’s motion. Amendments that reach the Table Office before the rise of the House tonight will appear on the Order Paper in the usual way. The Table Office will arrange publication and distribution of a consolidated amendment list as soon as possible after 10.30 am on Tuesday, including all the manuscript amendments. I will announce my selection of amendments in the usual way at the beginning of the debate. I hope that that is helpful to colleagues.

If there are no more points of order, we will proceed with the motions on the Order Paper. [Interruption.] That is very helpful, and I am genuinely grateful, but I was proposing in any case—partly for the reason hinted at by the adviser at the Chair—to take the motions separately.

**Business without Debate**

**DELEGATED LEGISLATION**

*Motion made, and Question put forthwith (Standing Order No. 118(6)).*

**EXITING THE EUROPEAN UNION (FINANCIAL SERVICES)**

That the draft Financial Services (Gibraltar) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 23 January, be approved.—(Andrew Stephenson.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

**EXITING THE EUROPEAN UNION (FINANCIAL SERVICES)**

That the draft Gibraltar (Miscellaneous Amendments) (EU Exit) Regulations 2019, which were laid before this House on 7 February, be approved.—(Andrew Stephenson.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

**EXITING THE EUROPEAN UNION (MEDICINES)**

That the draft Human Medicines (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 23 January, be approved.—(Andrew Stephenson.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

**EXITING THE EUROPEAN UNION (CONSUMER PROTECTION)**

That the draft Medical Devices (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 24 January, be approved.—(Andrew Stephenson.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).
Committee and Jonathan Edwards be added.—(Bill Wiggin, on behalf of the Selection Committee.)

REGULATIONS
(ENVIRONMENTAL PROTECTION)

That the draft Waste (Miscellaneous Amendments) (EU Exit) Regulations 2019, which were laid before this House on 18 February, be approved.—(Andrew Stephenson.)

The Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 13 March (Standing Order No. 41A).

COMMITTEES

FOREIGN AFFAIRS COMMITTEE

Motion made,

That Ian Austin and Mike Gapes be discharged from the Foreign Affairs Committee and Conor McGinn and Catherine West be added.—(Bill Wiggin, on behalf of the Committee of Selection.)

Hon. Members: Object.

Mr Speaker: Order. I was going to put the Question, but the hon. Member for Dudley North (Ian Austin)—just as in our Essex University days—was such an eager beaver that he was ahead of himself.

Hon. Members: Object.

Mr Speaker: I think that I heard it the second time—not as loudly as the first, but it will suffice.

PROCEDURE COMMITTEE

Motion made,

That Dan Carden be discharged from the Procedure Committee and Gareth Snell be added.—(Bill Wiggin, on behalf of the Selection Committee.)

Hon. Members: Object.

WELSH AFFAIRS COMMITTEE

Ordered,

That Liz Saville Roberts be discharged from the Welsh Affairs Committee and Jonathan Edwards be added.—(Bill Wiggin, on behalf of the Selection Committee.)

OFFSHORE WIND SUBSTATIONS: EAST OF ENGLAND

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

11.50 pm

George Freeman (Mid Norfolk) (Con): In the immortal words spoken by my Whip each evening, may I ask colleagues please to stay for the Adjournment? It is a great privilege to be able to rise in this House on behalf of our constituents, and it is no less a privilege for me to do so tonight for one of my smaller villages, the village of Necton. Until tonight, the village was famous for being mentioned in the Domesday Book, where it appears as “Nechetuna”, the name meaning town or settlement by neck of land; for All Saints church, in the benefice of Necton; and for a magnificent 14th-century grade II listed tomb, which is reputed to be that of the Countess of Warwick. As of this year, Necton becomes famous for something else: being the home of the world’s largest concentration of substation infrastructure for the transmission of offshore-generated electricity to connect to the grid.

Tonight, I want to use the privilege of speaking in the House for Necton to raise some important issues about the lack of proper strategic planning to deal with the bringing onshore of the infrastructure necessary for connection. That links to the statement that we have just had, because the slogan that has fuelled the Brexit revolution was: “Take back control.” For what have we taken back control—to be overrun by unaccountable quangos, or to act on behalf of the people whom we are here to serve?

Jim Shannon (Strangford) (DUP) rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Northern Ireland meets the east of England.

Jim Shannon: I congratulate the hon. Gentleman on securing the debate. Does he agree that tidal energy is not being used to its full potential? The power that tidal turbines can bring to my constituency—in Strangford lough, in particular—proves beyond doubt that substantial amounts of energy could be harnessed and diverted, and further consideration should be given to perfecting the offshore and renewable energy sources in our constituencies. We think we could do more with it, as he has done.

George Freeman: The hon. Gentleman makes an excellent point. Had I been in charge of energy policy at the relevant time, I would have doubled nuclear capacity when we could have got it cheap and invested more in long-term research on a whole range of renewables, including tidal. But we are where we are, and tonight my constituency faces the enormous challenge of hosting this national infrastructure.

I want to make it clear that I am a strong supporter of renewable energy. Indeed, if the wind is to be used, I would rather it were used offshore than onshore. Investment in offshore wind in East Anglia is phenomenal, and it will generate a large number of jobs. Much more importantly, it will reduce our dependence on fossil fuels and dramatically accelerate our work on climate change; it will lessen our dependence on energy from

Business without Debate
Russia and the middle east; and it is generally a very good thing. I do not want anything I say to be taken as in any way against the offshore wind generation revolution.

East Anglia is now the global hub of offshore renewable energy, and many of the points I am raising tonight impact on Norfolk as well as Suffolk. I am delighted to be joined tonight by my hon. Friend the Member for Waveney (Peter Aldous), and to have the support of the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Suffolk Coastal (Dr Coffey) and the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Norwich North (Chloe Smith). My hon. Friend the Member for Suffolk Coastal is here on the Front Bench, muted by virtue of her high office but present and supportive as ever—with a thumbs up for the camera.

I want to raise three questions tonight. First, what strategic options have not really been debated properly in Norfolk, Suffolk or East Anglia, and have the Government looked, or required the relevant agencies—in this case, National Grid—to look properly at those options and do a proper cost-benefit assessment and environmental impact assessment? Secondly, what guidance and provisions cover small communities such as Necton when they have to host national infrastructure on the scale that we are talking about? When I talk about a substation, I am not talking about something the size of a container that hums in the rain behind a hedge; these are the size of Wembley stadium, and I shall have two of them outside one village. Thirdly, what can a community that is being asked to carry that kind of infrastructure expect in the way of proper consultation and community benefit?

Peter Aldous (Waveney) (Con): The offshore wind sector deal, which was launched by my right hon. Friend the Minister for Energy and Clean Growth in Lowestoft and Yarmouth last Thursday, provides for the Government and the industry to work together to maximise the benefits of offshore wind to the UK and to regions such as East Anglia. The sector deal makes specific reference to the need to ensure that the impact of onshore transmission is acceptable to local communities such as Necton. Does my hon. Friend agree that this provides the framework for the Government, the industry, National Grid, the Crown estates, councils and MPs to work together to put in place a sustainable solution to the problems that he is quite rightly highlighting?

George Freeman: I am grateful to my hon. Friend for making that excellent point, and I hope that the Minister will pick up on it in her closing comments. He has pointed to something very important.

The key question that is being asked in our part of the world is: if we are to host this incredible investment in this country and across the world—I say this as a supporter of renewable energy—it is beginning to feel as though the applicants are using the national significant infrastructure planning regulations to bypass and circumvent the need for any meaningful conversations at all. This explains why I have had such strong support from other colleagues in the area.

I have taken an interest in this, and I have been a Parliamentary Private Secretary in the Department, so I was quite surprised that I first heard about the scale of this infrastructure in my role as a constituency MP, when I was confronted by the application for the Dudgeon wind farm. At the time, the proposal was to put it close to Necton. I did not particularly have a problem with that, but I did have a problem with the siting. It was proposed to put it on the top of a hill in an area of natural beauty with environmental protections. Anyone who had actually been to that area would have said that it was a daft place to put a substation. With the active co-operation of the then applicant company, we sat down with the parish councils and were able to agree that it should be put in the low-lying land next to the village of Necton.

A few years later, in 2013, it became clear that the Vanguard and the Boreas wind farm applications were coming, and that they would need another substation. That was my first surprise, because I felt that the first substation would have been big enough for all those wind farms. However, it turns out that each wind farm will have one. The process of consultation, led by Vattenfall, has led to increasing levels of concern not just for me but for the local community. Throughout all the consultation phases, no one is actually listening to the voices of the people on the ground. We have ended up with this enormous structure placed on top of the hill, visible to five villages and raising all sorts of environmental impacts, including light pollution and impact on the landscape. This has happened in the teeth of the local community. They do not mind having a substation, but could it not have been put out of sight in the low-lying land next to the previous substation? You could not have made this up.

What has been shocking in this process is the absolute lack of interest from the applicant in the voice of local community representatives, from the parish council to councillors to the MP, because it seems to have been led to believe that it is able to circumvent that local representation under the nationally significant infrastructure planning rules.

The more that one looks into the process by which we have ended up here, the clearer it has become that there has been no proper consideration of the strategic options for taking this scale of energy offshore. Indeed, a number of people in both Norfolk and Suffolk have suggested at various points that it would be rather more efficient to have an offshore ring main to collect the electricity and then have it brought onshore at one or two points with a major substation, instead of requiring each individual wind farm to have its own cabling and substation. You might think that a sensible proposal, Mr Deputy Speaker, and I see you nodding, which is encouraging—neutral though you are—but at no point in the past three, four, five, six or seven years has there been a strategic discussion in Norfolk or Suffolk to which the elected representatives at council or parliamentary levels could contribute.

Offshore Wind Substations: East of England
It appears that the National Grid has meritorily gone through the national planning process and has responded to applications, but we are in danger of having hugely unnecessary levels of cabling and substation infrastructure, all of which involve high-security installations that represent something of an energy security challenge to the UK in these dangerous times. To illustrate that point, the two wind farms coming to my constituency are responsible for 2,500 acres of land over which 115 km of cabling will run, and reasonably sophisticated local projections have shown that if the cabling were unified for just those two, it could be reduced by 80 km, but there seems to be no basis upon which that conversation could be had. Therefore, what consideration has been made of such options? If there has been none, what consideration should be made of not only the cost and benefit, but the environmental implications? I know that the Minister, as a passionate activist and campaigning Minister, takes such matters seriously.

In the event that little villages such as Necton end up carrying major substation infrastructure—hopefully on the right site—what benefit should such communities expect? It has always seemed fair that if a village should host a wind turbine, for example, it should benefit in a small way locally. Where a village takes a massive piece of national infrastructure, perhaps the benefit might be proportionate. The people of Necton would be happy if something flowed back into the village by way of some community facility. Given the scale of the infrastructure, that could perhaps come as a transport upgrade to the dangerous junction with the A47. Normally, I would relish sitting down with the applicant to try to broker something sensible, but the way that the regulations appear to have been drafted means that there is a no conversation to be had, which seems wrong.

It is late at night, and I have made my points, so I will invite the Minister to reply. However, I close by saying that the applicant should not be able to plead that because this is national infrastructure—although understandably that may bypass the minutiae and the eddies and currents of the local planning system—then somehow the voice of the local community and elected representatives should be cut out. That is important not just for Necton and Mid Norfolk, but for trust in our planning system and for the sense that this energy revolution will work for everybody’s benefit. At the moment, however, it looks horribly like it will be for the benefit of a few energy companies and very few people in our part of the world, so I welcome the Minister’s interest in this matter both offline and in her comments now.

12.3 am

The Minister for Energy and Clean Growth (Claire Perry):

Some might say that it is drawing the short straw to do a late Adjournment on such an important evening, but this debate on an incredibly important topic is far from it. It is also extremely timely, because it was only last week that we launched the offshore wind sector deal. I was lucky enough to fly over part of the developing East Anglia ONE wind farm and then to track the entire cable array back to the substation, and I should add that I offset the emissions.

I warmly congratulate my hon. Friend the Member for Mid Norfolk (George Freeman) on securing the debate and allowing me the chance to think a little more about the subject, and perhaps to give him some reassurance. I also thank the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Suffolk Coastal (Dr Coffey), who is here with me. She is unable to participate, but she has concerns about the proposal in Friston.

It is great to see my hon. Friend the Member for Waveney (Peter Aldous) who, along with his constituents, made me and many others so very welcome last week. It is good to hear the value of the offshore wind sector deal to the community in Lowestoft, in addition to all the exciting opportunities for the fishing industry, about which he has been very clear.

The Norfolk and Suffolk coast is becoming a centre for low-carbon energy generation, which is an exciting prospect that, as my hon. Friend the Member for Mid Norfolk points out, comes with some concerns. One of the reasons for wanting to focus on offshore wind is that it avoids the landscape impairment of giant wind turbines, which can be controversial from a planning point of view and can yield a lot less power. People describe offshore wind as better quality wind, as it blows 55% of the time in the North sea, compared with only 30% of the time onshore.

It is astonishing that we can build 197 wind turbines on one offshore farm, which would be very difficult to achieve onshore. That is why the sector deal states that we intend to triple generation from offshore wind over the next 11 years. We think offshore wind will contribute about 30% of our total energy consumption in 2030, at which point 70% of our energy consumption will be from low-carbon sources. Offshore wind will create thousands of jobs; 6,000 or so in the Lowestoft-Yarmouth area, and 27,000 across the UK. We think offshore wind can also help us capture about £3 billion of export opportunities, which is fantastic.

I emphasise that we have the largest market for offshore wind in the world, which is one of the reasons we have been so successful in decarbonising. Of course, in order to bring the power back, we have to join it to the grid at some point, which gets to the heart of my hon. Friend’s speech. We want to make sure that, as we develop this resource, we continue to bring communities with us—offshore wind should not be imposed on them.

We have to be clear that the two things to which my hon. Friend alluded, community involvement in planning and the integration of connection infrastructure, will be adequately addressed. Most of the proposed applications in Suffolk and Norfolk are at the pre-application stage, but the applications for Hornsea Project Three and Norfolk Vanguard are currently undergoing examination, and I understand my hon. Friend has been eloquent in his written and oral representations to the examiners on those projects.

My hon. Friend will understand that the final decision on applications for nationally significant infrastructure projects, including onshore connections, is made by my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy, so I am unable to comment on the specific merits of those particular applications, but I emphasise that NSIP projects stress the importance of pre-application consultation. Developers
have to prepare a consultation strategy, and they have to carry out a pre-application consultation with the local community in line with their plan. When they finally make their application, the report must show that they have addressed any concerns raised in the plan.

Of course, the Planning Inspectorate writes to local authorities to ask whether a plan is adequate. If the application is accepted, local people can, of course, continue to make their views known on the proposals. I understand that, in the case of the Suffolk proposals, the Planning Inspectorate is considering what measures it may be able to put in place to limit the need for local people to make the same points over and again. The inspectorate can basically build up a body of evidence and deliver on that. Within the current framework of the planning system, the message to developers is clear: they must consult local communities and ensure that they give serious consideration to their concerns before any decision can be made by the Secretary of State.

As my hon. Friend the Member for Mid Norfolk pointed out, the system may have been inadequate when we had several connections coming onshore. As we continue to build up this resource, we could be dealing with dozens of applications and, in many ways, he represents the optimum point. We have the best resources for offshore wind in the world in the North sea, particularly in the southern North sea, because it is shallow and the wind blows a lot of the time. So we have historically had a point-to-point connection, and that has been a basis on which planning applications have been considered. A series of spokes have brought power onshore. That power is then taken some considerable distance inland in order to connect with the national grid and because the pathway of the cabling has to respect boundaries—it is a process of negotiation—the cables often do not go straight like motorways, but instead follow crooked pathways.

This point-to-point approach is considered to have represented a saving for consumers, with an estimate being at least a £700 million saving so far having been delivered by this connection. Of course, we are still in the infancy of developing these wind farms, so it is right that as the sector matures we consider the potential to connect adjacent projects offshore, linking them up as a ring main, as my hon. Friend said. The developers recognise that this is an important opportunity, as we could be bringing onshore one connection, perhaps a larger oversized connection, that brings in the power of many other wind farms across different development portfolios. Of course, we can also explore the possibility of interconnection with mainland Europe. Some exciting proposals have been made to have interconnectors that run through the middle of some very large wind developments going forward.

The system operator has a key role to play in determining this, working out the way to implement those projects and considering a charging regime for them. My hon. Friend the Member for Waveney has obviously read the sector deal with great interest, because as he said it contains a specific work strand to explore the way the connections are planned and developed. I want to emphasise how very exciting the sector deal is; for the first time, we have the developers and the supply chain in this extremely important industry working together, thinking about the opportunities and the need for co-working. In this space, there is a real appetite to sort this out and have a plan for the future.

As we develop those plans, my door is of course open to my hon. Friends who represent these important constituencies, and indeed to others who may wish to comment on this. It would be helpful to have scrutiny by the representatives sent to this place. It is clear that our approach needs to evolve if we are to maximise the potential that this fantastic resource delivers to provide us with low-carbon energy at the best value for consumers. I would like to finish by saying two things. The first is a big thank you to the local communities who are going through these processes right now, as they are really helping us to deliver a world-leading energy system. If we get this right, it will have far less of an imprint on the landscape than building the equivalent in terms of onshore scale.

George Freeman: I am grateful to the Minister for agreeing to meet me and other MPs. I particularly wanted to mention the right hon. Member for North Norfolk (Norman Lamb), who, although happy with the current proposals, shares our view that we need a different proposal going forward. In the remaining moments, will she tackle the issue of what should be the approach for the benefit of a local community carrying national infrastructure? The people of Necton are feeling as though they are going to carry this and receive nothing. Is there any guidance or Government thinking to say that a community should benefit?

Claire Perry: If I may, I will take that point away, because my hon. Friend does raise an important question. Obviously, it is similar to others that have come up in respect of energy developments. Perhaps he and I can agree to meet to discuss that a little further. It is right that we make sure that the local communities who host these connections feel that it is worth their while to do so and that they have a minimal physical and environmental impact from allowing these connections to come through their precious space.

I wanted to say two other things. The first is that I am disappointed that we did not manage to work the peal of Swaffham into our remarks tonight, as we did so many years ago—perhaps we will be able to try again next time. Lastly, a very appropriate reason for having this debate is that the green heart hero awards were held in our wonderful House of Commons this evening. I am proud to wear my heart, and it was wonderful to see so many people, ranging from babies a few weeks old to people in their later years, absolutely committed, with full enthusiasm, to the sort of low-carbon future that we want to deliver. This is such a timely opportunity to talk about how we deliver that in a way that intelligently uses the grid and minimises the impact on the communities affected.

Question put and agreed to.

12.14 am

House adjourned.
House of Commons

Tuesday 12 March 2019

The House met at half-past Eleven o'clock

PRAYERS

[Mr Speaker in the Chair]

Oral Answers to Questions

JUSTICE

The Secretary of State was asked—

Victims Giving Evidence

1. Sarah Champion (Rotherham) (Lab): What steps is he taking to improve the experience of victims giving evidence in court. [909710]

The Parliamentary Under-Secretary of State for Justice (Edward Argar): The hon. Lady has done so much on this issue and on campaigning for victims more widely. While a range of special measures already exist, we can and will do more. As she will recall, last September we published the victims strategy, which sets out the steps to support victims of crime further, including in court, and those steps have recently been added to with our commitments in the draft Domestic Abuse Bill.

Sarah Champion: I thank the Minister for his answer. Adult survivors of child sexual abuse often wait decades to see their abuser face justice. While survivors are often key witnesses, there is no statutory duty for them to get paid leave. I have met many survivors who have to take unpaid leave or holiday, but cases could unravel without their attendance. Once again, victims are being penalised for the abuse that they have suffered, so will the Minister review the matter and ensure that no victim experiences a financial loss for getting justice?

Edward Argar: I mentioned the hon. Lady’s work campaigning for victims, and she is particularly active in campaigning for the rights of those who have suffered child sexual abuse. She makes an interesting point, and I would be happy, as always, to meet her to go into it in more detail.

Mr Philip Hollobone (Kettering) (Con): Victims want criminals to face the full justice of the law and to be sure that the punishment fits the crime. What are we doing to ensure that, once sentenced, criminals serve their time in jail in full?

Edward Argar: My hon. Friend makes his point powerfully, as always. We have undertaken a number of reforms of the court system and the criminal justice process, and he will have seen in the victims strategy our clear commitment to improve each stage of the process for victims and witnesses. The Under-Secretary of State for Justice, my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer), has been doing a lot of work to ensure that cases run more smoothly, with fewer adjournments, so that victims and witnesses know that when they come to court they have a high chance of actually being heard on the day on which they expect to be.

Kevin Foster (Torbay) (Con): I welcomed the publication of the victims strategy back in September but, as my hon. Friend will know, giving evidence is one of the most stressful parts of seeking justice for any victim of crime. Will he reassure me that he will also be working with people such as police and crime commissioners to ensure that there is no patchwork quilt of support for victims across the country?

Edward Argar: My hon. Friend is consistent in speaking up for victims’ rights, and I believe that his county’s police and crime commissioner has spoken about such rights more broadly. He is right that the victims strategy seeks to adopt an approach that will give a more consistent level of support across the country.

Ann Coffey (Stockport) (Ind): I welcomed last week’s announcement of an end-to-end review of how rape and sexual violence cases are handled across the criminal justice system. Am I right in my understanding that the review will also consider the effect of rape myths on juries?

Edward Argar: The hon. Lady highlights an issue that the House has quite rightly debated on several occasions. I hope that all such relevant considerations will be examined in the end-to-end review.

Gloria De Piero (Ashfield) (Lab): Back in October, I raised with the Under-Secretary of State, the hon. Lady, and learned Member for South East Cambridgeshire (Lucy Frazer), the case of a Nottinghamshire woman whose husband, despite being convicted of her attempted murder, is able to continue a cycle of abuse through the courts by claiming entitlement to their financial assets, including her home. The Minister offered to look into my suggestion for once again highlighting an important and distressing situation. I am reassured that my hon. and learned Friend the Under-Secretary of State continues to look just done jury service, and she was amazed by the inefficiency and poor quality of management in the court process, which wastes the time of those on jury service and is wrong for victims. It is wrong for everyone, because it is a badly managed process. Let us get more money for the Ministry of Justice so that it can do things properly.

Edward Argar: The hon. Gentleman makes his point powerfully, as always. We have undertaken a number of reforms of the court system and the criminal justice process, and he will have seen in the victims strategy our clear commitment to improve each stage of the process for victims and witnesses. The Under-Secretary of State for Justice, my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer), has been doing a lot of work to ensure that cases run more smoothly, with fewer adjournments, so that victims and witnesses know that when they come to court they have a high chance of actually being heard on the day on which they expect to be.

Edward Argar: The hon. Gentleman makes his point powerfully, as always. We have undertaken a number of reforms of the court system and the criminal justice process, and he will have seen in the victims strategy our clear commitment to improve each stage of the process for victims and witnesses. The Under-Secretary of State for Justice, my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer), has been doing a lot of work to ensure that cases run more smoothly, with fewer adjournments, so that victims and witnesses know that when they come to court they have a high chance of actually being heard on the day on which they expect to be.
carefully at the matter. I appreciate that the shadow Minister will want rapid progress, but it is important that we get this right, so my hon. and learned Friend is examining the issue and will report back in due course.

**Probation Services**

2. **Ellie Reeves** (Lewisham West and Penge) (Lab): If he will make it his policy to return probation services to the public sector. [909711]

The **Lord Chancellor and Secretary of State for Justice** (Mr David Gauke): We have been clear that probation needs to improve, and we have taken decisive action to end current community rehabilitation company contracts and develop more robust arrangements to protect the public and tackle reoffending. I am determined to learn lessons from the first generation of contracts in developing future arrangements. I believe that public, private and voluntary providers all have a role to play. We want to improve integration under new arrangements so that providers are able to work together effectively to protect the public and tackle reoffending.

**Ellie Reeves**: The recently published National Audit Office report on probation services highlighted not only the staggering additional costs of privatisation but the fact that CRCs are failing to provide even the most basic rehabilitation services. With nearly £0.5 billion-worth of bail-outs and only six out of 21 CRCs achieving significant reductions in reoffending, is it not now time to put probation back where it belongs, under public ownership and control?

**Mr Gauke**: The hon. Lady talks about costs and bail-outs. We have to remember that we are spending considerably less on CRCs than was anticipated when the contracts were entered into—some £700 million less—but it is right that we learn the lessons from the first generation of contracts. I am not satisfied with where we are, and the NAO has raised its concerns. We have also heard concerns from the inspectorate of probation, and we need to learn the lessons. It is important that this continues to be a mixed market. There is a place for the private sector and the voluntary sector, as well as for the public sector, in probation.

**Robert Neill** (Bromley and Chislehurst) (Con): As the Secretary of State knows, the Select Committee on Justice has looked into this area in some depth. Would he agree that the most important issue is not the ownership of the contracts or who provides this service but ensuring that there is no fragmentation of the service, which is a risk? There should be a proper join-up between leaving prison and going out into the world of freedom.

**Mr Gauke**: These are important points, and the debate can sometimes be a little simplistic, whether it is “public sector good, private sector bad” or vice versa. A lot of this is about integration and making services hang together. One of the things we did last year was to announce additional money for through-the-gate services, which is important, but a lesson from what has happened in the past is that we need to make sure the system hangs together more, which it has not been doing sufficiently.

**Richard Burgon** (Leeds East) (Lab): Before wreaking havoc in the Department for Transport, the Secretary of State for Transport was busy wreaking havoc in our justice system. He unleashed a crisis in our prisons and then he privatised probation, leaving the public less safe and costing the public hundreds of millions more than necessary. The world’s media are treating the Transport Secretary as a laughing stock, but the joke is on us because this Government are set to repeat past errors by signing a new round of private probation contracts. When will the Justice Secretary do the decent thing and put an end to the failed experiment of a privatised probation system?

**Mr Gauke**: The hon. Gentleman takes a somewhat simplistic view. His approach appears to be that he wants all probation services to be nationalised and every offender intervention to be done by the public sector. I think there is an opportunity to make use of both the private sector and the voluntary sector. If he takes the approach he appears to advocate of closing off any activity performed by anybody other than the public sector, we will not get the best probation service we could have.

**PAVA Pepper Spray**

3. **Mary Glindon** (North Tyneside) (Lab): If he will take steps to accelerate the roll-out of PAVA pepper spray to prison officers. [909712]

The **Minister of State, Ministry of Justice** (Rory Stewart): The hon. Lady and I have sat down and discussed this matter with the unions. We are determined to make sure that we have safe and appropriate ways to protect prison officers, which is why we have piloted PAVA at four sites, two of which I have now visited. We are currently completing an equalities assessment, and we should be in a position to begin the full roll-out in April.

**Mary Glindon**: I thank the Minister for that answer, which is good news. I hope he will keep in mind that a significant proportion of prisoners expressed the view that PAVA is necessary, so I hope he will give me a guarantee that he will stick to his word and that this vital protective equipment will be rolled out soon in the spring.

**Rory Stewart**: Absolutely. As the hon. Lady will bear in mind, we have to be thoughtful about how we use this spray. It is there to deal with issues of extreme violence. This type of pepper spray is a new measure, and we have to be particularly clear when we use it against people with protected characteristics, which is why we are conducting the assessment. I believe that once we have conducted it, this will mean less extreme violence in prisons.

**Ruth George** (High Peak) (Lab): In the past 12 months, there were more than 10,000 assaults on staff in our prison service, which is more than one every hour and represents a 30% increase year on year. Clearly that is unacceptable, and it is having a deterrent effect on the recruitment of prison officers, who are so important in keeping prisoners and other staff safe. How is the Department doing on the recruitment of additional staff to make up for the 7,000 who have been lost?
Rory Stewart: The answer is that recruitment has gone quite well. We now have 4,700 additional officers; we have more than we have had at any time since March 2012, so we are at the highest level for seven years.

Jim Shannon (Strangford) (DUP): Taking into account the fact that prison officers are allowed to claim for compensation for only three attacks throughout their career, will the Minister outline his opinion on the abuse that prison officers are expected to take as part of their jobs, which would be unacceptable in any other job?

Rory Stewart: The important thing is to begin by paying a huge tribute to prison officers, who are doing an incredibly important job. They are probably one of the most important operational bits of any public service, and we owe them a huge duty of care. We have to make sure that the drugs and weapons do not get in. We have doubled the sentence for people assaulting prison officers, and I am happy to sit down with the hon. Gentleman to talk about this in more detail.

European Convention on Human Rights

5. Gavin Newlands (Paisley and Renfrewshire North) (SNP): What recent discussions he has had with Cabinet colleagues on the future status of the UK as a signatory to the European convention on human rights. [909714]

22. Dr Philippa Whitford (Central Ayrshire) (SNP): What recent discussions he has had with Cabinet colleagues on the future status of the UK as a signatory to the European convention on human rights. [909732]

The Parliamentary Under-Secretary of State for Justice (Edward Argar): My right hon. Friend the Member for Mid Faversham and Kent served an incredibly important job. They are probably one of the most important operational bits of any public service, and we owe them a huge duty of care. We have to make sure that the drugs and weapons do not get in. We have doubled the sentence for people assaulting prison officers, and I am happy to sit down with the hon. Gentleman to talk about this in more detail.

Edward Argar: I do not accept that our position on the ECHR is ambiguous. Both the political declaration and the White Paper make it clear that our future relationship with the EU should be underpinned by our shared values of respect for human rights and fundamental freedoms, and this includes our ongoing commitment to the ECHR. As I have just made clear, the HRA gives further effect to the ECHR in our domestic law, and we are not considering amending or repealing it.

Joanna Cherry (Edinburgh South West) (SNP): Human rights are, of course, not a reserved matter, and the Scottish Government have an advisory group on human rights in relation to devolved matters. Will the Minister commit to full consultation with the Scottish Government about his future plans for human rights protection across the United Kingdom?

Edward Argar: I am grateful to the hon. and learned Lady, as ever, for her question. We work closely with the Scottish Government. I am always willing to listen and speak to them, and I will continue to do so.

Joanna Cherry: The Scottish Government’s advisory group on human rights reported in detail on 10 December, setting out three guiding principles for Scotland’s approach to human rights: “non-regression from the rights currently guaranteed by membership of the European Union; keeping pace with future rights developments within the European Union; and continuing to demonstrate leadership in human rights.” Can the UK Government commit to each of those principles for the whole of the UK? If not, why not?

Edward Argar: The hon. and learned Lady will correct me if I am wrong, but I believe Professor Miller chairs that advisory group. We debated this issue in Westminster Hall some weeks ago and I read his report with interest. We note with interest the measures being considered by the Scottish Government to enhance human rights in Scotland, and the principles and seven recommendations set out in that report. Of course, Scotland’s legal system is separate and distinct from that of England and Wales, but I am considering that report, and others, with great care.

Female Genital Mutilation: Prosecution

6. Helen Whately (Faversham and Mid Kent) (Con): What discussions he has had with the Crown Prosecution Service on improving prosecution rates for people responsible for female genital mutilation. [909715]

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): Last night, the House unanimously passed legislation to further protect women and girls from the horrific crime of FGM, and I am pleased that my hon. Friend the Member for Mid Faversham and Kent served on the Bill Committee that was part of the passage of that legislation through the House. My hon. Friend asked particularly about improving prosecution rates, and I am pleased to tell her that each CPS area now has a lead FGM prosecutor. Those prosecutors will be working with their local police forces on arrangements for the investigation and prosecution of FGM offences.
Mr Speaker: The voice of Faversham and Mid Kent, rather than of Mid Faversham and Kent; I call Helen Whately.

Helen Whately: I thank my hon. and learned Friend the Minister for her support for the FGM Bill that was passed last night and for her work in this policy area. As she knows, as many as 137,000 women and girls in the UK have suffered from FGM. I urge her to take further action to make sure that we end FGM in the UK.

Lucy Frazer: My hon. Friend is not only a constituency MP in Faversham and Kent but the Conservative party vice-chair for women. She makes a really important point about the number of women who have suffered from this crime in the UK, pointing out that 137,000 women living in the UK right now are suffering the consequences of FGM. Some of those women had the crime inflicted on them here, while others had it inflicted on them in other countries, so our response needs to be two-pronged. First, we need to ensure that we support other countries, which the Department for International Development is doing—it recently made the largest single donation of £50 million to help countries overseas. Secondly, we need to tackle it in this country. We are taking a cross-governmental view, with many Departments taking action, from the Department for Education to the Home Office to the Department of Health and Social Care, and of course my Department is enacting legislation.

Mr Jim Cunningham (Coventry South) (Lab): In general terms, when it comes to domestic abuse and so forth, cases take far too long. What is the Minister doing about that?

Lucy Frazer: The hon. Gentleman makes an important point about the importance of all cases that come to court. Obviously, for those who have been the victim of horrific sexual crimes, including domestic violence, we are committed to ensuring that those crimes come to court and are dealt with swiftly. There are a number of ways to do that, including by using judicial resource. We pay, both directly as the Ministry of Justice and indirectly through our suppliers, the national living wage in line with legislation.

7. Emma Hardy (Kingston upon Hull West and Hessle) (Lab): If he will make it his policy to pay the staff in his Department the living wage.

8. Mr Ranil Jayawardena (North East Hampshire) (Con): What steps he is taking to reduce costs throughout the prison estate.

The Minister of State, Ministry of Justice (Rory Stewart): Although our real-terms spending on the prison estate has increased, we continue to drive efficiencies through to make sure that we can put as much money as possible into keeping our prisons safe, decent and secure. The best way of driving down costs is through technology, particularly video conferencing, which reduces the costs involved in moving people to and from courts; facial recognition technology, which has begun to deal with queues in visitor areas; and kiosks, which are overcoming some of the challenges around logistics supply.

Mr Jayawardena: I thank the Minister for that considered answer, but may I ask him to assure me and the House that, in his efforts to reduce the cost of the estate on the taxpayer, he will not scrap short sentences, given that 4,300 knife-wielding criminals last year would have remained on our streets?

Rory Stewart: First, I make it absolutely clear that no decision on sentencing policy will be driven by anything other than public protection. That is the key in any sentencing decision. Secondly, I make it absolutely clear that every subcontractor adheres to the same rules as the people directly employed by the Department. Will the Minister ensure that subcontractors also pay all their staff the real living wage?

Emma Hardy: I thank the Minister for his answer. I hope he is aware that I have previously raised in the House the problems relating to procurement and ensuring that every subcontractor adheres to the same rules as the people directly employed by the Department. Will the Minister ensure that subcontractors also pay all their staff the real living wage?
and removing people from prison who will reoffend if they go to prison are the surest way to save money and to stop reoffending in the long term.

Rory Stewart: As the right hon. Gentleman is aware, this is something that we are continuing to look at very carefully and we are continuing to learn both from what has happened in Scotland and the evidence that suggests, on the basis of a study of 130 different characteristics in 300,000 separate offenders, that people are more likely to reoffend with a short custodial sentence and therefore that tens of thousands more crimes are committed every year by the wrong use of a custodial sentence.

Sir Greg Knight (East Yorkshire) (Con): In seeking to reduce costs, will the Minister give a pledge not to cut corners? He is seeking to build a new prison in my constituency at Full Sutton, but the traffic assessment that has taken place is, I believe, deeply flawed. Will he look at that again? Even if it means extra cost, if he deems it is warranted, will he order a new traffic assessment please?

Rory Stewart: I absolutely undertake to look again at the traffic assessment and to sit down with my right hon. Friend to examine it in more detail together.

Alex Norris (Nottingham North) (Lab/Co-op): Previous cost cutting in the Prison Service such as reducing staff has proved to be a false economy. In Nottingham Prison, the prisons Minister has needed a surge of staff to try to stabilise what had become a very violent and dangerous prison. Can I have an assurance from him that, once things improve at Nottingham, those staff will not be withdrawn again?

Rory Stewart: Some of the staff at Nottingham, to which the hon. Gentleman is referring, have come from other establishments in other parts of the country, but when they return they will be replaced because we must ensure that Nottingham is fully staffed. That is essential particularly in order to continue with delivery of the key worker programmes so that each prison officer can be paired with six prisoners. That will be vital to getting violence under control in Nottingham.

Leaving the EU: Departmental Priorities

9. Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What recent assessment he has made of the implications for his departmental priorities of the UK leaving the EU. [909718]

24. David Linden (Glasgow East) (SNP): What recent assessment he has made of the implications for his departmental priorities of the UK leaving the EU. [909734]

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): My Department continues to ensure that the necessary preparations are in place to mitigate potential impacts associated with leaving the EU wherever possible. For all scenarios, these preparations remain on track. In a no-deal scenario, we do not expect any immediate impacts on our departmental priorities, although there are risks in terms of pressures on the courts. We will react to longer-term impacts that are harder to predict, such as financial impacts, should they arise.

Stuart C. McDonald: In recent years, 15 German nationals have been extradited from Germany to the United Kingdom, including for some very serious offences, but last month that country made it clear that it will no longer extradite its citizens to the UK after Brexit. What other countries does the Secretary of State anticipate will take a similar approach, and what, if anything, can he do to respond to this massive Brexit headache?

Mr Gauke: In terms of the European arrest warrant, we have to accept that as a consequence of Brexit the current arrangements will no longer be available, but we will continue to work very closely with EU member states to ensure that we can address this matter as effectively as we can.

David Linden: Last week, I met the area commander in Glasgow East, and it was clear that the police are having to focus on Brexit preparations, yet that is not what people in my constituency actually want them to be focusing on—they want them to be focused on catching criminals in the street. If we do not have access to the European arrest warrant, it will not matter that all these contingency plans are in place. The only people who are going to benefit from that are those who seek to evade justice.

Mr Gauke: As I say, largely because of the constitutional issues with Germany, there are issues with the European arrest warrant; I absolutely accept that. We will take every measure that we can to ensure that authorities can co-operate. With regard to security issues, leaving the European Union with a deal is much better than leaving without a deal, and therefore the House should support the deal this evening.

Richard Burgon (Leeds East) (Lab): The Tories’ disastrous handling of Brexit poses a serious threat to our economy and to our rights, and a real threat to our justice and security too. Any loss of access to the European arrest warrant or to European criminal records databases would damage our justice system, yet we have nothing but warm words from the Government on future justice co-operation. I was recently in Brussels discussing this with European partners, and it is obvious that the Government have failed to give this matter the priority it so urgently deserves. So what guarantees can the Secretary of State give today that his Government’s approach to Brexit will not leave our citizens less safe and will not let criminals off the hook?

Mr Gauke: If the hon. Gentleman cares about criminal justice co-operation, as I am sure he does—I certainly do—then there is a course of action available to him later today to ensure that we can have further criminal justice co-operation, and that is voting for the Government’s deal.

Violence in Prisons

11. James Cartlidge (South Suffolk) (Con): What steps the Government are taking to tackle violence in prisons. [909720]
The Minister of State, Ministry of Justice (Rory Stewart): In order to tackle violence in prisons, we first have to make sure that drugs and weapons are not getting into prisons. We need more prison officers, which is why we are pleased that we now have 4,700 more prison officers in place. We also need to invest much more in staff training and support. In the end, the key to reducing violence is good relationships between prison officers and prisoners.

James Cartlidge: I thank my hon. Friend for that answer. Clearly, preventing violence in prisons is a priority, so, to that end, will he update us on what plans he has to increase searches of cells and wings?

Rory Stewart: This is absolutely central. Getting on top of cell searching—making sure that we understand what is in a cell, what should not be in a cell, getting the mobile phones and getting the drugs—is vital to having the baseline for a safe prison, so we are investing in more dog teams, in more mobile phone detection equipment and in dedicated search teams across the estate.

John Cryer (Leyton and Wanstead) (Lab): In the past eight years, 7,000 prison officers have been lost. That means that there is still a deficit, on the Minister’s own figures, of 2,300, with attacks on officers going through the roof. At what point will the number of officers rise to the level where safety is assured?

Rory Stewart: We believe that the current number of 4,700 is the appropriate number that we require—in particular, because it allows us to deliver the key worker system. We continue to use operational support grade staff on perimeter security. We think this is the right balance.

Philip Davies (Shipley) (Con): In order to better support our prison officers, I have suggested that anybody who is found guilty of assaulting a prison officer should lose their right to automatic early release from prison. Will the Minister take on board that suggestion?

Rory Stewart: We believe that the appropriate response to someone assaulting a prison officer is to work with the Crown Prosecution Service and the police to prosecute them. That is why we are pleased that we have doubled the maximum sentence for anyone assaulting a prison officer, and we are working much more closely to increase the number of prosecutions and the sentences for those who break the law against people we should protect.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I spent yesterday on D and F wings in HM Prison Swansea, and I was told time and again, including by the dedicated search team, that the prison desperately needs a body scanner to reduce the incidence of drugs arriving there. What are the Minister’s plans to roll out body scanners to the entire prison estate?

Rory Stewart: Body scanners can be very useful, particularly in local prisons where prisoners are coming in and out a great deal. They are very expensive bits of kit to not only install but manage, and they have medical implications; they can be used safely perhaps 50 times in a year. We are conducting a pilot with 14 X-ray scanners across the estate. Once we have looked at the evidence and convinced ourselves that that is the best way of doing it, we will move forward and prioritise local prisons in that roll-out.

Janet Daby (Lewisham East) (Lab): Inexperienced prison officers, poor conditions and more time being spent in cells contribute to violence in prisons. What steps are being taken to address those factors?

Rory Stewart: In terms of inexperienced prison officers, it is about longer training courses and better mentoring on the wings, with band 4 officers in particular working day in, day out with new staff. In terms of time out of cells, this is why having 4,700 more staff is really important—it allows us to unlock people more and get back to a regime that allows people to get into education and work and protects the public.

Imran Hussain (Bradford East) (Lab): The point that the Minister conveniently misses is that frontline prison officer resignations have more than tripled since 2010, and now one in three officers has less than two years’ experience, as the Minister fails to get a grip on a retention crisis caused by years of relentless cuts. Does he really think that this exodus of experienced staff will keep prisons safe, as assaults and violence rise to record levels?

Rory Stewart: There are two separate things here. The shadow Minister is correct that experienced staff are vital, but it is also worth bearing in mind that one reason why there are so many new staff is that we have recruited 4,700 additional officers; by definition, many of them will be new. Retention is vital. The development of the advanced prison officer grade, which allows experienced closed grade officers to move from band 3 to band 4, will be very important in stabilising prisons.

Probation Reforms


The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): Transforming Rehabilitation opened up probation to a diverse range of providers and extended support and supervision to an additional 40,000 offenders leaving prison. The National Probation Service is performing well in supervising higher-risk offenders, but we have been clear that the performance of community rehabilitation companies needs to improve. That is why we have taken action to end contracts early and conducted a public consultation on proposals to better integrate probation services. We are reflecting on the feedback received and lessons learned from current contracts as we develop future arrangements, and we will announce our plans in detail later this year.

Ian C. Lucas: My constituent Nicholas Churton was murdered by an offender who was on licence. Following his release from prison, an assessment was not carried out by the CRC, and the murderer committed two further offences before he went on to kill Mr Churton. All this information is in the public domain because I have put it there. I want there to be an independent inquiry into this case, to inform Justice Ministers, all of
whom I respect, to ensure that the probation service is functioning and to prevent people from suffering in the way that my constituent’s family have because of the appalling current system.

Mr Gauke: The hon. Gentleman raises a very important matter. I would like to express my sympathies to his constituent’s family for what they have undergone. I know that the hon. Gentleman has met my hon. Friend the prisons Minister to discuss this, and they may meet again. These tragic cases are rare, but that does not in any way undermine how tragic they are. Because there is a greater workload, with a greater number of people dealt with by CR Cs than before, we have seen some increase in the numbers, but the rate falls below 0.5%.

Bill Esterson (Sefton Central) (Lab): Last week, the prisons Minister offered to meet the family of Sam Cook, who was murdered by a convicted offender who was released on licence, in a similar case to the one we have just heard about from my hon. Friend the Member for Wrexham (Ian C. Lucas). They would very much like to meet the Minister. Can the Secretary of State ask his officials to arrange that meeting as soon as possible? They want to speak to the Minister to make sure that no one has to experience what Sam Cook experienced and that the probation service is doing its job to protect the public from offenders who are released on licence and is supervising them properly.

Mr Gauke: I know that the prisons Minister would be very willing to have that meeting, but I make the point to both hon. Gentlemen that we want to get this right, and the probation service is doing its job to protect the public from offenders who are released on licence and is supervising them properly.

Access to Justice

13. Tom Brake (Carshalton and Wallington) (LD): What steps he is taking to improve access to justice in the criminal justice system.

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): I am very pleased to have an opportunity to highlight the important work that we are doing in the criminal justice system. Last year, we spent £882 million on criminal legal aid and this year we announced an investment of a further £23 million for criminal advocates. We are spending £1 billion to transform our Courts and Tribunals Service. However, improvements to the criminal justice system, as with the civil justice system, are not just about money and we are seeking to bring our justice system up to date, modernising it and making sure that people have swift and effective access to justice.

Tom Brake: The Loughborough University report “Priced out of Justice?” identified how many people were excluded from justice because of the means test. I welcome the review of the means test that the Government are conducting but, pending the outcome, would the Minister support calls from the Law Society for the means test threshold to be uprated now as part of the spring statement?

Lucy Frazer: As the right hon. Gentleman said, we have recently done a legal aid review. As part of that review, we were not obliged to look into thresholds because there were not very many changes to thresholds as part of the Legal Aid, Sentencing and Punishment of Offenders Act 2012. However, we recognise the need to look at that because the figures have not been uprated for some time. We are undertaking that review and the timetable for that is set out in our legal support action plan.

Chris Elmore (Ogmore) (Lab): A recent report from Women’s Aid has set out that many women are now having to represent themselves because they do not meet the threshold for legal aid. But the report also says that the only savings the women have cannot be used because they have to be able to rehouse themselves. Can the Minister give some assurance that she is willing to look at improving the situation of these individuals, so that they do not have to represent themselves in court, which can have a hugely negative impact on the victim’s experience within the justice system?

Lucy Frazer: I am fully aware of the issues that these women face. I am very pleased to have held a number of roundtables, as part of our understanding for the review, with a number of vulnerable parties, including women. Women’s Aid was part of those roundtables, where we had an opportunity to hear from it directly. That is one of the reasons why we have specifically mentioned victims of domestic violence, and we will look at the thresholds in the legal aid review that we are conducting.

Prison Officer Safety

14. David Morris (Morecambe and Lunesdale) (Con): What progress the Government have made on improving the safety of prison officers.

The Minister of State, Ministry of Justice (Rory Stewart): We are doing everything we can to protect prison officers. That is about perimeter security to make it more difficult to get the drugs and weapons into the prisons, making sure that prison officers have the protective equipment to protect themselves against attack, gathering the forensic evidence when an attack takes place, and prosecuting prisoners who attack prison officers. We have a huge duty and we will do everything we can to protect them.

David Morris: I thank my hon. Friend for that good answer. The hard-working staff at HMP Lancaster Farms are doing a very good job in this respect and I invite my hon. Friend to come to Lancaster Farms whenever he can.

Rory Stewart: Lancaster Farms is a cat C training prison. It is a challenging prison and we are very pleased with the recent inspection report that we have received from Peter Clarke. He is a tough critic, but he sees it as a decent and competent prison. I take this opportunity to pay tribute to the governor, Derek Harrison, for the work that he does.

Children Conceived through Rape

15. Judith Cummins (Bradford South) (Lab): What steps he is taking to ensure that rapists do not have access to children conceived through rape.
The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): The hon. Lady raises an important and sensitive issue, but I would like to reassure her that our family law system is centred around the child and the welfare of the child. When judges make decisions about contact or care, the welfare of the child is always paramount, but we have been looking at various ways to strengthen our procedures and practice directions in relation to who gets notice of particular court applications. However, I remind the hon. Lady that the central principle is very important.

Judith Cummins: Following the recent high-profile case in Rotherham, has the Minister’s Department carried out a review of what went wrong? Is she considering a change in the law to ensure that such a case cannot happen again? If not, why not?

Lucy Frazer: I am aware of the case the hon. Lady refers to, and I am pleased to have met Sammy Woodhouse some time ago, along with other Members of Parliament, to discuss the issue. We are continuing to look at this issue, at the principles that underlie it and, as I mentioned, specifically at the practice directions and procedures around these cases.

Access to Justice: Court Staffing and Closures

16. Thelma Walker (Colne Valley) (Lab): What assessment has he made of the effect on access to justice of recent (a) changes in court staffing and (b) court closures.

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): I would like to assure the hon. Lady that any decision to close a court is not taken lightly, but in circumstances where 41% of our courts operated in 2016-17 at half their available capacity and where we are investing £1 billion in courts and bringing them up to date, the Ministry of Justice has to think carefully about where our court resources are most effectively and efficiently spent.

Thelma Walker: I thank the Minister for her response. However, the recent closure of courts in West Yorkshire is putting additional pressure on those that remain, causing backlogs and delays. The Hands off HR1 campaign, which is fighting to save services at our local hospital, Huddersfield Royal Infirmary, is waiting for a consent order that is with Leeds Crown court. However, the backlog of several weeks means that the campaign is undergoing a lengthy period of uncertainty, as are those involved in many other cases. What is the Secretary of State doing to ensure that cuts to staffing and closures are not damaging my constituents’ access to justice?

Lucy Frazer: As I mentioned, when we undertake court closures—they are undertaken very carefully, and the Lord Chancellor does not undertake these decisions lightly—we look at court utilisation rates, and the courts that are closed are often those that are not performing in terms of capacity. On the case the hon. Lady refers to, I am happy to take it up with her and to look at any backlog or delay.

Yasmin Qureshi (Bolton South East) (Lab): The Government have been forced to announce a one-year delay to their £1 billion court reform programme. Many people are concerned that this programme is simply a smokescreen for sacking staff and closing courts. Will the Government take this opportunity to have a public debate about the issue and to allow Parliament to debate and scrutinise these changes?

Lucy Frazer: Our court reform programme is one of the most ambitious in the world. We recently held a seminar at which at least 20 other countries were represented. They talked about their reform programmes, and none of them was as ambitious as ours in streamlining, making more effective and modernising the court process. The delay in the programme is to ensure that we can efficiently and effectively manage the programme going forward.

Prisoners: Access to Telephones

17. Charlie Elphicke (Dover) (Con): What steps he is taking to control prisoners’ access to telephones.

The Minister of State, Ministry of Justice (Rory Stewart): We need to prevent these mobile phones from getting into prison. That is not always easy, because some of the new phones are almost just an inch in size. This work involves not just metal detectors, but X-ray scanners that can look inside bodies. If these phones get inside prisons, we need to identify them, we need to intercept the calls and block them, and we need to seize the phones.

Charlie Elphicke: I thank the Minister for that reply. Does he agree that, where prisoners use mobile phones to send vile messages to the families of their victims, social media giants such as Snapchat must take responsibility and help the police to bring the culprits to justice?

Rory Stewart: First, using a mobile phone in a prison is an illegal act. It is a horrifying thing to harass victims using a phone from prison. It is entirely illegal, and we will be working with colleagues from the Department for Digital, Culture, Media and Sport to draw the attention of these social media companies to the fact that illegal action is taking place through their systems.

Rehabilitation in Prisons: New Technology

18. Alan Mak (Havant) (Con): What steps the Government are taking to introduce new technology to support rehabilitation in prisons.

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): Technology can play an important role in supporting rehabilitation. The careful use of basic computers and telephones enables us to do that. New digital services are being built for prison officers as part of the offender management in custody programme.

Alan Mak: Good mental health and wellbeing are key to rehabilitation in prisons. What steps is my right hon. Friend taking to use the best technology in this regard?

Mr Gauke: My hon. Friend raises a very important point. There is huge potential in this area, but we are already taking steps through telehealth and virtual consultations. We have in-cell telephony, which can be
used in these circumstances. Digital hub services also exist, and the prison virtual learning environment includes a health application, so we have a virtual campus that can help people to address addiction issues. I think that there is much more potential in this area in the future.

**Imprisonment of Offenders**

19. Julian Knight (Solihull) (Con): What the Government’s policy is on the use of imprisonment for offenders.  

20. John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): What the Government’s policy is on the use of imprisonment for offenders.  

23. Andrea Jenkyns (Morley and Outwood) (Con): What the Government’s policy is on the use of imprisonment for offenders.  

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): Under this Government, the most serious offenders are more likely to go to prison and for longer, helping to protect the public and keep communities safe. Prison will be the right place for some offenders, but equally there is evidence that it does not work in rehabilitating others. I want to move the debate on from the old false choice between soft justice versus hard justice, and instead ensure we are focused on delivering smart justice. We need to think more imaginatively about different and more modern forms of punishment in the community.

Julian Knight: I support the broad thrust of ensuring that sentences work, particularly for female offenders. Does the Secretary of State agree that at the same time we should look at early release and whether it could be recalibrated to improve prison discipline?

Mr Gauke: Incentives in the prison system are important to achieving good behaviour. Early release does help offenders to successfully make the transition from custody to living crime-free lives in the community. An additional early release scheme for certain offenders, home detention curfew, further helps to manage that transition and reduce future offending.

John Lamont: Question 20, Mr Speaker.

Mr Speaker: The hon. Gentleman’s question has been grouped. His opportunity is here. His moment is now. Let us hear the sonorous tones of the hon. Gentleman.

John Lamont: I am very grateful, Mr Speaker.

I understand the UK Government are looking at the effectiveness of short-term custodial sentences to reduce reoffending. I invite Ministers to look at the experience in Scotland, where short-term sentences have already been abolished yet reoffending rates remain stubbornly high. I therefore urge Ministers to look more closely at whether rehabilitation programmes in prison are working effectively, even those for prisoners on short-term sentences.

Mr Gauke: In conjunction with reforming short sentences, it is important that we have confidence in the delivery of community orders. We have been clear that in England and Wales probation services need to improve—we have already discussed that—but the two have to run together: reform of short sentences and adequate community alternatives.

Andrea Jenkyns: What are the Government doing to ensure tougher sentences for those who are found guilty of violent crimes?

Mr Gauke: Under this Government, over the past nine years, sentences for violent crime have gone up. For knife crime in particular, the chances of a custodial sentence have increased and the length of the custodial sentence has increased.

Female Offenders

21. Luke Hall (Thornbury and Yate) (Con): What steps the Government are taking to improve the management of female offenders in the criminal justice system.  

The Parliamentary Under-Secretary of State for Justice (Edward Argar): The “Female Offender Strategy”, which we published last summer, sets out a raft of specific commitments underpinned by our vision to see fewer women coming into the criminal justice system, a greater proportion managed successfully in the community and better conditions for those in custody.

Luke Hall: Rates of suicide in female institutions are often disproportionately high. Will the Minister update the House on what he is doing to work with female prisons to bring suicide rates down, including prisons such as Eastwood Park in my constituency?

Edward Argar: Every death in prison is a tragedy, and we are committed to improving the safety and support available to all in our prisons. The rate of self-inflicted deaths in women’s prisons is lower than that seen in the male estate, but we recognise that the rate of self-harm is nearly five times the rate in the male estate. Therefore, we know that we need to do more. That is why we have set up a specialist safer custody team dedicated to the women’s estate and are rolling out revised and improved suicide and self-harm prevention training.

Topical Questions

T1. [909735] Nigel Huddleston (Mid Worcestershire) (Con): If he will make a statement on his departmental responsibilities.

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): Yesterday, the Government were pleased to give their support and time to the Children Act 1989 (Amendment) (Female Genital Mutilation) Bill, sponsored in this House by my hon. Friend the Member for Richmond Park (Zac Goldsmith). The Bill, which seeks to make a small yet important change to the Children Act 1989, offers both a sensible simplification of the court process and a useful extension to the family courts’ powers to protect girls at risk of female genital mutilation. It will add to the measures that the Government have brought forward to tackle FGM issues.

Mr Speaker: We are very short of time. One-sentence questions will suffice.
Nigel Huddleston: Can my right hon. Friend provide an update on the Government’s consideration of giving children the right to have access to their grandparents in the event of family breakdown or divorce?

Mr Gauke: I pay tribute to my hon. Friend’s activities in this area. I am reviewing the options for strengthening the involvement of grandparents in children’s lives to be explored in a future consultation. I will make an announcement on the Government’s plans in due course.

Richard Burgon (Leeds East) (Lab): Too many young lives are being lost to violent crime on our streets. Whatever the Prime Minister may say, substantial reductions in police numbers leave our communities less safe—so does shutting hundreds of youth centres and so, too, does the Ministry of Justice’s halving of funds for youth offending teams since 2010. Tens of millions of pounds that once went to protecting children in their communities have needlessly been taken away, so when will the Government stop trying to do justice on the cheap and instead properly fund youth offending teams?

Mr Gauke: I do not accept the hon. Gentleman’s criticism. This Government have announced a £200 million youth endowment fund. We are taking measures to deal with the sources of problems with this, and we will continue to do that.

T2. [909736] Stephen Lloyd (Eastbourne) (Ind): Means-tested criminal legal aid can be granted only where there is a realistic prospect of custody. Consequently, has a detailed impact assessment been undertaken to show how many people will no longer qualify for legal aid in the event of the reduction or abolition of prison sentences of six months or less?

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): As the hon. Gentleman knows, thresholds across the board, including in relation to criminal legal aid, are part of the legal aid review that we are now undertaking.

T5. [909739] Helen Whately (Faversham and Mid Kent) (Con): Some of my constituents have told me that they have waited over a year for a court date to appeal a welfare decision. Will my right hon. Friend assure me that he is taking steps to improve access to justice for benefit claimants?

Lucy Frazer: My hon. Friend is right to highlight that we need to work with the Department for Work and Pensions, which we are doing, and I am doing with my counterpart in the DWP, to get decisions right first time; and the second is to speed up those hearings.

T4. [909738] Alex Cunningham (Stockton North) (Lab): Both the prisons Minister and the Secretary of State have heaped praise on the Durham Tees Valley community rehabilitation company when I have asked about the not-for-profit organisation’s future, but will the Minister tell me whether it will survive the next round of reforms or be swallowed up and privatised with the rest of them?

Rory Stewart: As the hon. Gentleman says, that is a fantastic organisation. We are, of course, conducting a very detailed consultation on the future of probation, but to reassure him, the principles behind Durham’s CRC and, in particular, the involvement of local authorities and of the voluntary sector and the close co-ordination with the National Probation Service are fundamental to our reforms.

T9. [909743] Philip Davies (Shipley) (Con): Given the Minister’s opposition to short prison sentences, it must follow that he is equally opposed to fixed-term recalls of 28 days when criminals reoffend when out of prison on licence or when they break their licence conditions. Will he therefore pledge to scrap these fixed-term recalls and ensure that any such offenders are returned to prison for the remainder of their original prison sentence, as was the case in the past?

Mr Gauke: Where an offender is assessed as presenting a risk of serious harm, they will receive a standard recall and may only be released into the community if they can be safely managed there. If there is not that risk, a proportionate response is sensible. Her Majesty’s inspectorate of probation has found that probation services, in the vast majority of cases, are making the right decisions.

T6. [909740] Grahame Morris (Easington) (Lab): What discussions is the Minister having with her colleagues in the Department for Work and Pensions about the appalling tribunal backlog they are creating with poor assessment and decision making, particularly on personal independence payments, universal credit and employment and support allowance?

Lucy Frazer: I have had a number of meetings with my counterpart in the DWP, and my officials discuss this issue with the DWP regularly. I and my counterpart in the DWP will undertake a joint meeting at an assessment centre to further consider these important issues and ensure that we get decisions right first time.

Mr Philip Hollobone (Kettering) (Con): There are 9,090 foreign national offenders in our prisons, including 760 from Albania. Why are those people not serving their sentence in prison in their own countries?

Rory Stewart: That is a very good challenge. My hon. Friend specifically raised Albania, with which we have a prison transfer agreement in place. I met the Albanian
Minister of Justice two weeks ago. We need to ensure that more returns take place, but we are well ahead of Italy and Greece on returns to Albania.

T7. [909741] David Hanson (Delyn) (Lab): Youth justice funding has fallen from £145 million to £71 million in the past 10 years. Yesterday, the Local Government Association said, “No more.” Is it right?

Mr Gauke: My Department will continue to argue the case for spending our money sensibly and getting the best deal for justice.

James Cartlidge (South Suffolk) (Con): Will my hon. Friend the Minister outline what plans he has to increase support for rape crisis centres?

The Parliamentary Under-Secretary of State for Justice (Edward Argar): I pay tribute to Fern Champion, who has been incredibly courageous in speaking out recently about this hugely important issue. We provide funding for 89 rape support centres. From April, we will increase funding by 10% for them all, with a 30% increase in London, and move to a three-year funding settlement.1

T8. [909742] Emma Hardy (Kingston upon Hull West and Hessle) (Lab): My constituent Phil suffered from addiction, became homeless and then became involved in criminal activity. Because he was given a suspended sentence, he was released from court with no money, no support and nowhere to live, and he spent the night on the streets. If he had been released from serving a sentence, there would have been support in place. Do the Government have a plan to address that disparity, to give people like Phil the best possible chance of rehabilitation?

Rory Stewart: It is absolutely true that we need to look not just at convicted prisoners but at people with suspended sentences. That is something we are looking at in reforming probation, and the pilots on homelessness will also seek to address it.

T10. [909744] Ruth George (High Peak) (Lab): Derbyshire Law Centre is the only place to which I can refer many of my constituents who are in desperate need of legal support. Will the Minister commit to securing Treasury funding to provide essential grants to law centres to help ensure their survival?

Lucy Frazer: Law centres play an absolutely fundamental role. I recently visited Bromley by Bow Centre and Islington Law Centre. As part of our pilots, law centres will be able to bid for new ways to interact with their clients, and I hope they will take that opportunity.
Withdrawal Agreement: Legal Opinion

12.32 pm

The Attorney General (Mr Geoffrey Cox): With permission, Mr Speaker, I would like to make a statement about my legal opinion on the joint instrument and unilateral declaration concerning the withdrawal agreement published last night.

Last week, I confirmed I would publish my “legal opinion on any document that is produced and negotiated with the Union.”—[Official Report, 7 March 2019; Vol. 655, c. 1112.]

That has now been laid before the House. This statement summarises the instruments and my opinion of their legal effect.

Last night in Strasbourg, the Prime Minister secured legally binding changes that strengthen and improve the withdrawal agreement and the political declaration. The Government laid three new documents reflecting those changes in the House: first, a joint legally binding instrument on the withdrawal agreement and the protocol on Northern Ireland; secondly, a unilateral declaration by the United Kingdom in relation to the operation of the Northern Ireland protocol; and thirdly, a joint statement to supplement the political declaration. The legal opinion I have provided to the House today focuses on the first two of those documents, which relate to the functioning of the backstop and the efforts of the parties that will be required to supersede it.

Let me say frankly what, in my opinion, these documents do not do. They are not about a situation where, despite the parties properly fulfilling the duties of good faith and best endeavours, they cannot reach an agreement on a future relationship. Such an event, in my opinion, is highly unlikely to occur, and it is in the interests of both the United Kingdom and the European Union to agree a future relationship as quickly as possible. Let me make it clear, however, that were such a situation to occur, the legal risk, as I set it out in my letter of 13 November, remains unchanged. The question for the House is whether in the light of these improvements, as a political judgment, it should now enter into those arrangements.

Let me move on to what the documents do achieve. As I set out in my opinion, the joint instrument puts the commitments in the letter from Presidents Tusk and Juncker of 14 January 2019 into a legally binding form, and provides, in addition, useful clarifications, amplifications of existing obligations, and some new obligations. The instrument confirms that the European Union cannot pursue an objective of trying to trap the UK in the backstop indefinitely. It makes explicit that that would constitute bad faith, which would be the basis of a formal dispute before an arbitration tribunal. That means, ultimately, that the protocol could be suspended if the European Union continued to breach its obligations.

The joint instrument also reflects the United Kingdom’s and the Union’s commitment to work to replace the backstop with alternative arrangements by December 2020, including as set out in the withdrawal agreement. Those commitments include establishing “immediately following the ratification of the Withdrawal Agreement, a negotiating track for replacing the customs and regulatory alignment in goods elements of the protocol with alternative arrangements.”

If an agreement has not been concluded within one year of the UK’s withdrawal, efforts must be redoubled.

Mr Speaker: Order.

The Attorney General: In my view, as a matter of law, the provisions relating to the timing of the efforts to be made in resolving withdrawal agreements make time of the essence in the negotiation of a subsequent agreement. A doctrine with which the lawyers in the House will be familiar is of legal relevance. In my opinion, the provisions of the joint instrument extend beyond mere interpretation of the withdrawal agreement, and represent materially new legal obligations and commitments which enhance its existing terms.

Let me now turn to the unilateral declaration. It records the United Kingdom’s position that, if it were not possible to conclude a subsequent agreement to replace the protocol because of a breach by the Union of its duty of good faith, it would be entitled to take measures to disapply the provisions of the protocol in accordance with the withdrawal agreement’s dispute resolution procedures and article 20, to which I have referred. There is no doubt, in my view, that the clarifications and amplified obligations contained in the joint statement and the unilateral declaration provide a substantive and binding reinforcement of the legal rights available to the UK in the event that the Union were to fail in its duties of good faith and best endeavours.

I have in this statement, and in the letter that I have published today, set out, frankly and candidly, my view of the legal effect of the new instruments that the Government have agreed with the Union. However, the matters of law affecting withdrawal can only inform what is essentially a political decision that each of us must make. This is a question not of the lawfulness of the Government’s action but of the prudence, as a matter of policy and political judgment, of entering into an international agreement on the terms proposed.

12.39 pm

Nick Thomas-Symonds (Torfaen) (Lab): I am grateful to the Attorney General for his statement and for advance sight of it.

The Attorney General made it clear in his original advice of 13 November on the backstop protocol that: “In international law the Protocol would endure indefinitely until a superseding agreement took its place, in whole or in part”, and he was right, because article 178 of the withdrawal agreement is clear that the remedy of suspension of obligations is only ever meant to be temporary to secure compliance to the agreement and not as a gateway to a full exit.

So people quite rightly ask now what has changed. In her Strasbourg statement the Prime Minister said the joint interpretative instrument makes three changes. She said, first, that the UK can challenge the EU in an arbitration panel if the EU is found in breach of good faith and best endeavours. Secondly, the Prime Minister said there is a legal commitment that whatever replaces the backstop does not need to replicate it, but the January letter of Presidents Tusk and Juncker said:

[Laughter.]
“Any arrangements which supersede the Protocol are not required to replicate its provisions in any respect”; it is not new. Thirdly, the Prime Minister said it entrenches in legally binding form the commitments made in the exchange of letters with Presidents Tusk and Juncker in January, but on 14 January the Prime Minister told this House:

“My right hon. and learned Friend the Attorney General has also written to me today confirming that in the light of the joint response from the Presidents of the European Council and the Commission, these conclusions ‘would have legal force in international law’. ”—[Official Report, 14 January 2019; Vol. 652, c. 824.]

That is not new either.

I am going to take the Attorney General at his word, because he said in his Mail on Sunday interview:

“I will not change my opinion unless I’m sure there is no legal risk of us being indefinitely detained in the backstop.”

I am going to be fair to the Attorney General: he has not changed his opinion. Let us read his advice to this House at paragraph 19:

“the legal risk remains unchanged that if through no such demonstrable failure of either party, but simply because of intractable differences, that situation does arise, the United Kingdom would have, at least while the fundamental circumstances remained the same, no internationally lawful means of exiting the Protocol’s arrangements, save by agreement.”

I say to the Attorney General that paragraphs 15 to 19 of his advice constitute seven sentences that destroy the Government’s strategy of recent weeks—that sink the Government’s case that they had any chance of securing a right, under international law, to unilaterally exit the protocol’s arrangements. We have gone from having “a nothing has changed” Prime Minister to having “a nothing has changed” Attorney General.

In fairness to the Attorney General it is not just his view: it is the view of a number of other respected lawyers, including Professor Philippe Sands, Professor Sir David Edward and the Government’s own former counter-terror watchdog, now Lord Anderson QC. The Attorney General knows that speaking about reasonable endeavours and bad faith is one thing, but he can confirm the reality, which is that the new documents do nothing about the situation when the talks with the EU are at a stalemate not because of bad faith, but simply because both sides cannot reach an agreement.

Proving bad faith is extraordinarily difficult, and the Attorney General points that out in paragraph 16 of his own advice. The strongest remedy in this withdrawal agreement, even with this document, remains a temporary suspension. Indeed, we need only look at his own legal advice to see that, at paragraph 9, which speaks of “suspension of all or parts of the Protocol, including the backstop, until there is satisfactory compliance.”

Trade talks can break down for a variety of reasons. For two parties to act on the basis of their own interests is not bad faith, and the Attorney General knows it. In these circumstances, despite any assurances about the temporary nature of the backstop, the reality is that it can endure indefinitely. Ninety-two days after the Prime Minister abandoned the first meaningful vote, in this Attorney General’s view “the legal risk remains unchanged”.

What the Attorney General was asked to do, and what the Prime Minister promised in this House on 29 January—to change the text of the withdrawal agreement—simply is not possible. He is a lawyer; he is not a magician. Does not this whole episode of recent weeks show that when national leadership is required, this Prime Minister, as always, puts party before country?

The Attorney General: The hon. Gentleman asks me about my opinion. He knows that my opinion is that there is no ultimate unilateral right out of this arrangement. The risk of that continues, but the question is whether it is a likelihood, politically. One thing that we did not hear from him is what the Labour party’s position is on the backstop. Does they accept the backstop? Do they think it is a good thing? If they think it is a good thing, why on earth are they criticising it? Or is this just the usual political opportunism that one expects to hear from the Front Bench of the Labour party?

The hon. Gentleman says to me that there is nothing new in this agreement, but that is not so, and some of the authorities that he has quoted are saying that this morning. There are material new obligations—for example, in relation to alternative arrangements. There is now a heavy emphasis upon a swift and expedited track to negotiate them, and it would be unconscionable if, having made that emphasis and having said that time was of the essence, the European Union simply refused to consider or adopt reasonable proposals relating to alternative arrangements. That is new. What this document does is address the risk that we could be kept in the backstop by the bad faith and deliberate manipulation of the Union. This makes significant reductions in that risk.

I say to the hon. Gentleman that it would be a good thing if we could hear from the Labour party just occasionally not only political shenanigans but some sincere engagement with the real issues that this withdrawal agreement now raises. The question now is: do we assume our responsibilities as a House and allow not only this country—yearning as it is for us to move on—but the entire continent of Europe to move on? To do that, the time has come now to vote for this deal.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I welcome my right hon. and learned Friend to his place. He has shown absolutely that he is what he should be: an independent adviser to the Government. I congratulate him on that, because that is exactly what he should be. Given the clarity of his advice, I want to ask him a particular question. As he will know, I and others have spent some time looking at and working on alternative arrangements. I would like to clarify exactly what force he thinks those would have. As he said just now, there would be an obligation for the European Union to “consider or adopt” such proposals if they were made in a reasonable way. How does that square with his paragraph 16, in which he says “it would be highly unlikely that the United Kingdom could take advantage of the remedies available to it for such a breach under the Withdrawal Agreement”?

The Attorney General: My right hon. Friend has got paragraph 16 wrong, if I may respectfully say so. What it says was that I adviser in the past that that was so. What I now consider, at paragraph 17, is: “that the legally binding provisions of the Joint Instrument and the content of the Unilateral Declaration reduce the risk” that we would be held involuntarily and by the bad faith. Why? Because these new provisions make it easier to facilitate an effective claim to the arbitrator that that
conduct is being exhibited. Those are cumulative. If one looks at the agreement as a whole, one sees that the obligations on the Union are to treat with urgency the negotiation of alternative arrangements. There is a new obligation that has not existed before in any document that the Union has agreed to, which is that it must aim to do this within 12 months of our withdrawal. That is an important obligation, because it makes time of the essence. If that deadline is passed, as in any legal jurisprudence on such matters relating in a domestic context to breach of contract, for example, that means that the parties must demonstrate that they are intensifying their efforts. If they do not, they could be in breach of their best endeavours obligation.

Joanna Cherry (Edinburgh South West) (SNP): I start by saying that I have respect and sympathy for the Attorney General. The role of the law officer is not easy, particularly when he or she is a party political appointment, but he must nevertheless from time to time burst his party’s political bubble in the interests of professional integrity and independence of advice. Make no mistake, that is what the Attorney General has done today.

Today, the emperor has no clothes; none at all—not even a codpiece. For all the yards of flannel in paragraphs 4 to 10 of the Attorney General’s legal opinion and in today’s statement, it is quite clear, as the shadow Attorney General said, from paragraph 19 of the legal opinion that the legal position previously outlined by the Attorney General remains the same. The measures therefore fall very short of what was demanded by the Brady amendment and very short of what was promised to those in the European Research Group, which I am sure will not have been lost upon them or their lawyers.

The withdrawal agreement has not been changed, and that the Attorney General should admit that that is so is not surprising given the weight of legal opinion about the measures overnight. Some Conservative Members will not take my legal opinion for it. I am unsure why, but perhaps they think that a lawyer who is a member of the SNP is not to be trusted. At all events, I am sure that they will put some weight on the opinion of my good friend Lord Anderson of Ipswich, the former Government independent reviewer of terrorism legislation. He provided a detailed opinion overnight—[Interruption.] I hear someone muttering from the Conservative Benches that he is being paid by the people’s vote campaign, but that person ought to be aware that it is the professional duty of any senior counsel to give an objective, dispassionate opinion. Perhaps the person muttering from a sedentary position should not transfer their own motives on to someone as honourable as Lord Anderson.

I will ask the Attorney General whether he agrees with me and with a number of Lord Anderson’s points. Lord Anderson says that the measures obtained by the Prime Minister “do not allow the UK to terminate the backstop in the event that negotiations over its future relationship with the EU cannot be brought to a satisfactory conclusion”.

That is correct, and I am sure that the Attorney General will agree. Lord Anderson also says that the measures “do not provide the UK with a right to terminate the backstop at a time of its choosing, or indeed at any time, without the agreement of the EU.” Lord Anderson is right that there is no unilateral exit here. He then goes on to say:

“The furthest they go is to reiterate the possibility that the backstop might be suspended”—not got out of, but suspended—“in extreme circumstances of bad faith on the part of the EU which” he says “are highly unlikely to be demonstrated.

Lord Anderson also points out:

“This was already apparent from the Withdrawal Agreement, and had been acknowledged in the Attorney General’s previous legal advice.”

Does the Attorney General agree with all those points in Lord Anderson’s independent, impartial, objective opinion? Does he further agree that in fact nothing has changed and that the Prime Minister has yet again failed to deliver on what she has promised?

The Attorney General: What I hope will not be lost on my hon. and right hon. Friends is why the hon. and learned Lady is insisting and pressing upon them the facts and matters that she has just been drawing to their attention. It could be, I wonder, that there is some ulterior motive in her concern about the absence of a unilateral exit mechanism in all circumstances.

Turning to the opinion of Lord Anderson, who is always worthy of the most careful attention and the greatest of respect—as anybody of his distinction should be listened to—I take issue with some of his comments. For example—my opinion sets this out and other lawyers are commenting to that effect this morning—the hon. and learned Lady does no justice to the fact that these measures and improvements do facilitate, and mean that there is a reduction of risk in, our being able to prove and demonstrate bad faith or want of best endeavours. She says that we could not terminate, but there is in fact in my opinion a clear pathway to termination.

As the hon. and learned Lady knows, I wrote in my opinion that if in the circumstance that we got a declaration from the arbitral tribunal that there had been a lack of best endeavours, having regard to the accelerated pace of negotiation which this new agreement now imposes, we could then move to suspend our obligations, if we wished to do so, under the protocol. If that suspension was prolonged, we could invoke article 20 to argue that it was no longer necessary because the inaction of the European Union demonstrated that it must think that it was no longer necessary, and that could lead to termination. It is therefore not entirely true to say that there is no way in which the provisions could be terminated. I say to the hon. and learned Lady that suspension, in these circumstances, is as effective as termination, because the only way in which the EU could restore the position would be for it to come back to the negotiating table with genuinely new proposals.

Mr Dominic Grieve (Beaconsfield) (Con): I thank my right hon. and learned Friend for his statement. I have no reason to disagree with his conclusion in paragraph 19 of his opinion, and I commend him for standing up for his office and speaking truth to power. However, I have one query about paragraph 7 of his advice, in which he describes the joint instrument as representing “materially new legal obligations and commitments”.

"do not allow the UK to terminate the backstop in the event that negotiations over its future relationship with the EU cannot be brought to a satisfactory conclusion"."
He will of course be familiar with article 31, paragraph 2 of the Vienna convention, which says that such an instrument can have legal force and be binding only in the sense that the parties cannot later alter or deny what they have agreed and that it is not a treaty in itself. In those circumstances, is it not the case that the breaching of the best endeavours obligation in itself makes no difference? The only difference is if there is bad faith, and that in fact was contained in the original agreement that we signed.

**The Attorney General:** I do not agree with my right hon. and learned Friend, although I listen most carefully to him, as ever. The best endeavours duty was in the withdrawal agreement originally, but what this does is to firm and strengthen the context in which an allegation of best endeavours or bad faith would be made, because it sets an accelerated pace and commits—I am sure that my right hon. and learned Friend has looked or will look at this—the EU to specific operational commitments about how to deliver that obligation. Those are new agreements, and they are couched in the language of agreement. He knows, as a very distinguished lawyer, that one cannot always trust the label; one has to look at the substance.

**Hilary Benn** (Leeds Central) (Lab): Can the Attorney General confirm that in order to get to the point at which the UK might be able to suspend the Northern Ireland protocol, it would have to, first, persuade the arbitration panel to agree with its case and, secondly, accept that any issue of EU law arising from the case that the UK had argued would have to be referred to the Court of Justice of the European Union and that any ruling of the CJEU on that matter would be binding on the panel, the EU and, most importantly for this discussion, the UK?

**The Attorney General:** Of course I can confirm all those things, which are self-evident in the agreement. May I just point out to the right hon. Gentleman that although I am sure it is a clever forensic point, the circumstance in which a point of European Union law would arise in connection with the best endeavours and bad faith clauses is difficult to envisage? The reality is that it is a straightforward question of fact: is the European Union moving with the urgency and pace, to the procedural timetables and according to the procedural steps that this agreement now enforces?

The right hon. Gentleman is an honest politician, and he cannot look at these things in the face and say that they mean nothing. These are important amplifications and clarifications of the duty of best endeavours. I quite agree with him, as I very much doubt we would ever get to an arbitral tribunal, because what these duties, new clarifications and amplifications do is set the framework for people’s conduct within the negotiation. It is about the impact on their behaviour and conduct. Very rare is the case in which one would get to an arbitral tribunal. What matters is the framework of obligations and responsibilities, and those have materially tightened on the European Union.

**Sir William Cash** (Stone) (Con): I thank my right hon. and learned Friend for his opinion, which is not only for the Government, I would stress, but for Parliament and for the voters. The substance of the backstop issue to which he has just referred is the legal, constitutional and, therefore, political status of Northern Ireland within the United Kingdom, which cannot be put at risk.

My right hon. and learned Friend refers to a reduced risk of the UK being “indefinitely” detained in the protocol, but he adds that, ultimately, there is “no internationally lawful means of exiting” unless both the EU and the UK agree. Does he therefore appreciate, on his own terms, that this fundamental legal impediment trumps political considerations and that, therefore, there would be insufficient protection for Northern Ireland to continue as part of the United Kingdom?

**The Attorney General:** I do not agree. My hon. Friend knows we have a difference of opinion, and I hope that he will move towards my position. I still hope that there might be so, and I say that because one has to look at the mutual incentives and disincentives for both parties to stay in the arrangement. I made this point in December and, for the reasons I advanced in December and in my November opinion, the incentives or disincentives for the European Union are as profound, if not greater, to get us out of the backstop than to keep us in it. That is what I firmly believe. He may disagree, but that is what I believe.

That is why I have taken the political judgment that this withdrawal agreement needs to be supported but, in saying that, these improvements do make a difference. In the last line of my advice, I say there can be no lawful exit unless there is a fundamental change of circumstance. It is extremely important to remember that there is always a right to terminate a treaty unilaterally if circumstances fundamentally change. There is no question but that we have a right to exit if those circumstances apply.

**Sir Vince Cable** (Twickenham) (LD): Those of us who remember some infamously politicised legal opinions, as with the Iraq war, will want to acknowledge the Attorney General’s total integrity and independence, but can he explain to a non-lawyer how respect for the international rule of law is enhanced by a unilateral declaration to break it?

**The Attorney General:** The right hon. Gentleman seeks to give with one hand and take with the other. With the greatest of diffidence and respect, he is not quite right. The unilateral declaration is not incompatible with international law. It reserves the United Kingdom’s right to take all measures available to it in circumstances where the talks have broken down as a result of a breach of article 5, which is the good faith duty. It reinforces and further stresses the United Kingdom’s right to take measures to withdraw from the arrangements if there is a breach of good faith.

**Mr David Jones** (Clwyd West) (Con): My right hon. and learned Friend notes in his opinion that the unilateral declaration is not an agreed document. Can he say whether efforts were made to obtain the agreement of the European Union to that declaration? If so, why was such agreement withheld?

**The Attorney General:** No unilateral declaration is worth the paper it is written on if it is objected to. My understanding is that it is not objected to and that it will...
be deposited alongside the withdrawal agreement and, therefore, will carry legal weight under article 31 of the Vienna convention.

Nigel Dodds (Belfast North) (DUP): I join others in commending the Attorney General, and I pay tribute to him for his dealings with us and for holding entirely to his word in delivering a totally objective and fair legal analysis and opinion on whatever came back. I pay tribute to him publicly, in addition to what I have said to him privately in that regard.

In relation to reducing the risk of being held in the backstop by the EU acting in bad faith or for want of best endeavours, does the Attorney General agree with paragraph 29 of his previous advice that all the EU “would have to do to show good faith would be to consider the UK’s proposals, even if they ultimately rejected them. This could go on repeatedly without such conduct giving rise to bad faith or failure”?

If it is not a question of bad faith, and if it is just a question of the two sides not being able to reach agreement, he says in paragraph 19 of today’s legal opinion that the “legal risk remains unchanged”.

We already know what the Irish Government and others see as the ultimate destination for Northern Ireland—the backstop is the bottom line. From what the Attorney General is saying today, provided there is no bad faith, the fact is that Northern Ireland and the rest of the United Kingdom could be trapped if the EU does not agree with the United Kingdom to a superseding agreement.

The Attorney General: I am extremely grateful to the right hon. Gentleman for his question, which I will deal with point by point. First, my opinion has changed in connection to this country’s ability to prove bad faith if it occurred. There is now a new contextual framework for judging whether the other party is using best endeavours or good faith.

Time has been made of the essence in specific connection to negotiating alternative arrangements. A specific work track and a specific timetable are set out, and it would be unconscionable, as I say in my opinion—I forget the paragraph, but the right hon. Gentleman will have it—if having said to this country that it will set up a specific, discrete work track on alternative arrangements, which are defined in this new document as meaning facilitative techniques, technologies and customs procedures, and if having set up a timeline for negotiating those alternative arrangements by saying “12 months, or we must intensify our efforts,” it never agreed to use a single one, and if it refused every proposal reasonably adjusted to its core interests. That would be extraordinary.

I say in my written opinion, and I stand by it, that it would be a potential breach of best endeavours and good faith. Best endeavours are now defined in this joint instrument as requiring the EU to consider adverse interests and matters that are adverse to its interests. Even if these facilitative technological and customs measures were adverse to the EU’s interests, the duty still requires it to consider them. Therefore if there were a pattern of refusal, a systematic refusal, to consider these alternative arrangements, we would have a case before the arbitration panel, and it would be a potentially serious breach of good faith.

I say to the right hon. Gentleman with all candour that I believe that, and he knows I would not say it if I did not mean it. It is there in my written opinion, and I urge him to consider it.

Robert Neill (Bromley and Chislehurst) (Con): Does my right hon. and learned Friend agree that although any practical lawyer will know that legal risks can seldom be totally eliminated from any agreement of any kind, what the parties must look at is the practical risk of something occurring? Does he not agree that what has been achieved markedly diminishes the practical risk, which is the key consideration we need to bear in mind when looking at the broader context of what is at stake here?

The Attorney General: I entirely agree with my hon. Friend; the legal ingredient in any political question must be subordinate, and particularly in connection with this political question. The fact is that there are always legal risks of various kinds. We walk among legal risks all the time—some of us more than others, perhaps—but we do not determine our behaviour by them. We take practical judgments every minute of the day, every day of the week about whether the legal risks we are engaged in are ones that are worth taking. I say to my hon. Friends, as I say to all hon. Members, that we must come to a decision on this question today. I urge the House to consider carefully this: there is no real legal basis to be seriously troubled that the European Union will never reach agreement with us. If it occurs through bad faith, we have further improvements in the deal now. But just because we cannot reach agreement, when the alternative arrangements are now cemented into this deal in a manner they have not been before? I think not, in all candour.

Stella Creasy (Walthamstow) (Lab/Co-op): In layman’s and laywoman’s terms, nothing has changed but something has been added: a year to get the timescale right, and if the Government cannot do that, they are going to try really hard for the next year. It is not possible to unilaterally stop a hard border, but it is possible for the Attorney General single-handedly to admit that all he has done today is amplify, not amend, the original deal. The Attorney General single-handedly to admit that all he has done today is amplify, not amend, the original deal that Parliament voted down. To say anything else really is a matter of bad faith.

The Attorney General: I know that the hon. Lady knows that I have not attempted to say something—[Interruption.] Of course there has been no amending of the treaty, but there has been a supplementary agreement that amplifies, extends and deepens the obligations within it.

Stella Creasy indicated dissent.

The Attorney General: The hon. Lady can shake her head, but she has to look at the wording—at the text. If I have got something wrong, she will no doubt tell me, but the fact is that there are materially new obligations here in relation to the pace and timetable, and in relation to binding legal commitments on alternative arrangements. These set the context against which and within which the duties in respect of bad faith and best endeavours will be measured. That is a significant difference to the deal.
Mr Steve Baker (Wycombe) (Con): Paragraph 23 of the political declaration makes it clear that we would “build and improve on the single customs territory provided for in the Withdrawal Agreement”.

We know what the EU understands that to mean. In good faith and with best endeavours, it understands it to mean a customs union, as Dan Hannan MEP reminded us earlier. So is it not the case that if we negotiate under this agreement, we will either find ourselves trapped indefinitely in the backstop, because the EU is acting in good faith, or have to agree a customs union, contrary to our manifesto?

The Attorney General: I simply say to my hon. Friend that I really do not believe so. Why not? Because the commitments now cemented on alternative arrangements, which require a separate negotiating track, with a timetable to negotiate them, are now built in so that, as I have said in my written opinion, it would be extraordinary if the EU declined to adopt any such measures. It would be extraordinary, so I do not accept that the backstop is the base for any future arrangement. Let me give another reason why it is not. Built into the political declaration is an independent free trade policy, and we cannot have an independent free trade policy and have a customs union. Also built into it is no free movement. Does the Labour party support free movement now? It speaks with all sorts of voices. But the political declaration says there is none, and we cannot belong to the single market without free movement. So I say to my hon. Friend that I understand where these fears come from, but we must be bold and courageous, and we must move forward, for the sake of our country.

Anna Soubry (Bromsgrove) (Ind): I, too, commend the Attorney General for his work and his efforts. I believe he has acted in all good faith. I also pay tribute to the Prime Minister, because there is no doubt that she has done her best to try to solve this problem and come back with something, but she simply has not been able to, as many of us had predicted. I am an old criminal barrister—[Interruption.]

Who said, “Lock her up?” In all seriousness, criminal barristers tend to speak in plain, simple language, because we address juries. Does the Attorney General agree with this simple assessment of the joint instrument, which I have read: it does not change the withdrawal agreement, and it offers no new treaty or obligations at a treaty level? Will he also confirm that this is the end of the road—there are now no more negotiations with the EU, despite all his best efforts and those of the Government?

The Attorney General: I do not agree with the right hon. Lady. This instrument will be deposited with the withdrawal agreement, and it contains material new obligations, which are couched in the language of agreement. That represents an agreement between the parties not only about the interpretation, but about specific operational commitments. This has a standing equal to the withdrawal agreement, including in its material commitments, particularly those relating to obligations of an operational character. So I do not agree with her; what she says is not right. We have to look at the substance, not the label.

The right hon. Lady asks whether negotiations are at an end. Yes, they are at an end. This is the moment of decision. We now have to take the fork in the road, and we are going to have to assume our responsibilities for it.

Mr Owen Paterson (North Shropshire) (Con): I congratulate my right hon. and learned Friend on his work, and on the splendid candour of his statement and comments this morning. I also congratulate the Secretary of State for Exiting the European Union on getting alternative arrangements and an implementation date into the text. If, however, despite the very best endeavours in negotiations and the very best of faith, agreement is not reached in time for the end of December 2020, what can an independent, sovereign UK do? If a decision is made at the political level that the game is not worth the candle, can the UK walk away?

The Attorney General: As my right hon. Friend knows, if the parties, using best endeavours, in complete sincerity with cooperation and good faith, are simply unable to agree anything, not even a few alternative arrangements or a partial agreement—the subsequent agreement referred to in the protocol can of course be a stand-alone agreement—the UK has no unilateral exit right to leave, unless there were a fundamental change of circumstance under article 62 of the Vienna convention on the law of treaties. My right hon. Friend knows that, but the question is: is it likely? What this deal has now done is place the burden on the EU to negotiate those alternative arrangements, as a result of his work, in part. I say to him that he should trust in himself, trust in the British people and trust in our ability to deliver a good deal. We can use the new contexts in this agreement, and I believe we will secure a good deal for the Northern Irish border.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I thank the Attorney General for his candour and for sticking to his integrity in the advice he has provided, which very much lines up with Lord Anderson’s advice that the backstop may accordingly “endure indefinitely”. Lord Anderson also says that the interpretive declaration is not a “clearly worded, legally binding, ‘treaty-level’ clause which unambiguously” overrides the text. The Attorney General has said repeatedly throughout this process that this is about politics, not law, so will he tell us whether at any point over the weekend he offered the Prime Minister preliminary advice that she would not be getting the advice she wanted for the politics of today?

The Attorney General: The hon. Gentleman will forgive me for saying that I am afraid I am not permitted by the Law Officers’ convention to say whether I gave advice or what advice that would be.

Mrs Helen Grant (Maidstone and The Weald) (Con): Does the Attorney General agree that in law and in life, it is very rare for any lawyer to give a 100% guarantee on how watertight a particular agreement might be, notwithstanding the fact that that lawyer may well have great confidence in that agreement?

The Attorney General: I entirely agree with my hon. Friend on that. With the law, we are not able to put something into a test tube, hold it over a Bunsen burner and, if it turns green, get the answer. The law is a question of judgment, and it is always blended with political considerations or, in a commercial context, with commercial considerations. The preponderance of the two form a single judgment. It is my judgment, as
my hon. Friend knows, that this risk is a calculated one, but one that we can now take. I firmly believe that these new improvements make that risk more acceptable and easier for the House to take.

Caroline Lucas (Brighton, Pavilion) (Green): May I press the Attorney General on the status of the joint instrument? Last night, the Minister for the Cabinet Office claimed that "the joint instrument has equal status in law to the withdrawal agreement itself."—[Official Report, 13 March 2019; Vol. 656, c. 132.]

and that they both have "the status of treaties under international law."—[Official Report, 11 March 2019; Vol. 656, c. 135.]

However, legal advice that I have seen says:

“The Joint Instrument is not incorporated into the Withdrawal Agreement, it is not a Protocol to the Withdrawal Agreement and it is not a treaty in its own right.”

Will the Attorney General clarify whether the Minister for the Cabinet Office inadvertently misled the House last night?

The Attorney General: I would need to see the hon. Lady’s quotation in detail. The position is that if you agree and put your name to a joint instrument of this kind, you are bound by it. You are bound by it as to its interpretation and, if it expresses agreement to specific operational commitments, as this one does, you are bound by it on those, because it is an agreement that you will then carry out those specific commitments. It is an agreement, so we should not get hung up on labels.

The question is: what is its substance? It is binding.

Sir Oliver Heald (North East Hertfordshire) (Con): Does my right hon. and learned Friend agree that article 31 of the Vienna convention makes it perfectly clear that this protocol does have legal force, is binding and is of equal status to the treaty? Does he also agree that substantial, legally binding changes have been delivered, and that it is wrong to read just one paragraph of his legal advice—one has to read each paragraph of it? When it comes to paragraph 17 of his advice, my right hon. and learned Friend makes it clear that this is a substantial change in the level of risk.

The Attorney General: I think I had better sit down.

Mr Jacob Rees-Mogg (North East Somerset) (Con): My right hon. and learned Friend has pointed out that much of what is being said is political as well as legal. Will he therefore set out for the House what penalties might fall upon this country if a future Parliament, which obviously cannot be bound, were to decide to resile from the commitments under the backstop?

The Attorney General: Well, my hon. Friend will know that as an Attorney General I simply could not give countenance to the idea that this country would break its international legal obligations. As I have pointed out to the House, there is a right for the United Kingdom to terminate this agreement. If fundamental circumstances change, in the view of the United Kingdom, it would attempt to resolve the matter within the joint committee and it would attempt to resolve it politically, but if, ultimately, with the sovereign right of this House and of the British Government at the time, the United Kingdom took the view that those fundamental circumstances had indeed changed, it would have an undoubted legal right to withdrawal from any treaty.

Let us be clear about these kinds of absolute interpretations of black-letter text. A sovereign state has the right to withdraw if a treaty is no longer compatible with its fundamental interests or, to put it in a different way, if fundamental circumstances have changed. I would say that apart from that, of course this country could resile from its commitments, but it would be unwise and it would not be in the tradition of this country to do so. In those circumstances, it is perfectly true that the only remedies the Union would have would be to take countermeasures, and no doubt it would pollute the atmosphere for fruitful relationships between us, which is precisely why this country will never do it, and neither would the European Union.

Kate Hoey (Vauxhall) (Lab): I am not a lawyer, and neither are millions of people watching today. I obviously defer to the Attorney General’s advice, but will he tell people why the United Kingdom, a sovereign country, would think of signing up to anything—we signed up to the European Union and at least there was a way out of it through article 50, although it has taken a long time—that does not allow us simply to say, “This is not working, we are not going to sign up to this and we are leaving”?}

The Attorney General: We have made a solemn pledge to the people of both Northern Ireland and the Republic of Ireland that the border will be guaranteed never to be a hard border. That required the United Kingdom to say that in all normal circumstances we will not depart from that pledge. I repeat the point that I made to my hon. Friend the Member for North East Somerset (Mr Rees-Mogg): in the case of a fundamental change of circumstance, which is ultimately the sovereign right of this House and the Government to determine, the United Kingdom could withdraw pursuant to customary international law. So it is not true to say that there is not ultimately the right of this House and the Government...
of the country at the time to exercise their discretion to do so in those circumstances. But in every other circumstance, we have said to the people of Northern Ireland, “We will ensure that you and your lives will be able to continue as they do now at the border.” I say that that act was worthy of this House, worthy of the Government and worthy of the British people, and it is one that is worthy of support.

**Sir Desmond Swayne** (New Forest West) (Con): My right hon. and learned Friend has just said to my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) that the United Kingdom would never do that, so why did he raise the possibility of our withdrawing from a treaty under the Vienna convention in the first place?

**The Attorney General:** No, no, no. What I said to my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) was that we would not do it in breach of the law. We are permitted, in a case of fundamental change of circumstances, to withdraw by the law. If such a change of circumstance came about—either because of some fundamental political change in Northern Ireland or some fundamental change of circumstance going to the essential basis of the agreement—then we would have the right to withdraw. But in all normal, envisageable and predictable circumstances, particularly while we are negotiating a subsequent agreement to the pace and accelerated timetable that this instrument now requires, we would not do so and it would be wrong to do so—wrong because it would be a breach of our obligations and wrong because this is a law-abiding country.

**Peter Kyle** (Hove) (Lab): The Attorney General said that it is highly unlikely that through the best endeavours they cannot reach an agreement. For the past four months, the Government have been in Brussels trying to replace the backstop with alternative measures and they have come back empty-handed. The negotiations have not delivered, despite the best endeavours. Is it not the case that the very situation that he describes in two years’ time as being highly unlikely is the situation we are in right now?

**The Attorney General:** No, no, no. We have not been attempting to secure alternative arrangements now. We have been putting forward the fact that, in the future, all those alternative arrangements are likely to exist, so the European Union has responded by saying, “We will set up a new, special negotiating track, we will negotiate with an increased urgency and to a new timetable and we will implement these”—they have defined them—“customs procedures and technologies and so on.” So it is not right to say that the same situation arises now. These systems will be developed over time and that is the purpose of the working group that the Union has agreed to set up with this country.

**Sir Edward Leigh** (Gainsborough) (Con): I thank the Attorney General for being so patient when I have been working on this unilateral declaration for the past two months and I thank him for including it in the final agreement, but may I ask him a detailed question because the devil is in the detail? There is no doubt, having worked with academic opinion, that a unilateral declaration is absolutely binding as long as it is deposited at the time the treaty is ratified. The unilateral declaration makes it clear that there is nothing to stop the UK leaving the backstop if talks break down, but it has to be a unilateral, conditional, interpretative declaration; that is what international law states. We are signing and agreeing to this withdrawal agreement only on condition—that is why the word “conditional” is important—that, if the talks break down, we can exit. So can the Attorney General now use the word “conditional” to reassure the House?

**The Attorney General:** First, may I say to my right hon. Friend that I am extremely grateful for the dialogue that we have had and he was, in no small part, the author of the seeds of this idea. Much of the material that he and other distinguished lawyers have been able to contribute has led to the proposal that we have now adopted. But I say to him that the unilateral declaration in this case does not need to say “conditional” because it is not objected to by the Union and, if it is not objected to, and the withdrawal agreement is ratified by the Union, it becomes binding.

**Helen Goodman** (Bishop Auckland) (Lab): I hope that the Attorney General can respond to me today without any reference to either his underwear or his genitalia. Last week, he said that we seek “legally-binding changes to the backstop which ensure that it cannot be indefinite”. Today, he says that the legal risk remains unchanged. All he is able to offer us is a new work schedule—a sort of glorified to do list. If, as he keeps saying, time is of the essence, has not the Prime Minister wasted the last two months?

**The Attorney General:** I will try to obey the hon. Lady’s strictures about comments that I have made before. May I say to her that that is not quite right? I have said that the legal risk is reduced. The legal risk of being held in the backstop by bad faith or by want of best endeavours has reduced. It has reduced because of significant improvements which, as I have said, set the context and benchmark for the enforceability of those important duties. But it is absolutely true, as she rightly says, that the risk of remaining in the backstop absent any fundamental change of circumstance, if no bad faith or if no want of best endeavours is present, remains the same.

**Dame Caroline Spelman** (Meriden) (Con): I, too, am not a lawyer, but the Attorney General is doing a very good job of clarifying to me and to the House the important improvements that the negotiating team has brought. A lawyer I know characterised paragraph 19 of his letter as “a minimal legal risk unlikely to be crystallised”. Does my right hon. and learned Friend agree with that opinion?

**The Attorney General:** Yes, I do. Given what is at stake for the people of Northern Ireland and the Republic of Ireland, for the credit and faith of the European Union, which will be on the line, and for our ability to measure its performance against the detailed timetables and procedures that are now in place, I simply do not believe that we will be unable to reach any agreement with them. I repeat: it is perfectly possible to approach this in stages—to agree several agreements. We will be
able to agree something over the next two or three years and the first priority, which is set out in this instrument, is the subsequent agreement replacing the backstop.

Chuka Umunna (Stratham) (Ind): My preference would be an arrangement that does not necessitate a backstop. For all the words that the Attorney General has used, is it not the case that none of these things—the joint instrument, the unilateral declaration and the change to the declaration—facilitates an unconditional unilateral withdrawal by the UK from the backstop? More than that, for all the words that he has used, we will still end up paying a divorce bill of more than £50 billion, in part in return for a political declaration that has no legal force whatever. That is the key point.

The Attorney General: The hon. Gentleman is not right about that. Under article 188 of the withdrawal agreement, there is a legal duty on the Union and the UK to negotiate a deal that is in line, and according to, the political declaration. He asks, is there any unconditional right to withdraw? With respect, I have answered that question. The only circumstance in which there would be an unconditional right to withdraw is if there were a fundamental change of circumstances pursuant to customary international law.

Mr John Baron (Basildon and Billericay) (Con): I commend my right hon. and learned Friend for the way he is pursuing the remit of his office. He is, of course, right that there is a political dimension to the decision that we will all have to make this evening, but may I ask him this question? He has confirmed today that, if there were a fundamental change of circumstances, this country do not trust the EU, and I am sad to say that many in this country do not trust many MPs in this place to deliver what the vote told this country to do. Surely the only option now is to get a clean break, leave on 29 March and get our country back.

The Attorney General: I understand my hon. Friend’s frustrations, but I do not agree with his language. I have found those with whom we are doing business in the European Union to be perfectly reasonable and rational people, and I have no complaint about the manner in which negotiations have been conducted—they have always been conducted with cordiality and civility on both sides—so I do not believe that we cannot trust them to reach a deal, because it is in the interests of the Union itself.

Tom Brake (Carshalton and Wallington) (LD): Had the Attorney General been instructed to demonstrate that it is possible to walk away from the backstop by clients at his usual, generous commercial rates, would he have advised them to save their money?

The Attorney General: I am not convinced that I fully understood the question, perhaps because I did it too much justice and thought it might be a sensible one. The truth is that I doubt I agree with it.

Robert Courts (Witney) (Con): May I place on the record at the outset that, whatever one may think of the issues at stake, the integrity and honesty of the Attorney General are absolutely above question? I commend him for his approach. Much of this agreement requires consideration of the concept of bad faith, so will he please outline what circumstances would constitute bad faith and how the UK might prove them, bearing in mind that, as he will know, international arbitrators are loth to find that a sovereign state such as the UK or a respected body such as the EU have acted in bad faith?

Is it not the case that, were the EU to continue to propose ideas that were in good faith but unacceptable to the UK, such as a customs union, these proposals would not assist us?
The Attorney General: No, I do not agree. The position is more nuanced than that. The pattern of refusing to accept reasonable proposals such as alternative arrangements that could not be said to compromise fundamental interests at the border would be raised immediately—a prima facie question. A pattern of consistent refusal would raise a prima facie question over the best endeavours and good faith clause. As my hon. Friend will have seen, some of these provisions are already in the joint instrument, including systematic conduct, declining to consider, declining to be flexible and declining to consider adverse interests. These best endeavours duties are real duties that are contained in commercial contracts all the time. They are litigated and brought to court, as he will know. We must not allow our fears to run away with us. We need to trust ourselves. We can make the leverage of the backstop as powerful an argument for them not to remain in it as it is for us.

Mr Chris Leslie (Nottingham East) (Ind): Does not all this hand-wringing over the backstop reflect the hubris of those who thought they could reconcile the irreconcilable—the alchemists who believed that they could conjure up this pretence of Brexit at the same time as a frictionless, open Irish border? Have we not finally reached the end of the road for the spinners, peddlers and blaggers in the leave campaign who stooped to lying about this being the easiest thing in the world?

The Attorney General: Of course, claims are made on both sides of the argument in any election or battle before the electorate. I remember some pretty exaggerated ones being made on the hon. Gentleman’s side of the argument, to be frank. If there is a serious point lying beneath that stream of adjectives, I would have to say that I agree with the hon. Gentleman in one respect; the enemy of the interests of this country is dangerous oversimplification of the complexity of the problems that we face. If that is the point that resides beneath his question, I would agree. We cannot underestimate the complexity of separating ourselves from 45 years of organic, legal and other integration with the European Union, but this withdrawal agreement does not underestimate that; it addresses the issues at a complex level, secures rights, and fairly apportions the dues and obligations. It is a deal that we need in order to achieve the first stage of that separation.

Several hon. Members rose—

Mr Speaker: Order. I am sorry to disappoint remaining colleagues, and I am extremely grateful to the Attorney General and all who have participated in these exchanges, but we must now move on. Some dozens of colleagues wish to speak in the main debate and I have to make a judgment about the importance of now proceeding.

BILL PRESENTED

Immigration (Armed Forces) Bill
Presentation and First Reading (Standing Order No. 57)

Sir Edward Davey, supported by Jamie Stone, presented a Bill to remove financial requirements and fees for applications for indefinite leave to remain in the United Kingdom from foreign or Commonwealth members of the armed forces on discharge and their families; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 22 March and to be printed (Bill 356).

Election Expenses (Authorisation of Free or Discounted Support)

Motion for leave to bring in a Bill (Standing Order No. 23)

1.47 pm

Craig Mackinlay (South Thanet) (Con): I beg to move,

That leave be given to bring in a Bill to amend the Representation of the People Act 1983 to provide that election expenses relating to property, goods, services or facilities provided free of charge or at a discount are incurred only if authorised by the candidate or the candidate’s election agent; and for connected purposes.

Legislation should be like a big red bus. There should be no ambiguity about what it is, what it looks like and what it does. More importantly, there should be a full awareness of the consequences of stepping out in front of it. One such collection of legislation that currently fails the red bus test has to be election law, notably some of the provisions of the Representation of the People Act 1983.

The legislation, under decades of interpretation going back to 1868, meant that the agent and candidate were the gatekeepers of election expenditure. The potential for a criminal record, custodial sentence and bar from public office makes this an equitable settlement. This was recognised under section 90ZA in the Representation of the People Act, subsection (4) of which states:

“For the purposes of this Part of this Act, election expenses are incurred by or on behalf of a candidate at an election if they are incurred...by the candidate or his election agent, or...by any person authorised by the candidate or his election agent to incur expenses.”

All clear thus far. However, I wish to amend section 90C, which was inserted as part of the Political Parties, Elections and Referendums Act 2000.

With the continued mudslinging from all sides regarding the spending surrounding the EU referendum, I feel that red bus clarity would appear to be equally lacking in the PPERA—but that must remain a debate for another day. Section 90C introduced the wholly reasonable concept of accounting properly for goods, services and facilities provided either at a discount or free—for instance, a friendly printer, in lieu of a cash donation, providing below market rate or free printing. Section 90C ensured that the proper cost and corresponding donation for the discount were properly accounted for.

There was a long-established understanding of the section that the fundamental concept of proper agent or candidate authorisation still needed to apply under the authorising provision for election expenses under section 90ZA. I quote from the relevant subsection:

“property, goods, services or facilities is or are provided for the use or benefit of the candidate free of charge or at a discount of more than 10 per cent. of the commercial rate for the use of the property or for the provision of the goods, services or facilities, and

(b) the property, goods, services or facilities is or are made use of by or on behalf of the candidate in circumstances such that, if any expenses were to be (or are) actually incurred by or on behalf of the candidate in respect of that use, they would be (or are) election expenses incurred by or on behalf of the candidate.”

Paragraph (b) is of most interest, as it uses the word “incurred”, which mirrors entirely the word—and, one must presume, the intent—under section 90ZA.
As part of preliminary questions to be answered prior to my criminal trial, I took the question of the proper construction of section 90C to the Appeal Court after an initial interpretation of the position by the trial judge. The Lord Chief Justice at the Appeal Court agreed with the long-understood position that I have outlined—that for section 90C to apply, proper approval of such expenditure by the agent or candidate must be there under section 90ZA. So normality seemed to have returned—but the story did not end there. The Crown Prosecution Service, with the Electoral Commission attaching itself as an interested party, appealed the Appeal Court decision to the Supreme Court. That judgment was given on 25 July 2018. It overturned the Appeal Court decision and the long-held interpretation used by all agents, candidates and political parties.

In summary, the Supreme Court, whose judgment has to stand as the definitive interpretation of section 90C, directs that election-related expenses expended without the authorisation of an agent or candidate can none the less be deemed election expenses. With the Electoral Commission attaching itself as an interested party to the Supreme Court hearing, one must assume that this “no need for authorisation” interpretation was always its interpretation of election law. If that were the case, why did it not say so in its guidance for all candidates and agents for the 2015 general election?

With my prosecution looming into view by the time of the snap 2017 general election and with interpretation of section 90C at the heart of it, one might have expected the Electoral Commission, which claims that the Supreme Court interpretation was always its view, to have updated its guidance accordingly. It did not do so for 2017. Even after the Supreme Court judgment of July 2018, one might have expected the new interpretation, which the Electoral Commission claims, again, to have supported throughout, to have found its way into the new guidance for local elections for 2019, published just two months ago. It did not.

In response to my Adjournment debate of 11 February and in advance of this ten-minute rule Bill today, the commission finally published guidance with examples on the vexed question of notional spending—an undated document that accompanied a letter to me of 8 March. This new guidance suggests that unauthorised expenditure becomes an election expense for reporting if there has been active engagement in the spending activity so that the “made use of” threshold is reached. It cannot be right that somebody’s liberty, reputation and livelihood can be at stake based on three words and a potential prosecutor’s interpretation of a candidate’s knowledge or otherwise of an activity that was not authorised.

The commission offers six examples in its new guidance, which, I am sorry to say, falls very short of helping. Example 5 suggests that a national party battle bus carrying the party leader would not be a candidate spend if the candidate refused to engage with the party leader and refused to meet them. If the party leader says nothing more than “Vote Conservative” or “Vote Labour”, for instance, this would be national party spend under the PPERA, but if the party leader mentions the candidate’s name while in the constituency, the leader might be committing a section 75 offence—and do not forget that that is an imprisonable offence. My right hon. Friend the Prime Minister might want to listen to that.

At example 6, if the local candidate agrees to join the party leader battle bus event and their name is mentioned, the commission suggests that an amount of notional spend must then be reported in the candidate spending return. Might that spending apportionment assessment be per word, or time-based—and, realistically, could the candidate have any control over what a party leader might say? Can anybody really imagine the implications for a candidate’s—potentially a new candidate’s—standing within their party of a refusal to engage with a party leader visiting their constituency? I am afraid that these examples highlight very clearly how removed from reality the commission is.

The Electoral Commission will suggest that any change to section 90C might lead to mischief if refusal to authorise would permit or encourage election-related spending to fall outside of account. There is already extensive sanction within section 75 of the RPA 1983 that would discourage such activity, as the person spending would face criminal prosecution and would be highly unlikely to play a part in such a planned deception. So the commission’s fears are unfounded. This Bill would make minor changes to section 90C to take away the ambiguity of the July 2018 Supreme Court judgment. The Lord Justices’ judgment has to be the right one. The Court’s status as the highest court means that it must be given the wording of the law as it stands. The question this House must now consider was whether the words previously agreed during the passage of the RPA 1983 represent the intention of Parliament and its drafters. I say that they do not.

Do Members in this place ever leave a lasting legacy by their activities here? The reason I promote this Bill is to protect current colleagues across this House, colleagues yet to come and councillors yet to face election. The desire to offer oneself for public service should not come with a threat to one’s liberty, reputation and career. I commend the Bill to the House.

Question put and agreed to.

Ordered.

That Craig Mackinlay, Paul Farrelly, Alex Chalk, Sir Peter Bottomley, Mr Mark Harper, Frank Field, Gareth Johnson, Mr Jonathan Lord, Jim Shannon, Anna Soubry and Bob Stewart present the Bill.

Craig Mackinlay accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 22 March and to be printed (Bill 357).
Business of the House (Today)

Motion made, and Question proposed,

That, at this day’s sitting, the Speaker shall put the questions necessary to dispose of proceedings on the motion in the name of the Prime Minister tabled under section 13(1)(b) of the European Union (Withdrawal) Act 2018 not later than 7.00pm; such questions shall include the questions on any amendments selected by the Speaker which may then be moved; the questions may be put after the moment of interruption; and Standing Order No. 16 (Proceedings under an Act or on European Union documents) and Standing Order No. 41A (Deferred divisions) shall not apply.—(Iain Stewart.)

1.59 pm

Mr Jacob Rees-Mogg (North East Somerset) (Con): I notice that this motion is debatable until any hour, subject to a business of the House motion at 7 o’clock. I can assure the House that it is not my intention to speak at that length, but this is very important. We are discussing this afternoon a motion that could determine the nation’s future for a generation or more, and we are expected to do it in just under five hours. I accept that every moment I speak reduces that time, but it is none the less relevant to do so.

This matter is of overwhelming importance to our future. It will determine the basis of our relationship with the European Union, and it may potentially have an effect on the whole basis of the United Kingdom. It seems to me that five hours is not only not enough, but it is not wise. The whole process with which today’s motion has been brought forth is not wise. There is an element of bounce and of theatre. We heard yesterday that a plane was waiting in the airport, fuelled for the Prime Minister. That is very dramatic and exciting, but it is not necessarily right for good government.

What we want is the ability to discuss things judiciously and debate them thoroughly, and squeezing a quart into a pint pot is fundamentally unwise. It also does not help the Government to achieve what they wish to achieve, which is a majority in the vote at the end of today’s proceedings, because if people feel that they have been bounced, hurried and harried, their natural instinct is not necessarily to cave in, but to stiffen their resolve and see how the cards fall.

The Government would be wise, even at this late stage, to allow an extra day for the debate, to ensure that Members are not limited to three-minute time limits at the end of the day but can discuss this matter as fully as it deserves and—dare I say?—as the nation expects, because the nation expects us to consider its future. It will determine the basis of our relationship with the European Union, and it may potentially have an effect on the whole basis of the United Kingdom. It seems to me that five hours is not only not enough, but it is not wise. The whole process with which today’s motion has been brought forth is not wise. There is an element of bounce and of theatre. We heard yesterday that a plane was waiting in the airport, fuelled for the Prime Minister. That is very dramatic and exciting, but it is not necessarily right for good government.

What we want is the ability to discuss things judiciously and debate them thoroughly, and squeezing a quart into a pint pot is fundamentally unwise. It also does not help the Government to achieve what they wish to achieve, which is a majority in the vote at the end of today’s proceedings, because if people feel that they have been bounced, hurried and harried, their natural instinct is not necessarily to cave in, but to stiffen their resolve and see how the cards fall.

The Government would be wise, even at this late stage, to allow an extra day for the debate, to ensure that Members are not limited to three-minute time limits at the end of the day but can discuss this matter as fully as it deserves and—dare I say?—as the nation expects, because the nation expects us to consider its future carefully. Although I will not seek to divide the House, I think that this allocation of time motion is misguided, and more time should be provided for debating something of such fundamental importance.

Mr Speaker: I am most grateful to the hon. Gentleman, and I note what he says about having no intention to divide the House. At least as importantly, I note, for the benefit of the House, that no amendment to the motion has been tabled, including by the hon. Gentleman.

Question put and agreed to.

European Union (Withdrawal) Act

[Relevant documents: Statement that political agreement has been reached pursuant to section 13 of the European Union (Withdrawal) Act 2018, including Instrument relating to the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Authority; Declaration by Her Majesty’s Government of the United Kingdom of Great Britain and Northern Ireland concerning the Northern Ireland Protocol, and Joint Statement supplementing the Political Declaration setting out the framework of the future relationship between the European Union and the United Kingdom of Great Britain and Northern Ireland: Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom pursuant to section 13 of the European Union (Withdrawal) Act 2018; and Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community pursuant to section 13 of the European Union (Withdrawal) Act 2018.]

Mr Speaker: I can inform the House that I have not selected any of the amendments.

2.3 pm

The Prime Minister (Mrs Theresa May): I beg to move—[Interruption.]

You may say that, but you should hear Jean-Claude Juncker’s voice as a result of our conversation. I beg to move.

That this House approves for the purposes of section 13(1)(b) of the European Union (Withdrawal) Act 2018 the following documents laid before the House on Monday 11 March 2019:

(1) the negotiated withdrawal agreement titled ‘Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community’;

(2) the framework for the future relationship titled ‘Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom’;

(3) the legally binding joint instrument titled ‘Instrument relating to the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community’, which reduces the risk the UK could be deliberately held in the Northern Ireland backstop indefinitely and commits the UK and the EU to work to replace the backstop with alternative arrangements by December 2020;

(4) the unilateral declaration by the UK titled ‘Declaration by Her Majesty’s Government of the United Kingdom of Great Britain and Northern Ireland concerning the Northern Ireland Protocol’, setting out the sovereign action the UK would take to provide assurance that the backstop would only be applied temporarily; and

(5) the supplement to the framework for the future relationship titled ‘Joint Statement supplementing the Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom of Great Britain and Northern Ireland’, setting out commitments by the UK and the EU to expedite the negotiation and bringing into force of their future relationship.

It has been eight weeks since this House held the meaningful vote on the Brexit deal. On that day, Parliament sent a message: the deal needed to change. In response, the Government have worked hard to secure an improved deal that responds to the concerns of this House. I took the concerns of this House about the backstop to the
EU and sat down with President Juncker and President Tusk. I spoke to every single EU leader, some on multiple occasions, to make clear to them what needed to change. My right hon. Friend the Secretary of State for Exiting the European Union worked tirelessly with his opposite number, Michel Barnier. My right hon. and learned Friend the Attorney General engaged in detailed legal discussion with his counterparts in the European Commission. The result of this work is the improved Brexit deal that is before the House today. I will go on to explain in detail what has improved about the deal since January and why I believe it deserves the support of every Member this evening.

Frank Field (Birkenhead) (Ind): Is not one of the problems the House faced in the previous session with the Attorney General that we were seeking legal answers to what are essentially political questions, and the political question we now face is that if we do not pass this motion, we stand to lose Brexit in its entirety?

The Prime Minister: The right hon. Gentleman makes a very important point. A lot of focus has been put on legal changes, and I will come on to the fact that there are legally binding changes as a result of the discussions since the House’s vote on 29 January, but he is absolutely correct—the danger for those of us who want to keep faith with the British public and deliver on their vote for Brexit is that if this deal is not passed tonight, Brexit could be lost.

James Cartlidge (South Suffolk) (Con): My right hon. Friend may have slightly lost her voice, but is it not true that were we to have a second referendum, 17.5 million people would have lost their voice?

The Prime Minister: Yes. My hon. Friend will not be surprised, given what he has heard me say from this Dispatch Box, that I entirely agree with him. I believe it is absolutely imperative that this House meets the decision taken by the British people in June 2016, that we deliver on the referendum and that we deliver Brexit for the British people. As I say, there is a danger that with a failure to agree a deal we could end up in a situation where we have no Brexit at all.

John Woodcock (Barrow and Furness) (Ind): Jean-Claude Juncker was very clear in his press conference yesterday, sitting beside the Prime Minister, that this is the end of the road for negotiation—there is no further negotiation from here. Do the Government completely accept that, the road for negotiation—there is no further negotiation sitting beside the Prime Minister, that this is the end of Juncker was very clear in his press conference yesterday, no Brexit. These are the options.

Mark Pritchard (The Wrekin) (Con): The Prime Minister will know that I did not support the withdrawal agreement at the last vote, and today I will support it unenthusiastically—forgive me, Prime Minister—because I completely agree with her that there is a danger that Brexit will be lost. There do not appear to be the votes in this House for no deal, but there certainly seem to be the votes for an extension of article 50. Neither of those options would deliver Brexit; they would frustrate and delay it and possibly stop it altogether. The main reason I am supporting the Government tonight is that there has been a definitive, material legal change on the backstop, which is that if the European Union acts in bad faith, the UK can permanently or temporarily remove itself.

The Prime Minister: My hon. Friend is absolutely right. I will come on to address that point a little later in my speech, but it is very clear. We have already had a vote in this House that said no to no deal, and those who want genuinely to deliver Brexit need to recognise that if this deal does not go through tonight, the House risks no Brexit at all.

Lady Hermon (North Down) (Ind): The Prime Minister should spell it out to the House that if we do not agree a deal tonight, all the arguments that we have heard, including the Attorney General’s advice on the backstop, become academic. We will not even enter into the implementation period and begin work on the alternative arrangements to deal with the backstop if we do not get a deal. We have to get a deal to go into the implementation period and discuss alternative arrangements until Christmas next year before we even contemplate a backstop. Will she confirm that we need a deal tonight?

The Prime Minister: I thank the hon. Lady. She has set it out very clearly for the House, and I am sure every Member of this House will have heard what she has said about that.

Stewart Malcolm McDonald (Glasgow South) (SNP): Will the Prime Minister give way?

The Prime Minister: No, I said I would make further progress.

First, I want to remind the House of the core elements of the deal on which these improvements build. The full reciprocal protection of the rights of EU citizens in the United Kingdom and of UK citizens elsewhere in the EU—delivered by the deal. The implementation period, which the hon. Member for North Down (Lady Hermon) has just referred to, to give everyone, especially businesses, the time to adjust and to eliminate a cliff edge when we leave—that implementation period is delivered by the deal. The full control over taxpayers’ money that comes from ending vast annual membership payments to the EU—delivered by the deal. The end of free movement and its replacement with a skills-based immigration system—delivered by the deal. The end of European Court of Justice jurisdiction in the UK, the end of the common agricultural policy for farmers, the end of the common fisheries policy for our coastal communities—all of these are delivered by the deal.
Neil Gray (Airdrie and Shotts) (SNP): Will the Prime Minister give way?

The Prime Minister: Yes, in a moment.

The closest possible economic relationship with our nearest neighbours outside the single market and the customs union, with our businesses able to trade freely and without any tariffs, quotas or rules of origin checks; protection for the just-in-time supply chains that provide the livelihoods of millions of families; the ability to strike our own free trade deals around the world—all delivered by the deal. The closest security partnership between the EU and any third country, so our police and security services can keep on keeping us safe in a world that contains many dangers—delivered by the deal.

By doing all of these things, the deal says and does something even more profound: it sends a message to the whole world about the sort of country the United Kingdom will be in the years and decades ahead. To our friends and allies who have long looked up to us as a beacon of pragmatism and decency, and to those who do not share our values and whose interests diverge from ours, it says this: the UK is a country that honours the democratic decisions taken by our people in referendums and in elections.

Stewart Malcolm McDonald: Before the Prime Minister continues with this Britannic hyperbole, can she tell me what changes to the agreement have come about that were sought by the devolved Governments in Scotland and in Wales, or were there none at all?

The Prime Minister: As the hon. Gentleman knows, the devolved Government in Scotland want to ensure that we stay in the European Union. That is not a position that was taken by the British people, and I believe, as I have just said, that we should honour democratic decisions taken by the people.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): As the Prime Minister will recall, I voted against the withdrawal agreement in January, but I am very pleased that she and the Attorney General have been able to achieve the concessions to the withdrawal agreement. What my constituents and my businesses want is certainty, and they want the certainty that the Prime Minister will not give in to the Scottish National party’s demand for a second referendum. Does she agree that this deal gives the country the certainty that my businesses and constituents need?

The Prime Minister: I am very happy to give my hon. Friend that certainty. As I say, I believe that we should be delivering on the vote of the British people in 2016, but I also believe it is important that we give businesses, as my hon. Friend has said, certainty for their future. There is only one certainty if we do not pass this vote tonight, and that is that uncertainty will continue for our citizens and for our businesses.

Sir Edward Leigh (Gainsborough) (Con): May I ask a question of the Prime Minister about the unilateral declaration? I thank her for listening, as I have been trying to make this case for the past two months. There was a question I put to the Attorney General that I think has now been answered. Am I right in saying that the unilateral declaration states that there is nothing to stop the United Kingdom leaving the backstop if talks break down? It is a very clear unilateral statement: if talks break down, am I right in saying that the EU has to prove good faith? It is a unilateral declaration, and we do not have to use the word “conditional” because the EU has not objected, and if we lay this declaration at the time of ratification, it is binding on the EU.

The Prime Minister: One of the key elements in relation to what my hon. Friend has said is that this unilateral declaration has not been objected to by the European Union. That is what ensures its legal status and its legal basis. As he says, what we say in there is that, in the circumstances in which it is not possible to agree or arrange the future relationship with the European Union, “the United Kingdom records its understanding that nothing in the Withdrawal Agreement would prevent it from instigating measures that could ultimately lead to disapplication of obligations” in relation to the protocol.

Several hon. Members rose—

The Prime Minister: I will make further progress before I give way again.

We are a country where passionately held views do not stop us making compromises to achieve progress. We are a country that values both our national sovereignty and the unbreakable bonds of a shared history and an interdependent future that connect us to our friends and neighbours. A bad deal would be even worse than no deal, but best of all is a good deal, and this is a good deal.

Members acknowledged many of the benefits delivered by the deal, but none the less rejected it in January, so let me now set out what we have added to the deal on the table since the last vote. On the rights of EU citizens, we have waived the application fee, so that now there is no financial barrier for any EU nationals who wish to stay. As I have said before, they are our friends, our neighbours and our colleagues. They have added much to our country, and we want them to stay.

On the rights of workers and on environmental protections, assurances about the Government’s firm intentions were not enough, so we have committed to protecting those rights and standards in law. If the EU expands workers’ rights, we will debate those measures here in this Parliament, and this House will vote on whether we want to follow suit. This Parliament has already set world-leading standards, and after we leave the EU, we will continue to do so.

Ms Angela Eagle (Wallasey) (Lab): I hope that the right hon. Lady’s voice lasts to the end of her speech. The Democratic Unionist party has just announced that it is not supporting her deal, and her own European Research Group has announced that it is not happy with the deal. Does she not now think that she should have reached out across parties from the beginning to seek a proper consensus across this country to give us a chance of moving forwards? Will she now admit that her strategy has comprehensively failed?
The Prime Minister: There have been alternative approaches that have been proposed to the deal that is on the table. Some were proposed the other week by the Leader of the Opposition, and that was comprehensively rejected by this House. We have continued to work with Members across this House and we continue to work with Members across this Chamber to understand the issues that need to be addressed, and what we have done on workers’ rights is one example of exactly that work.

Several hon. Members rose—

The Prime Minister: I am going to make some progress.

I know that, for many Members on this side of the House and also for the DUP, the biggest concern is about a more difficult issue that defies simple solution—the Northern Ireland backstop. It is a complex issue that reflects the complex history of these islands, and the long and difficult road that successive generations of British and Irish people have walked down to reach the peace and stability we have known for the last 20 years.

I have talked in detail about the backstop many times in speeches and statements in this House and in Northern Ireland. I have explained why an insurance policy to guarantee no hard border between Ireland and Northern Ireland is necessary. I know that there are a number of concerns about how it might operate—none greater than the fear that the EU might seek to trap us in it indefinitely.

Along with the Attorney General and the Brexit Secretary, I sought hard and explored every idea and avenue to address these concerns, including a time limit, a unilateral exit mechanism or the replacement of the backstop with alternative arrangements. However, the House knows how complex negotiations work and, ultimately, we have to practise the art of the possible, and I am certain that we have secured the very best changes that were available. As the hon. Member for North Down made clear earlier, it has been absolutely clear that this is the deal.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I thank the Prime Minister for giving way, and she knows why I will not be voting for the deal tonight—because it will make my constituents poorer and less safe. However, on the specific issue of the legal advice from the Attorney General on the complex issue of the Northern Ireland backstop, could she confirm whether she was given preliminary advice on Saturday or Sunday that he was unlikely to be able to change his advice in the way she perhaps wished him to?

The Prime Minister: Obviously, the Attorney General has been involved in the discussions that we have been having with the European Union, but at the end of the day it is up to him to make his legal opinion and to give his legal advice to this House, which is exactly what he has done.

Helen Whately (Faversham and Mid Kent) (Con): I thank my right hon. Friend for giving way. As she has just said, this is the deal. Is it not the case that if Parliament votes against this deal and then, in the forthcoming days, votes for an extension, that would not only be incredibly bad for businesses, which desperately want an end to this uncertainty, but risk putting the ball in the EU’s court in determining the terms of that extension?

The Prime Minister: My hon. Friend is absolutely right. First, all that that would do is extend the uncertainty. Secondly, it is not a guarantee that any extension would be agreed by the European Union or that it would agree an extension in the terms in which the United Kingdom asked for it. An extension has to be agreed by all of the parties, and that includes the 27 members of the European Union.

Stephen Gethins (North East Fife) (SNP): I thank the Prime Minister for giving way, and I will give her a moment to get another cough sweet from the Chancellor. It is clear—we can see this from the Conservative Benches—that the Prime Minister is going to lose tonight, and to lose badly, which will drag this place, and jobs and businesses, over the edge, with the threat of a no deal. Is not the responsible thing to do now to seek an extension so that we can have some kind of way out of this calamity?

The Prime Minister: The way out of the situation we are in is to have faith with the British people and to vote for the deal this evening, which gives them what they voted for in the referendum.

Mr David Davis (Haltemprice and Howden) (Con): I thank the Prime Minister for giving way. As she knows, many of us would have preferred a circumstance where we could unilaterally have withdrawn from this agreement, and that does not apply after what the Attorney General said earlier. That means that we are going into a circumstance where there will be a deal of trust over how we resolve the backstop and, in particular, over whether the alternative arrangements prove acceptable to the European Union and the Republic of Ireland. Some of those alternative arrangements have previously been rejected by the Union and the Republic of Ireland. Has the Prime Minister detected any change in mood on the part of the Union and the Republic with respect to a constructive outcome to dealing with the Northern Ireland border?

The Prime Minister: Yes. What has been obvious is a change in willingness from the European Union to be actively working on those alternative arrangements. As my right hon. Friend has heard me say before, it was not possible to complete that work, with the timetable we currently have, pre 29 March. But the firm commitments that have been given in the documents we have negotiated now with the European Union show that willingness on its side to be actively working with us to find those alternative arrangements and to define them in a way that means that the backstop can indeed be replaced.

Several hon. Members rose—

The Prime Minister: No, I am going to make some progress.

There are three elements to the improved deal on the backstop, and I want to go through all of those. The first is a joint instrument—not a further exchange of letters, but something with comparable legal weight to the withdrawal agreement. It provides a new, concrete, legally binding commitment that the EU cannot act with the intent of applying the backstop indefinitely. Doing so would breach the EU’s obligations under the withdrawal agreement and could be challenged through
and disapplication are one and the same thing, or are which has to be temporary under the withdrawal agreement, protocol. Can she tell the House whether suspension, of the Northern Ireland protocol. In his legal advice, the Prime Minister for giving way. She referred a moment ago to the possibility of the UK suspending the operation of the withdrawal agreement, as supported by the new instruments. Can she tell the House whether suspension, can ultimately choose to suspend the backstop altogether, with that suspension lasting unless and until the EU came into compliance with international law. In these circumstances, we could also take proportionate measures to suspend the payments of the financial settlement.

Just as important, the joint instrument gives a legal commitment that whatever replaces the backstop does not need to replicate it, providing it meets the underlying objectives of no hard border between Northern Ireland and Ireland.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): I thank the right hon. Lady for giving way. She is talking about the EU and suspending. She talked earlier about bad faith and about the UK being a beacon across the world, and she said that it sticks to its deals. However, does she remember—they will particularly want her to remember this point in Europe—who it was who, when 28 countries went to Salzburg in November and struck a deal, later ratted on the deal, leaving the 27 high and dry? Was it her Government?

The Prime Minister: First, the hon. Gentleman’s history is a little wrong. Actually, the withdrawal agreement and the political declaration on the future framework were not agreed in Salzburg; they were agreed later last year, in November, in Brussels. Secondly, he asks, who was it who went back on the deal? Was it the Government? No, the Government voted for the deal. He voted against it. So, on that point, if he wants to look for an example of bad faith—look in the mirror!

Hilary Benn (Leeds Central) (Lab): I am grateful to the Prime Minister for giving way. She referred a moment ago to the possibility of the UK suspending the operation of the Northern Ireland protocol. In his legal advice, which was published today, the Attorney General talks also about measures to disapply the provisions of the protocol. Can she tell the House whether suspension, which has to be temporary under the withdrawal agreement, and disapplication are one and the same thing, or are they different?

The Prime Minister: No, they are not one and the same thing. Also, if we look at the arrangements in the withdrawal agreement, as supported by the new instruments that we have negotiated, it is the case that if suspension takes place over a period of time, such that it is then obvious that the arrangements were no longer necessary, they would not have been in place and everything would have been operating without them, then a termination of those arrangements is possible within the arrangements here.

Some colleagues were concerned that the political declaration says that the future relationship will build and improve on these arrangements. We now have a binding commitment that whatever replaces the backstop does not have to replicate them. The instrument also contains commitments on how the UK and the EU intend to deliver the alternative arrangements. Immediately after the ratification of the withdrawal agreement, we will establish a specific negotiating track on alternative arrangements to agree them before the end of December 2020.

The instrument also entrenches in legally binding form the commitments made in January’s exchange of letters between Presidents Tusk and Juncker and myself. These include the specific meaning of best endeavours, the need for negotiations to be taken forward urgently, the ability to provisionally apply any agreement, which reduces the risk of us ever going into the backstop, and a confirmation of the assurances made to the people of Northern Ireland.

Joanna Cherry (Edinburgh South West) (SNP): I am grateful to the Prime Minister for giving way. I was puzzled by her claim that the joint instrument is of comparable legal weight to the withdrawal agreement. I am sure she will be aware that, as a matter of international law, the withdrawal agreement is a treaty. The joint instrument is not a treaty; it is merely what is known as a document of reference, which can be used to interpret the withdrawal agreement. Would the Prime Minister therefore care to rephrase her assertion that the joint instrument is of comparable legal weight to the withdrawal agreement, because that is simply wrong as a matter of law?

The Prime Minister: Obviously, the withdrawal agreement is an international treaty. This is a joint instrument, which sits alongside that international treaty and which does have the same standing, in that, in any consideration that is given to any aspect of that withdrawal agreement, this will be part of that consideration, so the effect is the same, as I indicated earlier.

Anna Soubry (Broxtowe) (Ind): It does need to be said that most of us, when we are unwell, can take to our beds. It is absolutely noticed by everybody in this House that this Prime Minister simply battles on, and that is appreciated. Having said that, I fear that this agreement is too little, too late. The Prime Minister talked about compromise. Would she agree and confirm that, two years ago, I and others who sit behind her told her that there was a majority—a compromise—across this House for the single market and the customs union that would deliver on the referendum, secure the problem with the border and do the right thing for business? Would she confirm that she rejected all of that and that the difficulty has been her inability to move away from her red lines?

The Prime Minister: The point is that we have to look at what it was that the British people were voting for when they voted in the referendum in 2016. We also have to look at the general election manifesto that the right hon. Lady and I both stood on, which was very clear in relation to those matters and to the customs union and the single market. We have put forward proposals that enjoy some of the benefits of a customs union, such as no tariffs and no rules of origin checks, but in a way that delivers an independent trade policy. That is what people want to see and that is what we will be delivering.

Several hon. Members rose—

The Prime Minister: I will just make a little more progress before I take any more interventions. I have been quite generous already.

I want to say a word about Gibraltar. The documents confirm the understanding reached between the UK and the EU on the interpretation of article 184 of the withdrawal agreement as regards the territorial scope of the future relationship. We will always stand behind British sovereignty for Gibraltar, and the UK Government negotiate for the whole UK family, including Gibraltar.
The second element we have negotiated is a UK-EU joint statement in relation to the political declaration.

Mike Gapes (Ilford South) (Ind): Will the Prime Minister give way?

The Prime Minister: I will give way in a few moments. I will just make a little more progress.

The second element, the statement in relation to the political declaration, sets out a number of commitments to enhance and speed up the process of negotiating and bringing into force the future relationship. There is a new commitment that the negotiating track on alternative arrangements will consider not only existing facilitations and technologies, but also those emerging.

Kate Hoey (Vauxhall) (Lab): I thank the Prime Minister for giving way on that point. She said earlier that she thought there had been a change in attitude on looking at different ways to deal with the Northern Ireland-Irish border. Does she agree with me that if the Irish Taoiseach did what the previous Irish Taoiseach did, which was to allow the civil servants to meet with our civil servants, and there really was good will and intention, the Taoiseach would now say that their civil servants should start that process now and not wait until we have gone much further along the line?

The Prime Minister: We are happy at any stage to sit down with the Irish Government and talk to them about the arrangements that could be in place in relation to the Northern Ireland border with Ireland.

Mike Gapes: On Gibraltar, can the Prime Minister confirm that well over 90% of the people of Gibraltar voted to remain in the European Union, and that if her deal goes down tonight it will be essential that Gibraltar continues to have as close a relationship as possible with the European Union single market?

The Prime Minister: The hon. Gentleman is right about the vote. Significantly, the last time the people of Gibraltar were asked whether they wanted to continue their relationship with the United Kingdom they were very clear, overwhelmingly, that that was what they wanted. That is why we are clear that we negotiate on behalf of our whole UK family. The deal on the table tonight, the deal that Members will be voting for, delivers the close relationship for the future that the hon. Gentleman has been talking about. It delivers on the result of the referendum, but it also recognises the importance of a close relationship for us for the future with the European Union.

Several hon. Members rose—

The Prime Minister: I am going to make further progress.

Thirdly, alongside the joint instrument on the withdrawal agreement, the United Kingdom Government will make a unilateral declaration relating to the temporary nature of the backstop. Such declarations are commonly used by states alongside the ratification of treaties. The declaration clarifies what the UK could do if it was not possible to conclude an agreement that superseded the protocol because the EU had acted contrary to its obligations. In those circumstances, the UK’s understanding is that nothing in the withdrawal agreement would prevent us from instigating measures that could ultimately lead to the disapplication of our obligations under the protocol. Were we to take such measures, the UK would remain in full compliance with its obligations under the Belfast-Good Friday agreement and to avoid a hard border on the island of Ireland.

Dr Roberta Blackman-Woods (City of Durham) (Lab): I am very grateful to the Prime Minister for giving way. I really do want to know why she has consistently sought to get a deal that satisfies hardliners on her own side, rather than reaching out across the Chamber to get an agreement that would be a softer Brexit, but which would protect the Good Friday agreement in Northern Ireland more than her current deal does.

The Prime Minister: First of all, if as the hon. Lady thought I was placating everybody on my side of the House, I do not think the deal would have been rejected in the first place, so I think she is rather wrong on that. Secondly, I did reach out to the Labour party Front Bench. I had a meeting with the Leader of the Opposition and there was one meeting between the Chancellor of the Duchy of Lancaster and the shadow Secretary of State, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer). We offered other meetings and voice came there back none.

Several hon. Members rose—

The Prime Minister: I will make some further progress.

There are considerable improvements on the deal the House considered eight weeks ago. In particular, there were three key issues raised by my hon. Friend the Member for Altrincham and Sale West (Sir Graham Brady). On the question of giving legal status to the assurances on the backstop, the joint instrument is a legally binding text at the same level as the withdrawal agreement, namely a treaty-level instrument. On alternative arrangements, we have an agreement that they will replace the backstop. This commitment is in the legal instrument, not just the political declaration. On the question of an end date, the core concern of colleagues was that we should not be trapped indefinitely in the backstop. The Attorney General has today changed his legal analysis to note that this risk has been reduced and that if the EU were to act in bad faith, short of its best endeavours, the backstop could be suspended or even terminated, and that this is a materially new legal commitment.

Caroline Lucas (Brighton, Pavilion) (Green): The Prime Minister’s whole strategy this week depends on the expectation that MPs will have changed their minds in a matter of weeks between votes. At the same time, she will not allow for the fact that the public might have changed their minds in the space of many years—three years, now. Will she accept that the best chance she has of getting her deal through Parliament would be to make it subject to a confirmatory vote of the public?

The Prime Minister: As I have said on many occasions before, and as I indicated earlier in my speech, I profoundly believe that when the Parliament of this country says to
the British people that the choice as to whether to remain or to leave the European Union is theirs, and when the Government—

Caroline Lucas: They’ve changed their mind.

The Prime Minister: The hon. Lady says that they have changed their mind. There is no actual evidence that the British people have changed their minds. And where would it end? We could have another referendum with a different result, then everybody would say, “Well, let’s have a third one.” Or we could have another referendum with the same result, and the hon. Lady would probably still stand up and say she wanted a third referendum to try to overturn the decision.

Wes Streeting (Ilford North) (Lab): The simple fact is that people in my constituency and others who voted leave did so with the promise and expectation of something better. Does she not agree that the choice we are facing this evening is to vote for a deal that she knows, I know, this House knows, and, I suspect, the majority of the people in the country know—whether on economic co-operation or security co-operation—leaves our country demonstrably worse off? Why on earth is she asking us to countenance that?

The Prime Minister: The hon. Gentleman talks about those in his constituency who voted leave. What is absolutely clear from the analysis that the Government published is that if we are going to honour the result of the referendum—I believe we should, and I am sure his leave voters want us to do that—the best deal to deliver for the British people in honouring that referendum is the deal that the Government put forward back in the summer. The deal here tonight is the deal that actually leaves voters want us to do that—the best deal to deliver for the British people in honouring that referendum is the deal that the Government published is that if we are going to honour the result of the referendum—where would it end? We could have another referendum with the same result, and the hon. Lady would probably still stand up and say she wanted a third referendum to try to overturn the decision.

Antoinette Sandbach (Edisbury) (Con): Will the Prime Minister confirm the element of risk in going into the backstop when this country was told that this would be the easiest trade deal in history?

The Prime Minister: Of course, any negotiation of this sort between different parties does take time. Trade deals take time—often a shorter time than many people think—and we have yet to negotiate the trade deal for the future, which we will be doing when we get this withdrawal agreement deal through.

Peter Kyle (Hove) (Lab): Will the Prime Minister give way on that point?

The Prime Minister: I am going to make some more progress.

I know that some right hon. and hon. Members will still have concerns about the backstop, but real progress has been made. All of us should put out of our minds the idea that going round this again will get us anywhere. Responsible politics is about pragmatism, about balancing risk and reward. So Members across the House should ask themselves whether they want to make the perfect the enemy of the good.

Mr John Baron (Basildon and Billericay) (Con): Most of us in this place commend my right hon. Friend and her team for their stamina in these negotiations. We accept that there is a political dimension, but we shall clarify one point for those of us who are concerned about the indefinite nature of the backstop? That is that in future, this country could unilaterally decide to walk away from the agreement if there was a fundamental change in circumstances, and we could do that as a United Kingdom, including Northern Ireland, even if that meant Northern Ireland leaving the customs union within the EU.

The Prime Minister: I think this was a point that the Attorney General responded to in his statement earlier. Of course, it is open to any sovereign Government to take a decision to disapply something it has entered into. That would have consequences, and I think I am right in saying that my right hon. and learned Friend indicated that that was not a route that he could recommend that Ministers take, but of course my hon. Friend is right that it is always open to a sovereign Government to act in that way.

Liz Kendall (Leicester West) (Lab): The Prime Minister has talked a lot about concerns around the backstop, but for many hon. Members, the biggest concern is that her withdrawal agreement provides no legal certainty about any of the fundamental questions on our future
relationship with the EU. As a result, we will be back here time and time again, and far from providing certainty for the future, her blindfold Brexit is the most uncertain future of all for our country.

The Prime Minister: There is a very simple and basic point that the hon. Lady seems to have forgotten: it is not possible for the European Union to negotiate and sign the legal text of that future trade relationship with the United Kingdom while we are a member of the European Union. We cannot do that until we have left the European Union, so if she wants us to get on to negotiating the future relationship, she should vote for the deal tonight. Let us get on to that next stage.

Important though the backstop is, it was not the only concern that hon. Members had. Another was in regard to the political declaration, because, as the hon. Lady hinted at in her question, it provides for a spectrum of possible outcomes. Members asked how they could be confident about what sort of future relationship the Government would negotiate.

Peter Kyle: Will the Prime Minister give way?

The Prime Minister: Can I just continue to make my point?

I am sure we can all learn lessons from how we approached this first phase of the negotiations as we move on to the second. For my part, I have no doubt that the Government do need to build a strong consensus in the House before we go on to negotiate the future relationship, not least to ensure that the process of ratification is smoother than that for the withdrawal agreement. That is why we have committed to giving a much stronger and clearer role for this House and for the other place during the next phase. It is not just about a consensus in Parliament, either; businesses, trade unions and civil society must all play a much bigger part, contributing their expertise in a collective, national effort to secure the very best future relationship with the EU. That new approach—

Several hon. Members rose—

The Prime Minister: Would hon. Members just wait for a second? That new approach will start with the withdrawal agreement Bill. If the deal passes tonight, notice of presentation will be given tomorrow and the Bill will be introduced on Thursday. As we discuss that Bill, we can debate how exactly we will ensure that this Parliament has the full say that it deserves.

Sir Robert Syms (Poole) (Con): I thank the Prime Minister for giving way. Given that the clock is ticking, millions of people working in businesses up and down this country want the most certain outcome, and voting for this deal today is the best way of delivering that. Voting the deal down will lead to more uncertainty. None of us knows where we are going to end up, so I, for one, will be supporting the Government and the Prime Minister.

The Prime Minister: I thank my hon. Friend. He has made a very important point. The only certain thing about rejecting this deal tonight is that it increases uncertainty. Businesses and individuals want certainty.

Sir William Cash (Stone) (Con): I am grateful to my right hon. Friend for giving way, and I feel for her with the throat condition she has at the moment, I really do. Having said that, she referred to the fact that the backstop is very important. We all know that, and rightly so. The question, however, is also about the withdrawal agreement and implementation Bill, which is to come. First, we have not seen a draft of it, and I hope that we can get that very soon, as my European Scrutiny Committee has just said in its report. Secondly, it is quite clear in the withdrawal agreement that we will not be discharging what she said herself at Lancaster House. We will not truly leave the European Union unless we regain control of our own laws. Under article 4, it is clear that that is not the case. What is her answer to that point?

The Prime Minister: First of all, I am pleased to hear that my hon. Friend is keen to see the withdrawal agreement Bill. That Bill, of course, as I have said, will be presented to the House this week, if my hon. Friend and others vote for this deal tonight to get it through. I also say to him that yes, there are provisions in relation to the role of the European Court of Justice during the period of our winding down and winding our way out of the European Union, and that covers the implementation period. But what is absolutely clear is that once we are beyond that point, there is no jurisdiction of the European Court of Justice other than for a limited period of years in relation to citizens’ rights. There is no jurisdiction of the European Court of Justice in this country.

Mr Kenneth Clarke (Rushcliffe) (Con): My right hon. Friend just said that, if she manages to get her withdrawal agreement approved by this House, she does not want the next stage of serious negotiations about our long-term future to proceed in the same way and that she will give a greater role to Parliament. I strongly endorse that. We cannot have another arrangement where she reaches a perfectly satisfactory agreement on the three points that she had and then we descend into parliamentary farce as different people argue about what changes they like. Is not the best way of proceeding, if she gets her withdrawal agreement through, to have some indicative votes in the House of Commons before the serious negotiations start, so that the Government can go into those negotiations knowing what a broad mass of Parliament is likely to support and to back if she can achieve it?

The Prime Minister: I thank my right hon. and learned Friend for that point. Actually, I think that there a number of ways in which we can ascertain what the views of the House would be prior to entering into the next stage of negotiations. Obviously, we have been looking at the details of that and will want to be consulting and talking across the House in relation to that matter, but, as he rightly indicated, the first step in order to get to that stage is to pass the deal tonight.

Several hon. Members rose—

The Prime Minister: I really am going to try to make a little more progress. I have been extremely generous with interventions. Not everybody in this House is as generous as I am when it comes to interventions. [HON. MEMBERS: “Hear, hear.”]

I set out to the House two weeks ago the specifics of what will happen if the deal is rejected tonight. We will first return tomorrow to consider whether the House
supports leaving the European Union on 29 March without a withdrawal agreement and a framework for a future relationship. If the House votes against no deal, it will vote on whether to seek an extension of article 50.

I sincerely hope that the House does not put itself in that invidious position. We can avoid it by supporting what I profoundly believe is a good deal, and a substantially better deal than we had eight weeks ago, but if it comes to it, the choices will be bleak. In the long term, we could ultimately make a success of no deal, but there would be significant economic shock in the short term. Be in no doubt about the impact that would have on businesses and families. We would lose the security co-operation that helps to keep us safe from crime, terrorism and other threats, and we would risk weakening support for our Union.

I note that the right hon. Member for Ross, Skye and Lochaber (Ian Blackford) tabled an amendment seeking a second Scottish independence referendum. Polling shows that support for both Scottish independence and a united Ireland would be higher if we left without a deal, while, in the absence of institutions in Northern Ireland, a no deal would create a substantial problem of governance there.

Should the House reject leaving on 29 March without a deal and then support the Government’s seeking an extension to article 50, our problems would not be solved. An extension without a plan would prolong the uncertainty, threatening jobs and investment, yet, even as it did so, it would not change the debate or the questions that need to be settled. It would merely pass control to the European Union. They would decide how long an extension to offer, meaning we may not get what we ask for. They could even impose conditions on an extension. That could mean moving to a Brexit that does not meet the expectations of those who voted to leave, or even moving to a second referendum, with all the damage that would do to trust in our democracy. Equally, there is a risk that, having voted for an extension, the House still would not be able to agree a way forward and we would end up leaving without a deal.

Peter Kyle rose—

The Prime Minister: Just one moment, and then I will give way to the hon. Gentleman.

If any of those things were to happen, it would be no good blaming the European Union. Responsibility would lie with this House for our failure to come together in the national interest to deliver on the vote of the British people.

Peter Kyle: I am extremely grateful to the Prime Minister for giving way. The first of her Brexit Secretaries is in his place. Time after time, he stood at that Dispatch Box and promised the House that we would get the exact same benefits after we leave as we currently enjoy with the EU. Does she not accept that raising expectations that high set them at a level that she has absolutely nowhere close to the Brady amendment; the Malthouse
compromise has been consigned to history—it is a phrase we no longer hear—paragraph 19 of the legal advice says the legal risks remain the same in terms of our being stuck in the backstop; and, given that she has admitted that no technology exists to provide a solution for the Northern Ireland border, Stormont could keep the UK in the implementation period for a long time, until that technological alternative exists?

The Prime Minister: I lost count, but I say to the hon. Gentleman that I think he is wrong, wrong, wrong, wrong, wrong.

Stephen Crabb (Preseli Pembrokeshire) (Con): On the Prime Minister’s point about any conditions the EU might attach to a request for extension of the article 50 process, does she agree that there is a set of obligations in the withdrawal agreement that the EU will want to talk about whether we seek an extension to the process or we are in a no-deal scenario? As much as we might want to wish them away, voting down the deal tonight would not make those obligations disappear.

The Prime Minister: I thank my right hon. Friend for pointing that out. He is absolutely right. Voting against the deal would not mean that those obligations disappear, which is another reason why I believe it is very important for Members of this House to go through the Lobby in favour of the motion tonight.

It was not this House that decided it was time for the United Kingdom to leave the European Union; it was the British people. It falls to us to implement their decision—their desire for change and their demand for a better, more open, more successful future for our country. Today is the day that we can begin to build that future. This is the moment and this is the time—time for us to come together, back this motion and get the deal done. Only then can we get on with what we came here to do—which we were sent here to do.

Each and every one of us came into politics because we have sincerely held views about how to build a better Britain. Some have spent their political careers campaigning against the European Union and in favour of restoring sovereignty to this Parliament. For others, membership of the EU is one of the foundations of their vision of the UK’s place in the world. But we also came here to serve. We cannot serve our country by overturning a democratic decision of the British people, we cannot serve by prolonging a debate the British people now wish to see settled, and we cannot serve by refusing to compromise—by reinforcing instead of healing the painful divisions we see within our society and across our country.

The British people have been clear: they want us to implement the decision that they made nearly three years ago. So let us show what the House can achieve when we come together. Let us demonstrate what politics is for. Let us prove, beyond all doubt, that we believe democracy comes before party, faction, or personal ambition. The time has come to deliver on the instruction that we were given. The time has come to back this deal. I commend the motion to the House.

Jeremy Corbyn (Islington North) (Lab): After three months of running down the clock, the Prime Minister has, despite very extensive delays, achieved not a single change to the withdrawal agreement: not one single word has changed. In terms of the substance, literally nothing has changed.

On 29 January, the Prime Minister backed an amendment tabled by the hon. Member for Altrincham and Sale West (Sir Graham Brady), which called for the backstop “to be replaced with alternative arrangements”. On 12 February, the Prime Minister said that the Government were seeking three potential changes to the backstop:

“a legally binding time limit... a legally binding unilateral exit clause”,

or “the ideas put forward by the Alternative Arrangements Working Group”.—[Official Report, 12 February 2019; Vol. 654, c. 731.]

There is no unilateral exit mechanism, there is no time limit, and there are no alternative arrangements.

So let us be clear: the withdrawal agreement is unchanged, the political declaration is unchanged, the joint statement is a legal interpretation of what is in the withdrawal agreement, and the unilateral statement is the UK Government trying to fool their own Back Benchers, because the European Union has not even signed up to it.

Rachel Maclean (Redditch) (Con): Does the right hon. Gentleman not recognise that millions of citizens out there are looking to his party—cross-party—to deliver the certainty that they are crying out for? Can he not compromise, as many colleagues have done, to deliver the result of the referendum?

Jeremy Corbyn: The Labour party has put forward very clear proposals. I shall come to them later in the speech, but, for the avoidance of doubt, they are about a customs union, access to the market, and the protection of rights. We have put those proposals forward, and we continue to put them forward. What the British people are not looking forward to is either the chaos of leaving with no agreement or the problems that are involved in this agreement, which will therefore be strongly opposed by Members tonight.

The Prime Minister: The right hon. Gentleman has just said that the Labour party put forward a set of proposals as an alternative to the deal that the Government have negotiated. When the deal that the Government negotiated was rejected overwhelmingly by the House, the right hon. Gentleman said that we should listen. We have listened. The other week, his proposals were rejected overwhelmingly by the House. Why is he not listening?

Jeremy Corbyn: I spend a great deal of time listening to people: people working on the shop floor in factories, people in small businesses, people who are worried about the future of their families. They want some degree of certainty. The Prime Minister’s deal does not offer that degree of certainty at all, as she knows very well. Our proposals are a basis for agreement, and a basis for negotiation.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): The right hon. Gentleman voted for an EU referendum, against his party whip at the time, and he voted for article 50. Why is he now so intent on frustrating Brexit and the will of the people?
Jeremy Corbyn: I am not quite sure what that intervention adds to the debate. There was a referendum in 1975; yes, I voted in that referendum. There was another referendum in 2016; yes, I voted in that referendum as well, and I campaigned to remain in and reform the European Union.

The Government are having real problems, because they are trying to fool the people into believing that, somehow or other, the deal offered by the Prime Minister is the only one that is available. It is not, as they well know.

Let us look closely at the Government’s own motion. It is a case study in weasel words and obfuscation. It states that

“the legally binding joint instrument... reduces the risk the UK could be deliberately held in the Northern Ireland backstop indefinitely”.

There are two key words there, First, the joint instrument only “reduces” the risk rather than eliminating it, so it has completely failed to achieve its goal. I have an ally in believing that to be the case—no less a person than the Attorney General, who told the press at the weekend:

“I will not change my opinion unless we have a text that shows the risk has been eliminated.”

And indeed, his legal opinion today states that “the legal risk remains unchanged”.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op):
My right hon. Friend is making a powerful point about the absurdity of the idea that there could be a unilateral exist from the backstop. That would destroy the very function of the backstop. Has not the Prime Minister committed a major strategic blunder for our country by pandering to the European Research Group instead of entrenching the January exchange of letters in legally binding form. On 14 January, from the Dispatch Box, the Prime Minister told the House that those letters had “legal standing”, and would have “legal force in international law.”—[Official Report, 14 January 2019, Vol. 652, c. 833.]

We are back with smoke and mirrors—the illusion of change, when the reality is that nothing has changed. It is all is spin and no substance from the Prime Minister.

Stewart Malcolm McDonald: The right hon. Gentleman adumbrates perfectly the miasma of chaos that is eating away at this place, but does he not agree that, given the chaos that is about to hit the people of Scotland—who voted overwhelmingly to stay in the European Union—should they request an order under section 30 of the Scotland Act 1998 to hold a referendum on Scotland’s independence, it would be undemocratic in the extreme for the Government to refuse it?

Jeremy Corbyn: That intervention has no relevance to the debate that we are having today. This debate is about the Government’s proposals in relation to leaving the European Union.

The statement in the Attorney General’s legal advice still holds. He said that the backstop would endure indefinitely until a superseding agreement took its place. That was the case in January, and it is the case today. I reiterate the view of the Attorney General: despite the theatre of the Prime Minister’s late-night declaration in Strasbourg, nothing has changed.

Chi Onwurah (Newcastle upon Tyne Central) (Lab):
Does my right hon. Friend agree that the critical issue here is that the Conservative party cannot countenance a trading arrangement that puts both Northern Ireland and Ireland and the European Union in the same trading arrangements, so whether it is today or next week or the end of this month or May or at any time, that party opposite cannot bring forward a Brexit that people can agree on?

Jeremy Corbyn: It is clear that this Government delayed the vote from 11 December, then were found in contempt of Parliament for refusing to release legal information, then broke the record for losing a vote in Parliament, and now have come back to the scene of previous disasters with exactly the same proposal, and I earnestly hope the House tonight rejects the agreement that the Prime Minister has brought to us.

The Prime Minister has also attempted to convince Labour Members of this House about an equally empty promise on workers’ rights. She said last week in her
speech in Grimsby that being aligned with the European Union on workers’ rights would mean that if it lowered its standards, we would have to lower ours. It is simply not true. European Union standards are a floor, not a ceiling: if the EU chose—I hope it never would—to reduce those minimum standards, that would not compel the UK to lower its standards. It is important to clarify that point because I am sure the Prime Minister had no intention of misleading anyone when she made it. However, being aligned to those standards means that if the minimum improved the UK would be compelled to improve, and indeed I would want us to go much further than the EU on many workers’ rights.

Caroline Flint (Don Valley) (Lab): My right hon. Friend and I share concerns about how we protect workers’ rights as we move forward and leave the EU, which I know he respects because he respects the outcome of the referendum of 2017. I must be dynamic alignment, and the EU basis is a floor, not a ceiling: if the EU chose—I hope it never would—to reduce those minimum standards, that would not compel the UK to lower its standards. It is important to clarify that point because I am sure the Prime Minister had no intention of misleading anyone when she made it. However, being aligned to those standards means that if the minimum improved the UK would be compelled to improve, and indeed I would want us to go much further than the EU? That is different from what we had in January, isn’t it?

Jeremy Corbyn: Having a vote in Parliament on a potential improvement of rights is obviously a chance we would have to improve those rights, but it is not legally binding so as to a defend those rights or to ensure there is dynamic alignment, not only on rights at work but also, very importantly, on environmental protections and consumer standards. So we are very clear that there must be dynamic alignment, and the EU basis is a floor from which I personally would want us to go much higher. A Labour Government would obviously go much further in all those areas.

This was a bad deal in December when Labour decided to vote against it, it was a bad deal in January when it was rejected by the largest margin in parliamentary history, and it is the same bad deal now. We will be voting against this deal tonight for the reasons we set out when replying to the debate in December. It is a bad deal that will damage our economy, undermine our industries, irreparably harm our manufacturing sector, risk our national health service, damage our public services and harm our living standards, because it opens up the possibility of a race to the bottom—a bonfire of rights and protections. It provides no certainty on trade and customs arrangements in the future and risks people’s living standards.

Mark Pritchard: The Leader of the Opposition and I get on personally—we have a Shropshire bond, as he knows—but may I just say to him that I think he is making a very unconvincing case, perhaps because for most of his political life, which I respect, he was a Brexiteer, and in his heart of hearts he is still a Brexiteer, but he has mostly a remain party behind him? Is this not the worst example today of pure politics—the pursuit of power and putting his party’s interests and, dare I say it, possibly his self-interests ahead of the national interest?

Jeremy Corbyn: Oh dear, this will be so disappointing to the people of Shropshire, it really will; I can’t believe he just said that.

What we put forward in the referendum campaign was a principle of remain in the European Union and reform. The result did not go that way; it went the other way. We have spoken up for the people of this country, who are frightened of job losses and frightened of the future for their industries and their communities. That is why we put forward what I believe to be a credible, sensible series of alternatives.

For the very reasons we set out in our letter to the Prime Minister of 6 February we believe there should be a permanent and comprehensive UK-EU customs union, close alignment with the single market, and, as I explained to my right hon. Friend the Member for Don Valley (Caroline Flint), dynamic alignment on rights and protections, as well as clear commitments on participation in EU agencies and funding programmes and, finally, unambiguous agreements on the detail of future security arrangements. That is because we want a Brexit that protects jobs, the economy and our industries, and those industries are suffering—no doubt about it. Growth is slowing, manufacturing is now mired in recession, investment is drying up, jobs are going, and thousands of workers fear for their future. The stress facing workers—EU nationals in the UK and indeed British nationals in Europe—is real; I met a group in Spain a couple of weeks ago who told me of their concerns, and they were pleased that we supported what is known as the Costa amendment.

We are deciding the future of our country. Each Member has to answer whether they believe this deal is good for their constituents. If this deal narrowly scraps through tonight—I don’t think it will—we believe the option should be to go back to the people for a confirmatory vote on it. But we do not believe it should go through.

While there have been no calculations of the economic impact of the actual deal in front of us—something that should shame this Government—there is an estimate of the Chequers deal, which included a promise of “frictionless trade”, which the Prime Minister failed to deliver. But still, even with that more favourable outcome, the Government estimate that their own deal would make our economy and the people of this country worse off.

The documents in front of us offer no clarity.

Geraint Davies (Swansea West) (Lab/Co-op): Does my right hon. Friend agree that people who voted leave in Swansea and elsewhere voted for more money, for more jobs, for more trade and for more control, and they are getting none of them, and they will not get any guarantees on environmental protections? So how can we vote in good faith on behalf of leavers for this shoddy deal?

Jeremy Corbyn: However people voted in the referendum, they want some certainty of their future: they want some certainty of their jobs, they want some certainty surrounding their trade.
Mr Kenneth Clarke: As the right hon. Gentleman knows, I rather agree with him on the broad principles he sets out for our final aspirations and long-term goals, and indeed I voted with him in this House the last time he put the principles forward, but earlier he was giving his reasons for voting against the withdrawal agreement tonight, yet actually none of the things he mentioned had anything to do with the withdrawal agreement. Can he explain what his objection is to the deal we have on citizens’ rights, what his objection is to the agreement on the money we owe, and what on earth is his objection to the Irish backstop that leads him to put the whole thing in peril if he actually does carry out his threat to vote against it tonight?

Jeremy Corbyn: I was grateful for the support of the right hon. and learned Gentleman in the last Division that we had on this subject. Indeed, we had a very pleasant chat during that vote. I was pointing out that the Prime Minister had set herself a series of objectives and that she had not met any of them. She has brought the Prime Minister had set herself a series of objectives and that she had not met any of them. She has brought back exactly the same deal and expects us to vote on it. Indeed, we had a very pleasant chat during that vote. I was pointing out that the Prime Minister had set herself a series of objectives and that she had not met any of them. She has brought back exactly the same deal and expects us to vote on it again. I hope that the House rejects it.

Mrs Helen Grant: Will the right hon. Gentleman explain why he has refused to accept repeated offers of meetings with the Prime Minister at such a vital time?

Jeremy Corbyn: I met the Prime Minister in December to discuss the arrangements by which we would have debates on this whole process, and we absolutely agreed that the vote would take place on 11 December. It did not take place, because the Government decided to delay it, which made the situation worse. So we did have a meeting, and I presented the Prime Minister with a copy of my letter along with our proposals. Members of my team have also had meetings with their opposite numbers, so there have been meetings. The reality is that the Prime Minister is stuck in a groove and believes that only her deal is the thing that should be voted on. She has brought back exactly the same deal and expects us to vote on it again. I hope that the House rejects it.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): Further to the contribution from the Father of the House, may I ask my right hon. Friend to clarify the declaration as well?

Jeremy Corbyn: Indeed, and of course the political declaration is not a legally binding document. It is a declaration, and no more than that. I share my hon. Friend’s concerns about much of it, and about the changes that need to be made to it. This is another reason why we should be rejecting the Prime Minister’s motion this evening. It is simply not good enough to vote for a blindfold Brexit, so we will vote against this deal tonight and I urge all Members to do so.

We only have this vote tonight—just as we only had the same vote on the same deal in January—because Labour Members demanded from the very beginning that Parliament should have a meaningful vote. I want to pay tribute to our shadow Brexit team, our shadow International Trade team, our shadow Attorney General and our shadow Solicitor General, who have done so much to ensure that Parliament has proper scrutiny over this process. The European Union (Withdrawal) Bill started out with Henry VIII powers that would have ridden roughshod over Parliament and over our ability to hold the Executive to account. It was the actions of our Front Bench, our teams and our Back Benchers that forced the situation so that we could have a meaningful vote in Parliament; otherwise, this would not have happened. The right to that scrutiny, to hold the Government to account and to ensure the interests of our constituents is absolutely vital. It is something that I have exercised to the full in my time in this House.

I believe that there is a majority in this House for the sort of sensible, credible and negotiable deal that Labour has set out, and I look forward to Parliament taking back control so that we can succeed where this Government have so blatantly failed. There are people all around this country at the moment who are very concerned about their future, their communities and their jobs. EU nationals are concerned about their very right to remain in this country, as is the case for British nationals living across the European Union. Parliament owes it to all of them to get some degree of certainty by rejecting the Prime Minister’s proposal and bringing forward what we believe to be a credible set of alternatives. Parliament should do its job today and say no to the Prime Minister.

3.24 pm

Sir William Cash (Stone) (Con): I referred just now, when I was talking to the Prime Minister, to the issue of control over laws. We have been through the backstop in detail today with the Attorney General, and the legal issues group that I have been convening has come up with some clear answers to that question. The backstop is unacceptable in its present form, and we are profoundly determined to vote against this withdrawal agreement for that reason alone.

I want to say one simple thing. People need to take into account exactly what uncertainty and real problems will come for workers as well as for businesses in the course of the next few years if this transitional period goes through. I speak as the Chairman of the European Scrutiny Committee when I say that there are 200-plus uncleared documents that are deemed not to be in the national interest, and that there will be more in the pipeline, including proposals relating to turning unanimity on tax policy into majority voting, as well as the financial transaction tax.

I strongly urge Members to bear in mind what the Prime Minister so rightly said about this issue at Lancaster House. She knows well enough how much effort I put into ensuring that the European Union (Withdrawal) Bill was drafted as it was, and that, in addition, it was enacted and got Royal Assent on 26 June. At that point,
we were completely and totally at one. After that, in the run-up to Chequers and the withdrawal agreement, the first question I put to her was on 9 July, when I asked her how she could reconcile the Chequers proposals with the repeal of the 1972 Act under section 1 of the legislation that had been passed only 10 days before. I am absolutely convinced that that was an accurate assessment of the position.

A further point relates to the manner in which legislation comes through our Committee. Under the 1971 White Paper we were told that we would have a veto, yet it has been whittled away to extinction. The net result is that everything is now more or less done by consensus and/or by qualified majority vote. The European Scrutiny Committee analysis produced a few days ago suggests that the transition period could last until after the next general election—that is, to 1 January 2023—with an extension of the period under article 132 of the withdrawal agreement being highly probable. The worst possible situation is that we would end up being at the mercy of our competitors during that time. They would have no interest in giving us any of the benefits that might come out of the legislative pipeline when they themselves were making the laws and we were receiving them in the most humiliating circumstances in the history of our Parliament.

Never before in our entire history have we been legislated for by other member states. Indeed, it would be worse than that, because it would be done by a number of countries that would have no interest other than to put us at the mercy of our competitors. That would be absolutely catastrophic, and it is a fundamental reason why I am voting against this withdrawal agreement tonight.

When we had a similar situation with the ports regulation, the workers made their views plain by voting against it. The 47 ports employers and all the trade unions were against it, but it went through anyway. That will be the pattern, believe me. I have been on the European Scrutiny Committee for 34 years, and I have seen it. We have never turned down a proposal from the European Union over the entirety of those 34 years. It just does not happen.

Under article 4 of the withdrawal agreement, we are tying ourselves into the assumption that that is what is going to happen. Furthermore, the withdrawal and implementation Bill, which my right hon. Friend refers is washed away by our constituents in general elections. The pragmatism to which my right hon. Friend refers is washed away by the Court of Justice of the European Union, to disapply Acts of Parliament, to disapply inconsistent Acts of Parliament, that will put even the repeal of the 1972 Act under section 1 of the European Union (Withdrawal) Act 2018 in grave jeopardy, as the European Scrutiny Committee’s report showed just the other day.

I have other concerns about state aid, whereby we will be unable under the backstop arrangements and the withdrawal agreement to incentivise our industries, enterprise zones, freeports and so on. That will lead to a severe denial of this country’s right to determine its own tax policy. Furthermore, the European Commission will be enabled under the withdrawal agreement and the backstop to continue to supervise the Competition and Markets Authority and, as I said, to affect the manner in which we can legislate.

For all those reasons, it is imperative that we do not allow the withdrawal agreement to go through. It undermines the referendum, and it is in denial of the Conservative party’s manifesto commitments and of this House’s right to legislate in line with the wishes of our constituents in general elections. The pragmatism to which my right hon. Friend refers is washed away by the question of principle that I have just mentioned. The truth is that we must vote against the withdrawal agreement, because it will affect defence, agriculture, fisheries and every single area relating to the entire range of EU treaties and laws. That is what will happen if we push the withdrawal agreement through tonight. We will be at the mercy of our competitors for several years—[Interruption.] I see my right hon. Friend shaking her head, but she knows perfectly well that what I am saying is true. It is clear that we will not be in control of our laws for a period of time.

On that note, I am prepared to say that I will vote against the withdrawal agreement, and I hope that many other Members will do likewise.
baby box, which is a progressive policy that is benefiting the lives of citizens in Scotland. That is what the European Union has always been about: partnership to improve the lives of our nations and advance the opportunities for our citizens and our communities. Standing together, we have worked to protect our values of human dignity, freedom, democracy, equality, the rule of law and human rights. Our shared endeavour has been to build a society in which inclusion, tolerance, justice, solidarity and non-discrimination prevail.

Lady Hermon: I am sorry to interrupt the right hon. Gentleman's wonderful poetic prose, but will he look at the wider country of the United Kingdom and explain to this House, before we vote tonight, the consequences of leaving the EU without a deal, particularly for Northern Ireland? The Leader of the Opposition could not take an intervention from me, and we need to spell out the consequences for the people of Northern Ireland, the majority of whom are not represented by the DUP.

The DUP has 10 duly elected Members, but it does not speak for the majority of people in Northern Ireland. Many businesses, many farmers, many fishermen, many people and many community leaders support the Prime Minister's Brexit deal. What does the right hon. Gentleman think of the consequences not just for Scotland but for Northern Ireland? I respect his views on Scotland, but I need him to spell out the SNP's thinking on the consequences for Northern Ireland of remaining within the United Kingdom, which I want it to do. I do not want dissident republican violence back on the border.

Ian Blackford: I thank the hon. Lady for her intervention. I must say that the UK is not a country but a state—some would say it is some state. Scotland is a country, and we wish to have our rights as EU citizens protected.

I hope this House overwhelmingly rejects the Prime Minister's deal tonight, but tomorrow we must take our responsibilities and vote down no deal, which would be catastrophic. The Prime Minister could have done that months ago, and it is regrettable that we have had to wait until just over two weeks before we are supposed to leave before we can vote down no deal.

Lady Hermon: Will the right hon. Gentleman give way?

Ian Blackford: No, I must make some progress.

Once again, we listen to Conservative voices argue that we must leave our European destiny behind. I cannot countenance why we would leave behind those shared values and common endeavours. Our countries have come out of conflict and war and have come together. Our communities have thrived in times of peace. Collaboration and co-operation with our neighbours is delivering a new world of opportunity for all our citizens.

Despite the theatre of this place, where we poke and jar at each other, in truth today is painful, and I am deeply sad that we have reached this point of complete crisis. In homes across the United Kingdom our families, friends and communities are watching. In Amsterdam, Brussels, Berlin, Madrid, Dublin and Paris—I could go on—our friends and neighbours are watching. What must they be thinking? The historic achievement of the European project is unravelling, and for what? To replace partnership and stability with isolation and chaos.

Let us not beat about the bush: this battle began in the Tory party; and there it should have stayed. Euroscepticism festered and consumed Tory Members and their party for decades until David Cameron rolled the dice, and where is he now? After he opened the box and spilled the Tory war on to the streets across the country, he abdicated all responsibility. The historical internal Conservative divisions have now divided the United Kingdom, and today Members must decide whether they will also abdicate responsibility and roll the dice, or whether they will act in the interests of their constituents by stopping the greatest act of self-harm to our economy.

We on the SNP Benches know our responsibilities, and we will not follow those who started the fire into the flames.

Stewart Malcolm McDonald: The hon. Gentleman shouldn't be like that—I haven't even said anything yet! Will my right hon. Friend give way?

Ian Blackford: I give way to my hon. Friend.

Tim Loughton: The hon. Gentleman is correct about that. I have some difficulty in reconciling myself with what we are doing. I had the opportunity to work on the continent of Europe, as did my son, and we are taking that automatic right away from our grandchildren. If the Prime Minister gets her way, in just over a couple of weeks that right that we all have to live, work and get an education in 28 EU states will be reduced to applying in only one. Why are we doing that? Simply because of the Euro-sceptics in the Tory party, who have driven us to that position. What a disgrace that the opportunities that many people have benefited from are being taken away.

People may not see it on a camera, but while I am saying this the Prime Minister is sitting there laughing. She is laughing while those opportunities are being stolen—that is what is happening—from our future generations. It is an absolute disgrace that the Prime Minister would behave in the way she is. I will give her the opportunity to stand up and perhaps argue why it is right that our young people should be denied those opportunities and that we should act in a way that is taking away. [Interruption.]

Mr Speaker: Order. I invite the right hon. Gentleman to resume his seat. The Prime Minister is perfectly capable of defending herself, but I must say that there
has not been anything remotely unseemly or untoward, still less unparliamentary, about the Prime Minister’s behaviour, today or indeed on any other day. She is sitting, listening, with a smile on her face, which seems a perfectly reasonable thing to do. The right hon. Gentleman is an old hand and he is whipping it up. I do not knock him, but I say to others: calm. No excessive gesticulation. A man as cerebral as you, Mr Kwarteng, does not need to point in an aggressive manner. You are a cerebral denizen of the House, remember that.

Ian Blackford: Thank you, Mr Speaker. These are serious matters and they deserve to be taken seriously. I am not arguing for one moment that the Prime Minister is behaving in a way that is unparliamentary—I would not seek to do so—but I do say that it is undignified to see the Prime Minister laughing when I am talking about the rights that will be taken away from our young people. That, Mr Speaker, is unforgivable.

Stephen Kerr: Will the right hon. Gentleman give way?

Ian Blackford: No.

After a late night in Strasbourg and with some careful packaging today, the Prime Minister thinks she can fool us the way she has fooled those on her own Benches. We will not be fooled—nothing has changed. The Attorney General’s legal advice is crystal clear: the Prime Minister has failed to secure a time limit or unilateral exit mechanism from the backstop. The changes secured by the Prime Minister will apply in the highly unlikely situation where the EU has acted in bad faith. That confirms that the Prime Minister’s strategy has been recklessly to run down the clock, attempting to blackmail Parliament to choose either her non-starter deal or a no-deal. This deal is not a new deal; it is the same deal, and it is the same bad deal for Scotland.

The events of the past 24 hours change nothing for Scotland. This is the same deal, the same Prime Minister and the same Tory party treating Scotland with contempt. It is the same disastrous deal that ignores the people of Scotland’s overwhelming vote for remain, and it will cost jobs and hit living standards. Does the Prime Minister have no respect for the Scottish Government, for the Scottish Parliament, for the people of Scotland? That fact is that today, for the Prime Minister, this is about her future and her party’s future—nothing more. The UK Government do not care about Scotland’s future, as they press forward with this Brexit bombshell, inflicting unprecedented socioeconomic and political harm. The supposed concessions are merely a fig leaf for a problem that the UK has created for itself. That fig leaf cannot disguise the fact that it was a bad deal in December and a bad deal in January, and it is still a bad deal today. This chaotic attempt to placate the extreme Tory Brexiteers serves only to prolong the chaos and uncertainty.

Stephen Kerr: I am grateful to the right hon. Gentleman for giving way. Why does he choose to ignore the voices of 1 million Scots who voted to leave? Why does he choose to ignore the voices of the National Farmers Union of Scotland, the Scottish Chambers of Commerce, the Scotch Whisky Association, Diageo and a number of other business and trade groups that are saying to all Scottish Members of Parliament that they should support the Prime Minister’s deal to deliver an orderly Brexit?

Ian Blackford: I knew that, if I gave way to the hon. Gentleman, he would embarrass himself, and that is exactly what he has done. The reality is that Scotland voted by 62% to 38% to remain. So-called Scottish Conservative Members of Parliament should be standing up for their constituents in Scotland—

Stephen Kerr: I am!

Ian Blackford: They have no desire—

Mr Speaker: Order. Mr Kerr, I thought you would have satisfied yourself with your contribution, of considerable eloquence and passion, made on your feet. You mustn’t now holler from your seat. I advise you to imitate the parliamentary Buddha, the Father of the House, the right hon. and learned Member for Rushcliffe (Mr Clarke), who is repose personified.

Ian Blackford: Thank you, Mr Speaker. We are used to Scottish Conservatives shouting from the sidelines. This is a blindfold Brexit that will take Scotland out of the single market, which is eight times the size of the UK, and leave people at the mercy of the Tories as they continue to tear themselves apart. This is a rotten deal that will lead our economy down the path of destruction without adequate protections. We know that the Brexit uncertainty is already damaging our economy to the tune of £600 per household per year. The economists have been crystal clear that the Prime Minister’s deal—this deal—is set to hit GDP, the public finances and living standards, and the Government have simply done nothing about it. Well, except for the Chancellor. He did at least have a moment of weakness and tell the truth on BBC Radio 4, when he admitted that this deal would make our economy smaller and that “in pure economic terms” there would be a loss. Like the SNP, even the Chancellor accepted the benefits of remaining in the European Union when he said that “clearly remaining in the European Union would be a better outcome for the economy”.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): Would my right hon. Friend, like me, reflect on history? It was not the European Union, or what came before it, that destroyed the great shipyards on the Clyde. It was not the European Union, or what came before it, that destroyed the coalmining industry in Scotland. As a matter of fact, we clung to the lifeboat of what was then the European Union throughout what we call the Westminster bypass. Tearing us out of the European Union replays history, to the impoverishment of our country, led by the Tory party.

Ian Blackford: My hon. Friend is correct. We can all remember that, pre-2014, when we held our referendum in Scotland, we were promised that a bonanza of orders would come to the shipyards on the Clyde, and we know exactly what happened to that.

Let me come back to the Chancellor. Here he is, ready to trot in behind the Prime Minister to deliver a blindfold Brexit that will send our economy into an
unmitigated disaster. It is a shameful act of cowardice from the Chancellor, putting his party before people.

Instead of coming clean with Parliament and with the public, the Prime Minister asks us to vote blindly for this deal today. Despite numerous attempts to ascertain whether the Government have even conducted an economic analysis of the Prime Minister's deal, they have still not published any analysis. What is the Prime Minister hiding? It is the height of irresponsibility for the Prime Minister to bring her deal to Parliament without providing the analysis of its impact. We know that her deal will cost jobs.

It is ludicrous for MPs to be asked to vote on a deal while completely blind to its economic consequences. Will the Prime Minister not end the shroud of secrecy and come clean with MPs and the whole of the United Kingdom? Analysis published on the London School of Economics website estimates that “the Brexit deal could reduce UK GDP per capita by between 1.9% and 5.5% in ten years’ time, compared to remaining in the EU.”

The National Institute of Economic and Social Research has warned: “If the Government’s proposed Brexit deal is implemented, then GDP in the longer term will be around 4% lower than it would have been had the UK stayed in the EU.”

That is the reality. Will Members on opposite Benches vote for a deal without knowing the consequences? Will they sleepwalk into disaster? I appeal to Members: do not do this as the consequences are too grave. What is coming down the line after today is unknown, but what is known points to chaos.

Even in the political declaration, the UK Government confirmed their intention to end free movement of people, which is vital to meet Scotland’s needs for workers in sectors such as health and social care. I met a young trainee vet in Portree in the Isle of Skye a week past Saturday. She is a young woman from Spain who wants to remain in Scotland, but when she qualifies as a vet, she will not meet the earnings threshold that would guarantee her the right to live in Scotland. Prime Minister, that is what leaving the EU is doing. It is denying opportunities to young people who want to make a contribution to our economy. It is shameful to see the hon. Member for Stirling (Stephen Kerr) shaking his head, because we will lose those opportunities to benefit our economy, and we will lose the social benefits that come from that in Scotland.

Stewart Malcolm McDonald: We often talk, and rightly so, about the impact of the salary threshold, but will my right hon. Friend acknowledge that there is a significant community of people across the UK who have retired to this country from the European Union? As a constituent from Italy said to me at the weekend, if the place gets too expensive, she will just go back to the beach.

Ian Blackford: That is absolutely right. I simply say to the Government that they need to reflect on this. There are an estimated 235,000 EU citizens living in Scotland alongside an estimated 142,000 other international migrants. Together they represent 7% of our population and they are welcome. Scottish Government analysis suggests that, without migration, Scotland’s population will decrease by 10,800 by 2040.

This deal will cause untold damage not just for the current generation, but for the next. This deal will make our people poorer, our businesses weaker and our economy smaller. We cannot let that happen. What is democracy if citizens cannot be allowed to change their minds? Members can sneer and jeer from the sidelines, as they have, but beneath their outward aggression, there is, I am sure, their conscience. If Members look to that they will know that no one can act in good conscience against the facts.

Members across the House know that Brexit is bad for Britain. It is bad for families, bad for business, bad for the economy, bad for co-operation and trade and bad for growth. I am in no doubt that the Scottish Tories are well aware of the consequences as they have been well outlined by academics, economists and many others. Brexit is bad for Scotland. Last week, I visited Edinburgh University. Some 26% of its academic community are from the EU. The vice-principal told me that mobility is the key and that the academic community is already expressing concern. The university has still been able to recruit, but the pool of candidates is becoming shallower because, quite simply, people do not want to come to Brexit Britain. That is the reality, Prime Minister, and it is this Government who are responsible for that.

The Prime Minister is playing a game of smoke and mirrors to save her own skin—not the future interests of people across the United Kingdom. She has renegotiated nothing. She promised legal changes to the withdrawal agreement. Nothing even close to that has been achieved. Let me remind the House. On 29 January, the Prime Minister was unequivocal:

“What I am talking about is not a further exchange of letters but a significant and legally binding change to the withdrawal agreement. Negotiating such a change will not be easy. It will involve reopening the withdrawal agreement—a move for which I know there is limited appetite among our European partners.”—[Official Report, 29 January 2019; Vol. 653, c. 678.]

But the EU27 have refused to reopen the withdrawal agreement. The fact remains that the EU27 have not reached any agreement with the UK in negotiations on changes to the backstop or the withdrawal agreement. The window dressing on the backstop is simply to allow members of the ERG to slide their support behind the Prime Minister and save the blushes of their extreme Brexiteers, but we now know from what has been in the media that even that has not worked.

The Irish Times journalist, Fintan O’Toole, noted last night the ridiculousness of the Government’s actions, when he tweeted:

“Very hard to see what’s really new in all of this. It’s the Withdrawal Agreement served with a side order of ‘this doesn’t mean what it doesn’t mean anyway’.”

Jo Maugham QC also commented in reference to the Prime Minister:

“Not only did she fail to get any changes to the Withdrawal Agreement. But she was also made publicly to agree that there are no changes to the Withdrawal Agreement.”

And a key player in the negotiations, the Irish Taoiseach Leo Varadkar, has noted that the extra layers are complementary to the deal, not a rewrite. Nothing has been changed except the fact that the DUP has been bought a new comfort blanket. Well, the SNP—unlike the DUP—cannot be bought.
The Prime Minister is so desperate that it is clear that she will go to any lengths to undermine the will of the House, which has already voted against this deal. Last week, we saw the Conservative Government offer a bribe after a bribe to Labour MPs. On Monday 4 March, the Government announced a £1.6 billion Brexit cities fund. The Government have still not confirmed whether any of this will come to Scotland, and I do not hear Scottish Conservative MPs standing up for Scotland on that. On Wednesday 6 March, the Government announced plans to give MPs the right to decide whether to enforce future EU changes on workplace rights and standards after the UK has left the EU. But Frances O’Grady of the TUC dismissed this, saying that the proposals “come nowhere close to ensuring existing rights are protected. And they won’t stop workers’ rights in the UK from falling behind those in the rest of Europe.

Since January, we have seen the UK Government buying fridges in bulk to stockpile drugs, practising traffic jams on airfields and awarding ferry contracts to companies with no ferries. Let me remind the House that the Prime Minister lost the first meaningful vote by 432 to 202. This is the same deal. Nothing has changed. But this is not a binary choice before us; it is not a deal or no deal. There is still a way to protect our citizens.

I appeal to Members, particularly Scottish MPs, to stand with the SNP; reject the Government’s negotiated withdrawal agreement for the future relationship with the EU; recognise the resolutions of the Scottish Parliament and the Welsh Assembly of 5 March to oppose the UK Government’s exit deal; say that a no-deal outcome to the current negotiations on EU withdrawal would be completely unacceptable on 29 March or at any other time; acknowledge the endorsement of this House of the claim of right for Scotland on 4 July 2018, recognising the sovereign right of the Scottish people to determine the form of government best suited to our needs; recognise that Scotland should not be forced to leave the EU against its will; and ensure that this place, this Prime Minister and this shoddy Tory Government understand that the best future for Scotland lies in becoming, like so many of our neighbours, a full, equal, sovereign, independent member state of the European Union.

The Prime Minister has no mandate from Scotland for her deal. On 15 January, 83% of Scottish MPs voted against it. The Scottish Parliament and Welsh Assembly have voted on a historic joint motion, rejecting the Prime Minister’s deal and rejecting no deal. I remind the House and the Scottish Tories nestling on the Government Benches that 62% of the Scottish voters and every local authority in Scotland voted to remain in June 2016. Scotland’s decision must be respected. I appeal to Members to stand up for the interests of their constituents, and I appeal to Scottish MPs to do the right thing by standing up and fighting for Scotland. Scotland did not vote to leave and we will not be dragged out of the European Union against our will. We will not remain strapped to the sinking ship.

The First Minister has sought compromise at every opportunity. We in the SNP, in government in Edinburgh and here in the Commons, have sought every opportunity to compromise, but we have been dismissed by this Tory Government. Scotland has been treated with contempt—ignored, sidelined and often silenced. The Tories think they can do whatever they want to Scotland, but we will have the chance to vote on independence—if they want to make Scotland a destination in Europe. Our First Minister has been clear. So I say to Members: stand with us. I say to the Prime Minister: give it up; extend article 50 and bring forward a second EU referendum. Her Government have utterly failed to negotiate a deal fit for the country. I say to the Leader of the Opposition: he almost got off the fence; is it not time he got off it properly? We have reached this critical point and still the Labour party is unwilling to act, rather than blow hot smoke. May I remind him that there is still a live motion of no confidence in this Government that has not yet been signed by the Labour Front Bench? We have the opportunity to end this madness and go back to the people. It is long past time that the Leader of the Opposition had some courage. What is he waiting for, or what is he running scared off?

Heidi Allen (South Cambridgeshire) (Ind): This House needs to find a way of compromising to get out of the fix that we are in. I understand that this is a difficult question, but I am going to ask it anyway because I appreciate that the SNP does not like the Prime Minister’s deal, and many of us, for various reasons, do not either. If we were to make it subject to a people’s vote, I suspect that that would get this Parliament, this House and this Prime Minister out of the hole. Would the SNP consider it as a way out of this impasse for the benefit of our country?

Ian Blackford: I thank the hon. Lady for that question. Let me say enthusiastically that the Scottish National party supports a people’s vote, on the basis of the facts that we now know. As we know that there is no such thing as a good Brexit, and that it is going to cost jobs, the right thing to do is to present the facts to the people of the United Kingdom. I implore the House to get behind the people’s vote.

We have an opportunity here today to do the right thing. The people we represent have given us their trust to do what is right for them, for their families and for their communities. Vote Leave was a farce. It pumped lies into the campaign. It sold the public a pup. People must have the courage, as political leaders, to give people the right to change their minds, and we must have the courage, as political leaders, to give the people the right to change their minds. While the world looks on in wonder at what on earth the UK is about to do, I ask that every Member recalls how much we stand to lose.

Let me say that we on these Benches will not allow our nation to be dragged out of Europe into the abyss. Scotland has a bright future, and that future is as an independent European nation. The right hon. Member for Haltemprice and Howden (Mr Davis), the ex-Brexit Secretary, noted at the weekend:

“There is no… treaty in the world… where a sovereign nation… can only leave when the other side says so. So that’s the key point, the ability to get out when we need to.”

The people of Scotland are sovereign under the terms of our constitutional framework, and they too should have the ability to get out of this mess — and, my goodness, we need to. So I ask Members to support the SNP. When we decide to call for action to have a referendum in Scotland, this House should respect that. We will not go down with the sinking ship. As Winnie Ewing famously said:

“Stop the world, Scotland wants to get on.”
I say to the people of Scotland: if we cannot save the United Kingdom from itself, now is the time to save Scotland—an independent Scotland at the heart of Europe.

Several hon. Members rose—

Mr Speaker: Order. An eight-minute limit on Back-Bench speeches now applies, though I fear that it will soon have to be reduced—but we shall see.

4.3 pm

Nicky Morgan (Loughborough) (Con): It is customary to say that it is a pleasure to follow the previous speaker. However, there is an enormous sense of déjà vu about today’s debate. Many of the same faces who have been debating Brexit and our withdrawal from the EU are here in the Chamber today as they have been for the past three years, and, in some cases, before then. What we have just heard from the leader of the SNP is a speech on why Brexit is a bad idea. That is a perfectly honourable position to hold, except for the fact that we had that debate three years ago, and it was lost in terms of wanting to remain. That is the problem with this whole debate and what has become of UK politics since 2016.

My hon. Friend the Member for Stirling (Stephen Kerr) was quite right: 1 million people in Scotland voted to remain, but that is the whole problem with this debate—rather than anybody trying to solve this for the 100%, it has been about the percentage that people in this House identify with. That is why we have ended up in this situation.

Tommy Sheppard (Edinburgh East) (SNP): Will the right hon. Lady give way?

Nicky Morgan: I am not going to give way.

There are five stages of grief: denial, anger, bargaining, depression and acceptance. I firmly believe that the country has, by and large, reached acceptance. Many Members of this House have reached acceptance of the referendum result, but some clearly have not, as we hear time and again. It is time to move on. It is time to draw the withdrawal phase of this EU exit to a conclusion. There are many other political issues that the country desperately needs us to be talking about and focusing on, and yet here we are, time and again debating the same issues. As the Brady amendment showed at the end of January, the issue is around the backstop, but we are all debating and falling out over a backstop that is an insurance policy that everybody hopes is never needed, to solve a problem—a hard border on the island of Ireland—that nobody wants to see.

For me, there are a number of tests of whether this withdrawal agreement should be approved tonight. I have set those tests out in a letter that I will send to my constituents shortly. Does the withdrawal agreement, if passed, lead to greater certainty? I believe the answer is yes. It will at least enable businesses and individuals in our constituencies to plan ahead, certainly with regard to the transition period. Does it deliver on the exit from the EU that the majority of the United Kingdom voted for in 2016? The answer is yes. It gets us closer to leaving the European Union. There are Members on both sides of the House who have campaigned for that for years, and yet they say they will not vote for the deal this evening.

Does the withdrawal agreement enable the governing party to carry on governing after 29 March and pass legislation? Yes, it does. If a stable majority were to pass the withdrawal agreement, would that mean we could pass the withdrawal implementation Bill and all the other legislation? And that is my problem with the challenge laid down by Opposition Members about why the Government do not make an appeal to them. Although I think a compromise and a consensus could be found in the House on a so-called softer Brexit, it will not lead to anything like a stable majority for future legislation. I have heard nothing that promises that from those on the Opposition Benches.

Alex Sobel (Leeds North West) (Lab/Co-op): If alternative arrangements for the backstop have not been found by December 2020, we will have a Hotel California Brexit where we will have checked out but not leaving. There is a real danger that passing the withdrawal agreement tonight is just for short-term gain, with pain down the road. Does the right hon. Lady agree?

Nicky Morgan: I do not agree. I think there will be a gain. The Treasury Committee has been quite clear that we do not think there is a deal dividend, as the Chancellor has described it, but I think there would be a benefit in terms of stability for businesses and individuals in this country.

Changes have been secured to the withdrawal agreement that was considered in this House in the middle of January. I have been very happy to be part of the alternative arrangements working group, and I thank the Secretary of State for Exiting the European Union for his engagement. I started this process as something of a sceptic, but believing that compromise had to be found to make this work. There are alternative arrangements, on the basis of existing customs checks and processes, that can be put in place to ensure that there is no hard border on the island of Ireland.

Alex Sobel indicated dissent.

Nicky Morgan: The hon. Gentleman shakes his head. If he has explored the detail, perhaps he will cover that in his remarks, but it is perfectly possible.

Luke Graham (Ochil and South Perthshire) (Con): As Chair of the Treasury Committee, has my right hon. Friend seen any alternative proposals from Opposition parties that show a better economic result for the UK outside the European Union, whether in a customs union or the EEA, than the Prime Minister’s deal?

Nicky Morgan: One of the difficulties has been actually modelling any of the scenarios and having anything like proper confidence in the figures. What the impact would be on our economy depends on exactly what arrangements are arrived at, including whether we end up in the EEA or in a customs union. As I say, I do not think we need to be in a customs union because there are alternative ways of solving the issue with the border. That is why I would ask hon. Members on this side of the House to vote for the agreement tonight—to give those arrangements a chance to be negotiated and to take root.

There is no doubt that there is a danger in all of this—I say this as Chair of the Treasury Committee and as a former Treasury Minister—of thinking only about...
the numbers. The economy is of course incredibly important in securing the livelihoods and successful prospects of our constituents, but there are other issues, and the issue of sovereignty, independence and confidence in our democracy should not be underestimated.

I really fear that if this House does not approve the agreement tonight—Members who say, “Oh, I can’t support it for this reason or that reason”, are being very clever with the words and the way they are interpreting the legal advice—the damage done to trust in our democracy and in the power of an individual’s vote will be immense. As somebody who has been subject to abuse and threats because people feel threatened, I say to those who have not yet experienced it that I suspect it will be unleashed on all of us, and I do not see why we would want to put the country through that.

Tim Loughton (East Worthing and Shoreham) (Con): I pay great tribute to my right hon. Friend who, as somebody who voted remain, now wants to go forward constructively with a deal. As somebody who voted for leave and voted against the deal before, I am minded to weigh in behind this, because we have got to stop the uncertainty and the conspiracy of chaos that is, I am afraid, promulgated by those on the Opposition Benches below the Gangway who have just rerun and rerun the referendum Bill debate from four years ago and have only offered alternatives that are basically, “Computer says no”. The country is fed up with it, and we need at long last to weigh in behind something with which we can move forward.

Nicky Morgan: I entirely agree with my hon. Friend.

Mr Sam Gyimah (East Surrey) (Con): My right hon. Friend is being incredibly generous in giving way. She makes a very powerful point about accountability to the democratic will of the people. If, in delivering on the democratic will of the people, we end up as rule-takers over and over again. However, I challenge hon. Members who have said before that it is very easy to remain in our own comfort zone and do not have those debates, either because they think no deal is a good thing, or because they think they can take it off the table and potentially put the option of remaining on the table.

A short extension of article 50 would be worse than useless, creating more uncertainty and instability in this country, so I urge right hon. and hon. Members, particularly on these Benches, who have said so far today that they have made up their mind or that they might vote against the agreement, “Please think again”, because the beneficial consequences of passing this withdrawal agreement tonight will be enormous, and I think the public will thank us for it.

4.14 pm

Hilary Benn (Leeds Central) (Lab): It is a pleasure to follow the right hon. Member for Loughborough (Nicky Morgan), although I have drawn a different conclusion about the choice we have to make this evening.

I am tempted to say, “Here we go again.” After the flurry of activity and effort—I pay tribute to Ministers who have been working hard over the past couple of months—some people may have had their minds changed by the documents produced last night, but it seems that many others have not.

The one thing I want to say on the documents is this: the withdrawal agreement remains in place, the backstop remains in place, there is no unilateral exit mechanism for the United Kingdom and there is no time limit. While it may be possible to suspend the backstop, in order to do that the United Kingdom has to persuade the arbitration panel that we have a case. If the arbitration panel is then to turn suspension into disapplication, we have to persuade it that the reason for the problem is that there is a lack of good faith on the part of the European Union.

It is pretty safe to say that the EU would say, “No, it’s not a lack of good faith; we just don’t think your alternative arrangements work. We think they would undermine the integrity of the single market and the customs union.” The moment it says that, that engages questions of the application of EU law, at which point the panel has to refer the matter to the Court of Justice of the European Union, whose judgment on these questions will be binding on everyone, including the United Kingdom.

Frankly, proving bad faith, in my view as a non-lawyer, is going to be pretty darn difficult, so we are left with paragraph 19 of the Attorney General’s letter to the Prime Minister today, which says that if we cannot reach agreement because of intractable differences, “no internationally lawful means of exiting the Protocol’s arrangements” will exist.

If the deal is defeated tonight, tomorrow will be another day. I have little doubt that the House of Commons will vote against leaving the European Union with no deal—we can debate all those matters tomorrow. I still do not know how the Prime Minister is going to vote. Can I just offer her some advice? She used to say that no deal is better than a bad deal, but she now argues that her deal is in fact a good deal. Well, if it is in fact a good deal, it cannot be a bad deal, so, by definition, no deal is now worse than her deal. Therefore, if logic means anything, the Prime Minister ought to
come through the Lobby with me and many others tomorrow to vote against no deal. No deal would be the worst possible outcome for the country.

If leaving with no deal is defeated, we will come on to the question of an extension, which will be the subject of Thursday’s debate. However, we have to use an extension for a purpose—that is very clear. For me, the purpose must be, first, to see whether it is possible for the House of Commons to reach agreement on an alternative way of leaving the European Union. Is there support for a customs union? Is there support for a Norway-style arrangement?

Lady Hermon: I am grateful to the right hon. Gentleman for giving way. I have enormous regard for him, so I just ask him to confirm whether the Labour party actually supports the backstop. He will know why the Government have argued, and been consistent on the need, for the backstop: to protect the peace process and to protect Northern Ireland and, indeed, the United Kingdom from the consequences of a hard border. Will he therefore confirm that progress has been made? The Prime Minister has been able to get agreement that alternative arrangements will be fast-tracked—my words, not hers—before the end of the transition period.

Hilary Benn: I am happy to confirm that I have heard my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) say that he does not have a problem with the backstop. I do not have a problem with the backstop, because it is an essential insurance policy to protect the integrity of the Good Friday agreement and trade across that border. All that I would say about the alternative arrangements is that all those provisions are already in the withdrawal agreement that the Prime Minister signed up to in November. All that we have had added today is interpretation of what already existed—

The Secretary of State for Exiting the European Union (Stephen Barclay) indicated dissent.

Hilary Benn: The Secretary of State is shaking his head, but I take a different view from him as to whether this is in fact a significant or substantial change.

If we are able to reach agreement on an alternative way forward, the second choice the House of Commons will have to make is whether we should go back to the British people to ask them, “Is that what you wanted?”—especially if we did end up approving something like Norway and the customs union. We could argue that that is rather different from what was argued for by the leave campaign during the original referendum. I suppose the central question on that choice, a point which has been made by others today, is whether the electorate have the right to change their mind and, in the same breath, the right not to change their mind. It would be the people’s choice.

The final point I want to make, because time is short, is to say this about sovereignty, which is really at the heart of the referendum, of the decision we have to make as a House of Commons, and of the choice that we as Members wrestle with in trying to decide how to cast our vote. Last week, I met a group of parliamentarians from North Macedonia. We talked about our troubles to do with EU membership. They said to me, “75% of the people of North Macedonia are really keen to join the European Union and NATO.” I asked them why. They replied with three words: stability, opportunity, progress. Whatever else can be said in this debate, Mr Speaker, you cannot apply those words to our country in its current condition.

The Prime Minister, in opening her speech today, said that the deal says something about our country and what it has delivered. I would say to her that it certainly does say something, because her deal has delivered instability, it will entrench a loss of opportunity and it is not progress. It is going backwards. There is further proof of that today. What has Nissan announced? That production of the Infiniti car in Sunderland will end. The long, slow decline of British car manufacturing, which was once the jewel in our manufacturing industry, has, I am very sorry to say, well and truly begun.

This goes to the heart of the mess that we are in, which is not the backstop—we have spent hours on the backstop—but the fact that, after two-and-a-half years of internal argument during which the Government have refused to make choices, the political declaration is so vague that we have no idea where we are going. The Prime Minister also said on the political declaration that we should look at all the things her deal has delivered. I simply say to her: no, it has not. It is not legally binding and there is no certainty. A new Prime Minister could come along in a month, a year or two years and say, “Forget all that. I am now taking the country in a different direction.” That is the reason I will not vote for this deal tonight.

The Prime Minister ended her speech by saying let us demonstrate what politics is for. I would simply say to her that whatever it is for, it is not this agreement.

Several hon. Members rose—

Mr Speaker: Order. A six-minute limit now applies with immediate effect.

4.22 pm

Mr Dominic Grieve (Beaconsfield) (Con): It is painful for me to find myself in a position where I cannot agree with my own Front Bench and with my right hon. Friend the Prime Minister on approving this agreement and supporting the Government tonight, but I cannot. I just want to briefly explain why.

We find ourselves in a very unusual circumstance. Unless a country is defeated in war and the Parliament has to meet so that MPs have to surrender provinces that are being annexed by a neighbouring power, it is very unusual for Members of Parliament to be asked, on a fundamental issue, to vote against their own opinion. Yet the evidence has been overwhelming, in the past two and a half years since the Brexit referendum took place, that there is a very substantial majority in this House who consider that there is no form of Brexit that is better than remaining in the European Union. That includes many colleagues on this side of the House who have, for reasons of judgment or loyalty—it does not really matter which—decided that they will support the Government this evening. I talk to them and they tell me that they accept that that is the case.

My right hon. Friend the Prime Minister makes a powerful case when she says that this is necessary because of the decision in the referendum in 2016. She tells us that if we were not to do it, it would diminish faith in
the democratic process. I am certainly mindful, as I am the recipient of many emails from angry people, that there are many people who voted in that referendum who did not otherwise normally participate in the electoral processes of this country at all—probably about 10% of the electorate. So one has to recognise their strength of feeling.

If I felt that, by voting for and supporting a deal and a future that I think is going to be completely third rate compared with remaining in the European Union, we could bring closure to this debate because there was some unanimity of purpose—either across the House or even within my party, of which I have been a member now for about 43 years—I would have to seriously consider doing it, despite my own strong judgment that we are about to make a serious and historic mistake.

The problem, however, is that that is simply not the case. There is no unanimity. Take one example from today. In my view, the backstop is a red herring. The point is: what are we going to do with Brexit when we have it? Do we intend to stay aligned roughly within the sort of European regulatory and tariff framework, or do we intend, as some of my right hon. and hon. Friends wish, to strike out for broad horizons? If we do, it does not matter if we do not have the backstop, because actually, the Good Friday agreement precludes us from doing that for Northern Ireland, unless we intend to carve it out and leave it effectively in a European economic area. Such is the price of folly in having allowed a referendum to take place where those advocating leave dealt with it in purely abstract terms. No one—I plead guilty to this as well—was willing to think through, even when we prepared and passed the European Union Referendum Bill, the consequences of what a vote to leave would actually mean and how we could possibly implement it.

Far from bringing closure, we will simply initiate yet another round of very sterile debate against a background where our economy will be damaged, our national security will be impaired and we will find ourselves consistently at a disadvantage. I realise that some of my hon. Friends do not agree with that. They see a bright economic area. Such is the price of folly in having allowed a referendum to take place where those advocating leave dealt with it in purely abstract terms. No one—I plead guilty to this as well—was willing to think through, even when we prepared and passed the European Union Referendum Bill, the consequences of what a vote to leave would actually mean and how we could possibly implement it.

We are also failing to assess the realities of devolution and the fact that with four nations making up the United Kingdom, there are now four identities that we have essentially disrespected. Even if we were entitled to—[Interruption.] Yes, we have. We have essentially disrespected them in terms of working out the consequences of what the referendum was likely to do. As a Unionist, I worry about the future of my country, because I see the Union as fundamental to our prosperity and collective existence.

I am afraid that I cannot vote for the deal, and we will have to take the consequences of the further difficulties that will follow. I do not look on those with any sense of cheerfulness at all, but I would be utterly, utterly going against my instincts and my judgments if I were to facilitate a process of further self-mutilation for our country, which is what I believe we are currently embarked upon. We should pause, reflect, and above all, I repeat it again—

Conor Burns (Bournemouth West) (Con): Will my right hon. and learned Friend give way?

Mr Grieve: Yes, I will.

Conor Burns: My right hon. and learned Friend speaks of consequences. He also speaks of those who had hitherto not participated in our democratic process but who participated in the referendum. What does he think the consequences will be outside this House if it tells those people that their voice did not matter and that we will not deliver what they voted for?

Mr Grieve: I think that we have a duty to say to them that it is perfectly apparent that what we are going to get bears no relation to what was being debated in 2016. I further think that the proper thing to do is to go back to them, point out honestly, and say that if they wish to leave on these terms, we will, of course, implement it—but that means consulting them. I worry that we appear to be obsessed with avoiding the electorate at every conceivable turn now, because we are fearful that they might come up with an answer that we do not like. Of course it might be to leave. If that is the case, I will keep quiet about the matter forever more, but there is a compelling—[Interruption.] Oh yes I would. If I may say so, I have better things to do. But they may say that they have changed their mind. In a democracy, people are entitled to change their mind. To deny them that choice when we are faced with the current crisis is, in my view, an unacceptable way to proceed. Until we start seeing sense on this, I cannot support the Government.

Sir Vince Cable (Twickenham) (LD): It is a privilege to follow the right hon. and learned Member for Beaconsfield (Mr Grieve). I very much agree with what he had to say. Like him, we have no objections to the Irish backstop. It is one of the redeeming features of the Government’s agreement—their having foolishly and unnecessarily drawn red lines around the customs union and the single market, it was an inevitable and necessary measure to protect Ireland from a new, disruptive frontier. Our concern is much more fundamental—the fact that Brexit, as currently devised, will make this country poorer, weaker and less secure.

We have all heard a lot of general rhetoric about this issue, so I want to home in on one particular aspect of the economics of it—the nature of the single market and how it originated. Thirty-five years ago, there was an insight in this country around the Prime Minister of the time, Mrs Thatcher. I do not know whether it was her or her advisers who saw that the future of business and trade rested on two s’ s—standards and services—and that the traditional preoccupation with tariffs and quotas was of course very relevant, particularly for agriculture and manufacturing, but the future lay in another area.

For three decades, successive Governments—Conservative, coalition and Labour—have beavered away trying to create this structure of a single market, recognising the importance of those key drivers. That has been done
on two levels. It was attempted at a global level through the World Trade Organisation, which is often called in aid by Government Members. That achieved virtually nothing because the World Trade Organisation is essentially a weak organisation that brings together countries with massively divergent standards. It was also pursued through the European Union, with very great success.

One of the central problems of Brexit is that it potentially unravels much of the regulatory framework that has been put in place over those three decades. I have a very simple example, which gives us an indication of what is coming down the track. It actually relates to one of the Government’s success stories. The Government have been trying to roll over the 30 or 40 association agreements we have with the European Union. It would be disastrous if they were not rolled over. Quite a few important countries, including Japan and Korea, are making it very clear that they are not willing to get a move on, as the Foreign Secretary instructed them to, but one of the countries that did is Switzerland.

Switzerland is an interesting case. It is a British success story, with rapid growth in exports of 40% over five years. Britain has a big trade surplus with Switzerland. That is all under the existing arrangements. The Secretary of State for International Trade presented the roll-over agreement as a great success, and indeed it was. It is one of the few things that has actually worked for the Government in this area. But when some of the trade federations affected by the agreement started unpicking it, they noticed that it is not the same agreement that the European Union had.

Central to the European Union agreement was that it brought together about 19 key technical standards across the European Union and Switzerland, which enabled European countries to trade on a common basis. In the revised agreement, there are only five such standards. The companies in the UK that will have to deal with Switzerland in the future will do so at a competitive disadvantage. I have no way of knowing how important that is or how many jobs are at stake, but that small experience will be reproduced on a massive scale as Brexit proceeds, and we should take note of it.

James Cartlidge: The right hon. Gentleman raises a very good point about Switzerland, but surely the most important point about the Swiss is that they are one of the only examples of a country that has maintained very strong links with the European economy but has been able to go out and get very good trade deals, which have significantly boosted its export penetration around the world. We could achieve that, too.

Sir Vince Cable: I do not think that Switzerland is a very encouraging example when it comes to external trade deals. Its trade deal with China consisted of opening up the Swiss market to everything and getting virtually nothing in return. Actually, that illustrates a much wider point: one of the things that we sacrifice with Brexit is bargaining. The hon. Member for Camborne and Redruth (George Eustice) has now disappeared from the Chamber, but he pointed out a week or so ago—and he is a hardline Brexiteer—that our bargaining power with the United States over food standards is massively weaker than it would be if we continued to be a member of the European Union, and very poor standards will be inflicted on us. That is the kind of debate that we ought to be having, but we are not.

All the costs associated with the unravelling of the single market will be compounded by the loss of the customs union—I know that the Labour party has given that priority, and it is important, but it is not as important as the single market—and also by uncertainty. Had the Government done what they promised to do, which was to have a clear picture of the endgame before they completed Brexit, all that uncertainty would have gone. British firms with a time horizon of more than two years will now be afflicted by massive uncertainty about whether to invest in this country, and many of them will not do so. The future is wholly uncertain.

The combination of those factors has major economic consequences. I have taught economics for many years and worked in it for many years, and I know that it is not a precise science. However, one of the most fundamental principles of economics, going back to Adam Smith—and, indeed, before—is that if you put up barriers to trade, you make yourself poorer. That will now be compounded many times over.

In addition to all the economic costs, there is the unravelling of the collaborative arrangements. One of the best institutions in my constituency is an organisation called the National Physical Laboratory, which is a centre for key metrology standards. Alan Turing did much of his professional work for it, and I attended and spoke at its annual dinner a few days ago. The people who work there are absolutely horrified at the breaking up of their scientific network, and their inability now to attract European staff. That is being replicated in campuses, universities and scientific institutes across the country.

The European Investment Bank has hardly been discussed here. Crossrail, which has been one of the big innovations in London in recent years, was substantially financed by it, but it is now being dismantled. Those are some examples of the damage that has been done, and that is why the Government must go back to the public and put the deal to them. If they cannot get their deal through Parliament, they must give the people the final say.

4.37 pm

Andrea Jenkyns (Morley and Outwood) (Con): I shall keep my speech short to allow other Members to speak.

Here we go again. It is groundhog day. We are faced with the same bad deal for our country’s future. In February, we provided the Prime Minister with guidance on what was needed to gain the support of the House. The Malthouse compromise was just that—a compromise to find the middle ground and secure a deal. I respect the Prime Minister’s attempts to improve the deal, but it has been a failure, and since the EU is refusing to improve it, we need to just leave. We need to leave the European Union on 29 March and deliver on the referendum promise.

After weeks of negotiations, all that we have is an agreement that has not changed the working of the backstop, but simply supplements it. These changes only limit the risks posed by the backstop; they do not remove those risks entirely. As a sovereign country, we need the ability to leave the backstop unilaterally. We should not have to ask the EU for permission to forge our own future. The agreement is not about taking back control of our own destiny; it is about surrendering control. As the Attorney General has said, “the legal risk remains unchanged”, and if the legal risk remains unchanged, the bad deal remains unchanged.
So what next? Where do we go from here? It may seem strange to some, but I propose that we keep our promises and leave the European Union without a bad deal. According to *Hansard*, the Prime Minister has said more than 120 times that the UK should leave the EU on 29 March. When today’s vote is defeated, the best option left for the UK is to go to WTO rules, just as the Prime Minister has indicated previously.

This deal remains a bad deal for the reasons that I have mentioned, but let us not forget the other issues. If this deal were to pass in its current form, we would still be subject to decisions from the ECJ—decisions that would directly impact on our laws and subsequently our sovereignty. Additionally, we must still pay the European Union the £39 billion just for the right to leave; no, that is not good enough. The Prime Minister has been right all along that no deal is better than a bad deal, and if this place considers her deal to be a bad deal today then we need to leave without a deal.

We need to invest the £39 billion in our own country.

**Lady Hermon:** Will the hon. Lady give way?

**Andrea Jenkyns:** I will carry on, thank you.

We need to invest in skills and the new cutting-edge industries of tomorrow. We need to reinvigorate our fishing industries and allow our hard-working fishermen to keep their catch. We need to invest in education and the next generation, invest in our hard-working fishermen to keep their catch. We need to invest in businesses to help them during the transition. It is time we had confidence in our people and in our country and invested in its future, and it is time to deliver what the British people voted for.

Trust takes years to build, seconds to break, and forever to repair. Let us stick to our word: let us keep our promises and deliver on the referendum result. Let us build faith, not tear it down. Let us look beyond our borders. Let us look beyond the EU and trade globally. And let us finally take back control.

This withdrawal agreement sets the blueprint for our country’s final deal with the EU. We have given far too many concessions, and it is time to stand up and say “No more.” We must deliver what we promised, and this evening I will be voting against this withdrawal agreement. We need to send a strong message to the EU that Britain deserves better.

4.41 pm

**Anna Soubry (Bromsgrove) (Ind):** It is a pleasure to follow the hon. Member for Morley and Outwood (Andrea Jenkyns). We do not agree on Brexit, but tonight we will certainly be in the same Lobby voting against this deal—although of course for different reasons, but on this we are absolutely agreed. It is not a deal; it is a withdrawal agreement. It does not provide the certainty and does not deliver the deal that the hon. Lady and unfortunately many others in the leave campaign promised to the Great British people back in 2016 when we had the European referendum.

But the reason why I will not be voting for this deal is not just because of a blindfold Brexit, which is effectively what this is about—the fact that we do not have the certainty that British business is absolutely demanding. What we do know, however, is that the deal as it stands in the political declaration would make my constituents, and indeed all the constituents of every right hon. and hon. Member, less well off, and I did not come into this place to vote for something in the full knowledge that it would make people less well off. [Interruption.] I would be very grateful if the heckling from a Bench near me turned into an intervention, which I would happily take.

**Gareth Snell:** As the right hon. Lady is talking about voting to make constituents poorer, she may want to remember her time on the Government Benches as a Tory MP, when my constituents suffered at the hands of decisions she supported.

**Anna Soubry:** Well, that was a really helpful and relevant intervention, wasn’t it? Of course, it is absolute tosh. The most important—[Interruption.] The hon. Gentleman’s heckling is very tedious and could end up with me thwacking him with my Order Paper.

Let us address the real issues that face this House tonight. Let us look at the failings of the withdrawal agreement, and let us look now at a way out of it, as it seems likely that yet again this agreement will fail to pass in this House.

The Independent Group tabled an amendment; I am sorry it was not selected, Mr Speaker, but of course I understand why. However, at least it set out a timetable and provided a coherent alternative, and I believe that is what the people of this country are now crying out for. They want clarity, they want certainty, and they want a way forward.

I also believe that the only way out of this mess is to take the matter back to the British people, as my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) as ever beautifully and eloquently explained in the arguments he advanced. Now we know what Brexit is like, it is perfectly right and acceptable that it should be able to go back to the British people. People are entitled to change their mind, and of course the young people who would bear the heaviest burden of Brexit are entitled, I would argue, to have a say.

What I say to former colleagues on the Government Benches is this: they will be voting—those of them who are doing so—for a withdrawal agreement in absolute knowledge and certainty of the following. As outlined by this Brexit Government—because that is what they are, a Brexit Government—who have done the assessments into all the various ways of delivering Brexit, whatever way we do it will leave this country less prosperous and our constituents less well off. Being a Brexit Government, and the party of Brexit, will not be a badge of honour to be worn next to the blue rosette; it will end up being a badge of shame.

At some stage, people are going to have to make good the huge deficit that will exist. I shall give the House an example. Almost every Saturday, I am proud to go out with the Nottingham people’s vote campaigners, mainly in Nottingham but also in other parts of the county. I recently met a woman who explained why she had voted for Brexit. I understood her complaint about a system that she thought was not working for her when it came to housing. She thought it was the fault of immigrants. I explained that her complaint was nothing to do with immigration, and that immigrants had benefited our country in many ways over many centuries. Nevertheless,
in her mind she somehow thought that Brexit was going to make good the problems in her life. If we do leave the European Union—God forbid that we should leave without a deal, the most irresponsible of all the options; the Business Secretary was right to say that it would be “ruinous”—how is that woman going to see her life transformed? She will not be better off economically. How is she going to benefit from the sovereignty that is suddenly going to be recaptured by our country? How is her life going to be improved? And who is going to make good the deficit and disappointment that she will undoubtedly face?

I think that is why so many right hon. and hon. Members on the Labour Benches, especially on the Back Benches, have come round to the view that the only way through this mess is to take it back with honesty and conviction to the people. I pay tribute to Labour Members such as those in Sunderland and the hon. Member for Redcar (Anna Turley) who represent leave constituencies but who have had the courage go out and speak to the people they represent, in all weathers, to make their case and to lead them, and to convince them that the best way through this mess is now to go back to the people.

People understand that they were lied to. They were tricked and conned by the leaders of leave, some of whom sit in this place. Those leaders will not lose their jobs. They will not find themselves worse off. They will not bear the burden. The people who will bear the burden are the people in this country who voted leave, and especially those who work in the manufacturing sector. They will see their jobs put at risk. They will see the future of their children and grandchildren blighted. It is the leaders of leave who should take responsibility, yet almost every one of them has walked away from their ministerial position while still scooping up all the benefits that they get outside this House through the articles they write, through their inherited wealth and through their gold-plated pensions. They will never be held responsible, but it should be to their eternal shame that they have caused such damage and deep divisions in this country. They should speak to people, just as I speak to my own constituents whose skin is brown and who find themselves being told to go home and being spat at and abused. That did not happen before this appalling referendum.

When we talk about Brexit, the one thing we now need to do is find a way to heal these terrible divisions. Somebody needs to address that, but it will not be done through more dishonesty. We must say to the British people, “We have made a mistake. Let us bring this back to you and with courage. We must say to the British people, through more dishonesty. We will do it with honesty and conviction to the people. I pay tribute to Labour Members such as those in Sunderland and the hon. Member for Redcar (Anna Turley) who represent leave constituencies but who have had the courage go out and speak to the people they represent, in all weathers, to make their case and to lead them, and to convince them that the best way through this mess is now to go back to the people.”

4.48 pm

Mr Owen Paterson (North Shropshire) (Con): It is always a great pleasure to follow the right hon. Member for Broxtowe (Anna Soubry). We do not agree.

The element that has not been mentioned at any time so far in this debate is the 17.4 million people who followed a very clear direction. The right hon. Lady and I were part of a party that made this promise in 2015: “If you vote for a Conservative Government, we will give you an in/out referendum. It will be a one-off, with no holds barred. You will decide.” The subsequent European Union Referendum Bill was passed by a very large majority in this House, making it absolutely clear that we the MPs were going to give the people the right to decide. We said, “You will decide, and we will implement whatever you decide.” The 17.4 million people ignored the ludicrous “Project Fear” and the £9 million leaflet dumped in every household that bombarded them with propaganda. They ignored all that. They wanted to “take back control”.

I was in Whitchurch, the town where I was born, and clearly remember people coming off a building site late in the evening saying, “It’s about them. It’s about them, isn’t it?” I said, “What are you talking about?” and they said, “We can get rid of you, Mr Paterson. We can vote you out, but we cannot get rid of them.” They knew exactly what they were voting for. They were voting for the right to remove their rulers. Those who pass bad laws, levy taxes and spend their money badly here can be removed at a general election. That is what this is about.

We see time and again that we are up against a constitutional conundrum. We have had referendums on the European Community, Scotland, Northern Ireland, Wales and the alternative vote and, conveniently, the people obediently and politely delivered the result that the establishment wanted each time. This time, however, to the horror of the political establishment represented across all the Benches here, the commercial establishment, including the Confederation of British Industry, and the media establishment, the people have gone against their will. We have a real constitutional conundrum. Everyone in this House must recognise that they have to deliver what the people voted for. I look at the shadow Secretary of State for Exiting the European Union. If he wants to get into power, he must recognise that, of the first 100 marginal seats that Labour has to win, 78 of them are for leave—73 of them strongly for leave. Labour Members had better recognise that they are in this as much as those on the Government Benches.

I am in the ERG. We are called extremists. I have been called a member of Momentum by the Father of the House, who is sadly not in his seat. We were called ultras, I think, on the “Today” programme. However, we are actually loyal Conservatives, because our Prime Minister interpreted the leave vote to mean that we should leave the single market, the customs union and the remit of the European Court of Justice. Sadly, this evening’s proposal does not deliver that.

Mr Richard Bacon (South Norfolk) (Con): I am enjoying my right hon. Friend’s speech. Does he agree that it is odd to be called an extremist or a traitor—sometimes by Ministers—for wanting to do no more than implement the manifesto upon which we were all elected?

Mr Paterson: It is utterly bizarre that Cabinet Ministers have written articles in the popular prints attacking Government policy and the manifesto on which they were elected. There is an issue of reputation and integrity here, and those of us who will regretfully be voting against the Government tonight will be representing the 17.4 million. This argument is not going away. It cannot be put back in the bottle and stuck in the fridge if this agreement goes through.
This is a bad agreement. Laws will be cooked up by 27 nations, and we will not be present. When I was Secretary of State for Environment, Food and Rural Affairs, I worked closely with the EU on common agricultural policy reform. We worked closely with allies, whether Germany, Hungary, Italy or whatever, but this time laws will be imposed on us, and if we do not impose those laws to the satisfaction of the European Commission, we can get taken to the ECJ and fined. If the deal goes through and if I come to this House in a year’s time to discuss an issue of great concern to my constituency, such as agriculture or food, and to complain about a law, the Minister will have every right to say, “The right hon. Gentleman voted for that. What is he complaining about?”

Lady Hermon: The right hon. Gentleman is a former Secretary of State for Northern Ireland, so will he explain to the many businesses, the farmers, the fishermen, the community leaders and the people of Northern Ireland who support the Prime Minister’s deal why their views do not count?

Mr Paterson: Their views do count. I remember going to an Ulster Farmers Union debate at Balmoral Park during the referendum campaign and leave won that debate. There are varied views in Northern Ireland, as we know from the DUP. The hon. Lady does not have an exclusive right on this. There is a clear role for Members to represent the leave view because this argument will not go away. It would be highly unsatisfactory for this deal to go through. Laws would be imposed on us by 27 nations, and we would not be involved. We would be paying £39 billion for the privilege of having the right to talk about the next phase, which is £64 million per constituency. There is not a single Member listening to this debate who could not spend that money well. It is purely an entry ticket to allow us the right to talk about a trade deal.

The hon. Lady comes from Northern Ireland, and it is extraordinary that we have allowed a section of the UK to be hived off into a new entity called “UK(NI).” The most fundamental principle of the Belfast agreement, as she well knows, is the principle of consent. We have huge admiration for the noble Lord Trimble, one of the co-architects who received the Nobel prize for the extraordinary achievement of getting Unionists to vote for the Belfast agreement, which was very much based on trust that the principle of consent would be respected and that the status of Northern Ireland could never be changed without the consent of the people. At the stroke of a pen, something called “UK(NI)” will be created, which is a clear breach of the Belfast agreement and of the Acts of Union of 1801.

We are promised the right to do trade deals. I was at the Office of the United States Trade Representative in Washington twice in the autumn, and the USTR is clear that we will not be allowed to do trade deals so long as we do not control our tariff regime or our regulatory regime. Under this proposal, we will not have control of either.

There are huge advantages to trading with the outside world. I do not agree with the right hon. Member for Twickenham (Sir Vince Cable), because the European Union itself says that 90% of world growth will be outside the European Union. We have drawn down from 61% of our trade being with the EU to about 45%, and we are heading to 35%. The future is phenomenal, and it is about trading with the growing economies outside the European Union—we also have the best possible relations with countries inside the European Union—and we can do it by triggering article 24 of the general agreement on tariffs and trade and showing a serious intent to do a free trade deal down the road. If there is a proper exchange of documentation, paragraph 5(c) of article 24 would give us a “reasonable length of time”—that could be up to 10 years—to negotiate.

All the “Project Fear” spookery about tariffs is for the birds. We can go ahead on the basis of article 24. Outside this place, people come up to me time and again to say, “We want to see the vote delivered. Why don’t you just get on with it?” It is now for the Government to deliver rapidly and make sure that we leave on 29 March by using article 24.

4.57 pm

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): For the sake of courtesy, I will say it is a pleasure to follow the right hon. Member for North Shropshire (Mr Paterson), although much of what he said sounded aspirational rather than substantial.

Here we are, another fortnight later and another grand finale vote on the Government’s withdrawal agreement, this time with the addition of last-minute semantically creative but significance-light legal documents. We are just 17 days away from the toxic shock of no deal, an outcome that would unconscionably harm the Welsh economy, yet the British Government continue to gamble with the livelihoods of the people of Wales. No one in Wales voted for food and medicine shortages, no one voted to destroy Welsh agriculture and, of course, no one voted to make themselves poorer.

Angus Brendan MacNeil: The UK is currently deciding whether it wants to damage its own economy by 6% or by 8%—by 6% under the Prime Minister’s deal, or by 8% under no deal. What the UK really needs to do is get its head around revoking article 50, which is the only sovereign decision it has left to take, otherwise there will be trouble in 17 days’ time.

Liz Saville Roberts: We have heard so much aspiration from Conservative Members, who preach to us that a no deal would be beneficial, and now we are coming down to the pragmatics, which all involve article 50, whoever actually brings it about—we will argue for our own approach. If the people of Wales ever needed proof that Westminster fails us, is deaf to our needs and is broken, it is this: while businesses and workers are anxious about their future, there are people here who talk blithely about unleashing the chaos of a no deal on their constituents.

As my Plaid Cymru colleagues and I have said time and again, this withdrawal agreement will be damaging. Plaid Cymru will never support a withdrawal agreement that takes Wales out of the single market and customs union, harming Welsh businesses and workers, as it would do. We will not support any attempt to remove the right of Welsh people to live, work and study in other European countries, as my daughter has done.
in Paris. In our heart of hearts we know this. Conservative Members and Labour Members all know that we are denying people and we are tying ourselves in knots as to how we justify that. As harmful as the Prime Minister’s deal would be for Wales, leaving without a deal is a worst-case scenario. We cannot countenance it as an option. Indeed, let us remind ourselves that it has already been overwhelmingly rejected by this House, as well as by the National Assembly for Wales.

**Alex Chalk** (Cheltenham) (Con): I do not doubt for a moment the hon. Lady’s sincerity in wanting to avoid no deal, but does she not, like me, see the irony in the fact that she will be joined in the Lobby by people who want to achieve precisely that? If she genuinely wants to avoid that, is not the safe, moderate and proportionate step to vote for this deal?

**Liz Saville Roberts**: I thank the hon. Gentleman for that intervention, but I ask him: does he not see the deceit of presenting the Prime Minister’s withdrawal agreement as a better result than no deal, given that it will come with the uncertainty of being out of the single market and customs union, damaging the Welsh economy? The no-deal scenario is worse. Many of us can now talk about Brexit almost on auto-pilot, but it is deceitful to tell people who no longer want to discuss this that the Prime Minister’s deal will take Brexit off the table. It is deceitful, it is harmful and it is not the best for Wales’s economy or for many of our economies.

The substance of this debate has never made sense to me. It has centred on a fabricated theoretical concern about a hypothetical backstop never intended to be used. For the extreme right-wing of the Conservative party to be peddling myths about fantastical problems the backstop might, in some blue moon, cause is one thing, but for the official Opposition to be embroiled in the minutiae of that same debate and to be using the same arguments as the Democratic Unionist party is another; it is an unnecessary distraction and a confusion.

What farmers, factory workers and families in Wales need is clarity. For all the withdrawal agreement’s misgivings, what the backstop does offer is, for once, some degree of clarity—it is an insurance policy, after all. But everything else about the withdrawal agreement is a mirage of clarity. Adopt it and the clarity of the political declaration disappears over the horizon as a mirage. The best way to achieve clarity is, of course, to extend article 50, but an extension of three, six or even nine months will do nothing to dissipate the fog of uncertainty. Article 50 must be extended until the end of the transition period, negating the need for this deceitful withdrawal agreement and for any British backstop. A 21-month extension would keep the UK in the EU until the end of the EU’s multi-annual financial framework, give this Government time properly to agree the final relationship with the EU and, crucially, allow time to put this to the people through a referendum.

I have been struck by the irony of people talking about concerns for democracy and about it being an affront to democracy that we would ask for another referendum. The Government took the country to a general election only 25 months after the 2015 general election. It is now 32 months and more since the referendum. Democracy is a resort it suited the Government to use in that short period, so I ask: why is it not suitable to use it now? The people’s vote must of course include an option to remain an EU member state, a position that polls show is supported by more than half the people of Wales—if only it were honest-heartedly supported by the Labour party, too. If we take the scales from our eyes, we will see that the concentration of wealth in London and south-east England got us into this Brexit mess and the concentration of power is trapping us in it. As far as I can see, giving people a final say on our future is the only remaining answer. Democracy is not a one-off event. Nor is it the privilege of only one generation. Democracy, through a people’s vote referendum, will be our salvation.

5.4 pm

**Mr Sam Gyimah** (East Surrey) (Con): In the brief time I have available, I do not wish to re-litigate the 2016 referendum. I take the view that whatever their reasons, people knew why they voted the way they did and that those reasons should be accepted. But there is a difference between where we all were during the referendum campaign and where we are now: today, we all now know what is negotiable. I certainly did not know what was negotiable in 2016, and none of our manifestos talked about the issue of Northern Ireland, which has dominated the negotiations so much. Given that we now know what is negotiable, what is the way forward?

**Sammy Wilson** (East Antrim) (DUP): The hon. Gentleman is quite right that during the referendum campaign the issue of the Northern Ireland border was raised only in so far as the movement of people was concerned, and that issue was dealt with by the common travel area. Is that not an indication that the problems along the Northern Ireland border and the terms of the withdrawal agreement have been manufactured for an unnecessary reason, which is that the EU is using the Northern Ireland border as a way to keep the United Kingdom in both the customs union and the single market?

**Mr Gyimah**: I shall come to my comments on the backstop in a moment, but it is definitely clear that although our manifestos committed us to a certain course of action, as all manifestos do, we did not fully appreciate the details of the negotiation in which we were going to be involved.

**Luke Graham**: Will my hon. Friend give way?

**Mr Gyimah**: Let me just develop this point.

Ordinarily, a manifesto promise is taken through this House, with a Green Paper, a White Paper, First Reading and so on. The manifesto commitment is calibrated and then eventually delivered. The negotiation has been the process through which we have been going with our manifesto commitment.

I could vote for this deal if there was a vision for the future of this country at the heart of it. I could vote for this deal if there was a sense of where we were going at the heart of it. I could vote for this deal if, as many expected, it would improve on the current deal. Reading the newspapers at the moment, I find it depressing how many commentators are saying to us, “The grim reality is that MPs must hold their nose and vote for this.” Someone said today that this is a “grotesquely flawed” deal, but MPs should still vote for it. We are being
encouraged to recommend for our constituents something that we blatantly know is not really in the country’s interest. One thing that leavers and remainers all agree on is that had the deal before us been put to us and there had not been a referendum, none of us would recommend it to our constituents as the right path for the future of our country.

Dr Sarah Wollaston (Totnes) (Ind): Does the hon. Gentleman agree that had our constituents seen the reality of the actual Brexit deal, they too would have rejected it, and that they should have the opportunity to have the final say and a right to vote, not just MPs?

Mr Gyimah: The hon. Lady makes a powerful point, to which I shall return in a second.

We have this misleading cliché today that we just have to get on with it, as though the result is somehow immaterial so long as we do. That gives me cause for extreme concern about supporting the deal. Let me make two principal points. First, as far as I can understand it, the backstop is there to try to solve an impossible problem: we want to take control of our borders but we want the other side to have an open border. The backstop exists now because after months and years of negotiation, we have not found a solution to that problem. If those who, like my right hon. Friend the Member for Loughborough (Nicky Morgan), say that alternative arrangements could solve the problem genuinely believe that such arrangements could, they need not fear the backstop.

The truth is that dealing with these alternative arrangements on their own will not address the need for the backstop. The side deal that the Prime Minister has come back with improves things to some extent, but the EU has no need to act in bad faith because it knows that, between now and 2020, we will keep going round the same loop, trying to find alternative arrangements. If we are not careful, we may still end up in that same loop, trying to find alternative arrangements. We can all leave this Chamber, and two of us could go in completely different directions. We need to understand where we are going, which is why, for me, extending article 50, pausing and reflecting and working that out, is important.

Mr Gyimah: I thank my right hon. Friend for that point. I am running out of time, so I will have to move on very quickly.

The issue with the political declaration is that, after 29 March, we have no idea what happens. We have no strategy and no plan. What the Prime Minister has said is that she will consult this House on a mandate for negotiation, but if her red lines still exist, how will this House agree on a mandate for negotiation as far as the political declaration and our future are concerned? I cannot see how that is possible given that, today, we know that there is no majority for any of those options in this House.

We know that there are some in this House who would rather that we diverge as far from the EU as we can and go cap in hand to an America First President for that free trade deal. Is there a majority for that in this House? We are setting sail, or we are being encouraged to set sail, with no idea about the future. By August, we will have to decide what our negotiating position is for the 21-month period, because another clock starts ticking after 29 March. The longer that we take to work out our negotiating position, the more we eat into our own negotiating time. Very quickly, this House will have to decide whether it wants to get closer to the EU, whether it wants to diverge a bit more, or whether it wants to be somewhere in the middle. Whenever anyone asks this question, they are told, “You are trying to frustrate Brexit.” The truth is that leaving somewhere and going somewhere are not the same thing. We can all leave this Chamber, and two of us could go in completely different directions. We need to understand where we are going, which is why, for me, extending article 50, pausing and reflecting and working that out, is important.

The scene that we have seen over the past few months of Brexit Ministers having to buy a frequent pass on the Eurostar to go to Brussels to secure a concession will be played out time and time again, because we will have left with our hands tied behind our back and everything we want will come at a price. How would we have taken control on behalf of our constituents if that is what happens?

5.13 pm

Mr George Howarth (Knowsley) (Lab): It is a pleasure to follow the hon. Member for East Surrey (Mr Gyimah). He made a thoughtful, fluent and principled speech and I commend him for doing so.

Back in January when we were debating this matter, I said that the Government had no majority, no authority, and no longer served any useful purpose. If that was debatable in January, it is now an absolute certainty. I am afraid that the debate we are having only reflects the mess that the Government have got themselves into on this issue.

I want to be brief so I will not repeat a lot of the things that have already been said. I just want to make a couple of remarks about where the public are at and where they were at the beginning of this process, which leads on to the debate about whether a consensus is possible. I do not mean this in any critical way, but the right hon. Member for Loughborough (Nicky Morgan) called for consensus, the hon. Member for Morley and Outwood (Andrea Jenkyns) called for consensus, and—in a slightly different way—the hon. Member for East Surrey...
just made a plea for a kind of consensus. The difficulty is that they all mean something entirely different. The right hon. Member for Loughborough means a consensus around the Prime Minister’s deal, the hon. Member for East Surrey wants a pause so that we can think about whether other options could be considered, and the hon. Member for Morley and Outwood basically wants us to come out without a deal. In each case, there is no possible basis for consent.

When we started this process, I noticed that there were three different strands of opinion in my constituency, and Knowsley is not unique in that. The first strand was made up of people who voted to leave and wanted to leave on any basis it was possible to achieve, including without any kind of a deal. Secondly, there were those who agreed more with me than with anybody else, who felt that we had made a historic mistake in voting to leave in the referendum and were looking for a way to reverse that process. Finally, there was a group of people in the middle who simply wanted to get on with it, although they were not specific about what it was they wanted to get on with, other than the fact that they wanted to leave the European Union—and the Prime Minister has built her entire negotiating strategy around that one group.

The difficulty is that that one group, which is also reflected in this House, cannot definitely be said to be on one side or the other when it comes to any specific deal. Yes, these people want to leave, but they do not necessarily want to leave on any terms put in front of them, and they certainly do not want to be part of a deal that makes them, their families and their communities worse off. The problem is that any solution has to involve a strategy that brings at least two of those three groups along with it, but I am afraid to say that what the Prime Minister is offering at the moment does not bring any one of those groups along fully, as we will see reflected in the Division Lobby tonight.

It would be reasonable to challenge me on what I think should happen. All I can say is that at the beginning of this process, after we triggered article 50, I would have voted for a deal that I thought would not do too much damage to my constituents; that is where I started from. Frankly, I am now at the point where I will vote, if I get the opportunity over the coming days, for no deal because I think that it would be disastrous for my constituency and our country. [HON. MEMBERS: “Against no deal.”] Sorry, I will vote against no deal; that was a Freudian slip. I will also vote for a second referendum if the opportunity arises, and I will certainly vote for the extension of article 50. We have to get somewhere with this. If we do not, the only option left will be to say to the people, “Is this what you really want?” And we are rapidly reaching a point where that is probably the only option left.

5.18 pm

Boris Johnson (Uxbridge and South Ruislip) (Con): It is a great pleasure to follow the right hon. Member for Knowsley (Mr Howarth). I have known him for many years and I do not doubt his sincerity in this matter at all. I myself had sincerely hoped that the Government would be able to make the wholly modest changes that this House urged them to make, and that there would be no risk that this country would find itself trapped in the backstop or that we would lose our democratic right to make laws for this country and pass them to a foreign entity for all time, as we are in danger of doing.

But whatever the Government tried to do, they have not, I am afraid, succeeded. Though I congratulate the Prime Minister and the Attorney General on their efforts, the result is that, like Adam and Eve in the Garden of Eden, they have sewed an apron of fig leaves that does nothing to conceal the embarrassment and indignity of the UK. As the Attorney General confirmed in his admirably honest advice, the backstop does not just divide our country in fundamental ways—it ties our hands for the future and sets us on a path to a subordinate relationship with the EU that is still, despite what we were told yesterday, clearly based on the customs union and on large parts of the single market.

Lady Hermon rose—

Boris Johnson: I give way with pleasure to the hon. Lady.

Lady Hermon: I am very grateful indeed to the right hon. Gentleman for allowing me to intervene, because it gives me an opportunity to remind him of the many opportunities that he took during the EU referendum campaign to assert that this country was going to take back control of its borders. May I just ask him whether he has ever visited South Armagh or Crossmaglen?
How, with the greatest respect, does he think he is going to take back control of the border without the backstop arrangement?

Boris Johnson: I am most grateful to the hon. Lady for her intervention. I have certainly visited the places that she mentions—indeed, at the times of the troubles—and I can say that nobody wants those types of border controls to come back, least of all the Governments in Dublin or in London, or indeed those in Brussels; and, by the way, nobody thinks it necessary, under any circumstances, for hard border controls to return in Northern Ireland. But what I think her constituents will want is for this country to have the unilateral right of exit from the backstop, and that is not what the British people are getting out of this deal.

Lady Hermon rose—

Boris Johnson: If the hon. Lady will allow me, I will make some progress.

I want to stress this point. I really cannot accept the repeated assertion by the Attorney General in his very powerful speech this afternoon that there is a minimal legal risk of us being trapped in the prison of the backstop, because it is now more than a year since I stood in Downing Street—in No. 10—and was told that there was a minimal legal risk that we would even have to enter the backstop. That is not a view that I believe could now be plausibly defended by the Government.

Alex Chalk: Of course there is a risk with the backstop—it would be infantile to suggest that there is not—but does my right hon. Friend not agree that there is also a very great, if not much larger, risk in respect of a no-deal outcome? Would he at least recognise that point?

Boris Johnson: I will come to that, but I am grateful to my hon. Friend for conceding that it was always infantile to pretend that there was no risk of getting
into the backstop, because that was, for a long time, the contention of those who proposed that the backstop should be instituted.

I am afraid that this deal has now reached the end of the road. If it is rejected tonight, I hope that it will be put to bed and we can all face up to the reality of the position and the opportunity that we have. What we need to do then—now—is to behave not timorously but as a great country does. We have broadly two options. We can either decide, if the EU is unwilling to accept the minor changes that we propose, that we will leave without a deal—yes, I accept that that is, in the short term, the more difficult road, but in the end it is the only safe route out of this and the only safe path to self-respect—or we can decide to take a route that will end in humiliation by accepting arrangements with the EU that seem to limit disruption in the short term but will leave us as an EU protectorate with many important rules set elsewhere.

Members have asked, “What’s the worst that could happen?” I will give two examples, but there is any number of rules and regulations. The financial services industry would be subject to laws set by its leading competitors, which is emphatically not what the City wants. The Commission has already made it clear that it wants to use the passerelle clause of the existing treaty to bring in qualified majority voting on taxation. We would be subject to that, under a qualified majority vote in which this country would not participate. I urge Members to think hard and to see that that predicament would be democratically intolerable. We would have to tell our constituents that they had no power or influence in setting some of the rules that govern our country.

James Cartidge: I have huge respect for my right hon. Friend, but he said that there were two choices. In terms of WTO rules, which he has advocated, there are two choices; that is correct. We can either have tariffs that hit our consumers, or we have no tariffs on imports, which would leave our exporters and industry at a terrible disadvantage. Which of those two options would he go for?

Boris Johnson: In any circumstances, we would have the freedom to decide what our tariffs were going to be, and under this—[Interruption.] Under this deal, we would lose the power to decide what tariffs we levied on the perimeter of the UK.

The most powerful argument that has been made this afternoon is the threat that some Members are apparently ready to hijack the long-standing rules of the House in order to take our constitution hostage, with Parliament to direct the Executive in international relations. That upends hundreds of years of constitutional practice and makes a nonsense of relations between Parliament and the Government. I believe it would lead to an even greater gap between people and this place. Let us abandon that project of dismantling our constitution in the name of making this country an effective colony of the EU.

Instead, we should take what now seems to be the more difficult route but is, in the end, the only one that preserves our self-respect, which is to leave as we are required by law on 29 March and to become once again an independent country able to make our own choices. I am not in favour of crashing out, as many call it. The Malthouse compromise indicates the way forward—the UK observes single market rules and customs duties and restrains our right to compete for a period of three years while we negotiate a free trade deal. I believe the EU would be open to that.

As we come to the final stages, it is vital that we retain our freedom of manoeuvre and do not rule out no deal. A delay will achieve nothing except to compound the uncertainty for business. Now is the time to behave as what we are—the fifth biggest economy in the world, the second biggest military power in NATO and, by many counts, the most influential cultural and intellectual force in Europe—and not to accept what I believe would be a humiliation and the subordination of our democracy.

5.28 pm

Joanna Cherry (Edinburgh South West) (SNP): It is a pleasure to follow the right hon. Member for Uxbridge and South Ruislip (Boris Johnson), although I am puzzled as to why all the wonderful ideas he has about Britain’s glorious future outwith the European Union were not put into play in the two years he spent as one of the most senior people in the Cabinet. One thing that he and I agree on is that this is a rotten deal, although the reasons we will vote against it are very different.

I make no apology for voting against this deal—62% of people living in Scotland voted against leaving the European Union, and 72% of my constituents in Edinburgh South West voted against leaving the European Union. Quite frankly, if I were to vote for this deal, I would probably be strung up from the nearest lamppost as soon as I got home, because my constituents feel extremely strongly about this. They do not want to be taken out of the European Union, and they are very angry about being taken out of the European Union against their will.

Many of my constituents work in the second biggest financial sector in the United Kingdom. Many of my constituents work in two of the best universities in Scotland—Edinburgh Napier University and Heriot-Watt University—and many work in businesses that are already opening offices abroad. I am aware of at least one significant business in my constituency that is moving out of Edinburgh and the UK completely as a result of Brexit.

I make no apology for voting against the deal because I know—not because it is my opinion, but because the evidence I have heard over the last two years in the Exiting the European Union Committee tells me so—that this deal will make Scotland poorer and that it will make Scotland a less safe place to live. I know that this deal will remove Scotland from a single market of 500 million people and attempt to keep us, in some sort of hostage-like situation, in an internal market of only 60 million, in which we really do not have a proper say in the rules and regulations.

Luke Graham: Will the hon. and learned Lady give way?

Joanna Cherry: No, I will not, thank you.

I know that this deal will place Scotland at a potentially serious competitive disadvantage compared with Northern Ireland. I know that this deal and the ending of free
movement, combined with this Government’s hostile environment, will mean a fall in the working and tax-paying population of my country, which will adversely affect my country’s future and my country’s economy.

Carol Monaghan (Glasgow North West) (SNP): Does my hon. and learned Friend share my surprise, frankly, that the right hon. Member for Uxbridge and South Ruislip (Boris Johnson) has been to Crossmaglen, and does she share my concerns, as someone whose mother-in-law is from the fair town of Crossmaglen, that any threat to the backstop is indeed a threat to peace?

Joanna Cherry: Yes. I have been to Crossmaglen. My mother went to school in Carrickmacross, and when I was a wee girl, she taught me the poem:

“From Carrickmacross to Crossmaglen,
There are more rogues than honest men.”

I am not suggesting that that is the case any longer, and I am not suggesting that that is because the right hon. Member for Uxbridge and South Ruislip visited. Joking aside, however, as somebody with an Irish mother and a family who still live in the Republic, albeit very close to the border, and who run businesses close to the border, I am acutely aware of the threat that this deal—this Brexit—poses to the peace process and the threat it poses to the economy on the island of Ireland, so I do not say that I do not understand why the backstop is there.

I said earlier today what I feel about the meagre assurances the Prime Minister spent two months getting from Brussels. I know there are many people in this Chamber who have very good reason to be concerned that there should be a backstop if the deal goes ahead. However, I still make no apology for voting against this deal, because voting against this deal does not mean no deal; it gives us the opportunity to do what we should have done all along when we realised what a disaster this was, which was to hold a second referendum given that the people across the United Kingdom know the reality of Brexit—not the promises made by the right hon. Member for Uxbridge and South Ruislip, which are unable to be fulfilled, but the reality of Brexit. I believe that if people see the reality of Brexit and the reality of remain, they will choose remain.

I am also voting against this deal because I know that, if this deal goes through, what will happen is that we will simply move into another lengthy period of even more difficult negotiations, with no guarantee whatsoever that any trade deal will be reached at the end of the negotiations. Even if there is, I know from the evidence that any trade deal reached will not be advantageous to my country.

The Prime Minister has said:

“I have been clear throughout the process that my aim is to bring the country back together.” —[Official Report, 26 February 2019; Vol. 655, c. 167.]

I simply do not accept that. This process has not been about the national interest; it has been about keeping the Conservative and Unionist party together and keeping the Prime Minister in power for as long as possible.

Toby Perkins (Chesterfield) (Lab): There is much that the hon. and learned Lady is saying about this deal that I agree with, but I think she slightly over-eggs the point when it comes to the issue of Scotland and what Scotland wanted. She said that 62% of Scottish people voted against, but that is not in fact true. The turnout in Scotland was lower than that of any English region, and in actual fact only 41% of people voting in Scotland voted to remain, which was largely because the SNP made so little effort to get people to go and vote.

Joanna Cherry: Well, really! You know, Mr Speaker—[Interruption.]

Mr Speaker: Order. This is a most extraordinary state of affairs. The hon. and learned Lady is seeking to rebuff an intervention, but, Ms Gibson, you are literally yelling from beyond the Bar in a most eccentric fashion. Calm yourself and recover your composure.

Joanna Cherry: I am not going to waste what little time I have in dignifying that intervention with a reply, other than simply to say that it shows the great ignorance of many members of the Labour party about the situation in Scotland, and why Labour is nose-diving into third position in Scotland, having once been in the lead.

To return to my point: when the Prime Minister says her aim is to bring the country back together, I do wonder which country she is talking about. The United Kingdom is a union of three nations—Scotland, England and Wales—and the Province of Northern Ireland. It is not one nation; it is a union of three nations and one province. Yet, the Prime Minister has taken no steps whatever—

Lady Hermon: Will the hon. and learned Lady give way?

Joanna Cherry: I am not going to take any more interventions, because I do not have much time left, and I will not get any more time for them.

The Prime Minister has taken no steps whatever to try to bring Scotland into the tent in her discussions on Brexit. Instead, she has repeatedly disrespected the will of the Scottish people, as expressed through their Parliament—most recently last week when, together with the Welsh Senedd, it overwhelmingly rejected this deal.

The Prime Minister likes to sit laughing, rolling her eyes, pulling faces and encouraging others to do so when my right hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford) speaks, but she needs to remember that he speaks as the leader of the biggest party in Scotland—the party in this House that has more seats there than all the other parties put together. However, most importantly, when he speaks, he is articulating the majority view in Scotland, which is clear opposition to this deal and a desire to remain. [Interruption.] People can chunter away from a sedentary position as much as they like, but that is the reality.

The other reality is that, two years ago, in March 2017, by a majority of 69 to 59, the Scottish Parliament voted to hold another independence referendum in the event that Scotland was taken out of the EU against her will. I have no doubt that that will happen, and I have no doubt that this time we will win, because now people know the truth: they know that Scotland is not an equal partner in the UK, they know that Scotland is not treated with respect in the UK and they know that this deal is rotten.
Stephen Crabb (Preseli Pembrokeshire) (Con): It is a pleasure to follow the hon. and learned Member for Edinburgh South West (Joanna Cherry), my colleague on the Brexit Committee. She and I agree on some things; we disagree profoundly on others.

I will be brief. I rise to say that I will be supporting the deal this evening. I supported the deal the last time we voted on it, and I supported it for a number of reasons. Parts of it represented compromises for me and did not reflect fully what I would have wanted at this stage of the Brexit process. However, overall, it represented a reasonable, pragmatic approach to the article 50 process.

The other reason I supported the deal last time was that I supported the original backstop. I did not support the subsequent vote on the so-called Brady amendment—I did not support the strategy of trying to knock the backstop out of the withdrawal agreement. I actually think that the backstop is there for good and right reasons, which reflect noble purposes. I am sorry, but colleagues on whichever side of the House who say that Brexit has nothing whatever to do with the Good Friday agreement and the peace process in Northern Ireland display an ignorance about what has been achieved in Northern Ireland in the last 20 years. Peace in Northern Ireland is simply the biggest achievement of our politics in the United Kingdom in the last 50 years, and it should be incumbent on all of us to defend it. I am afraid that, back in 2016, the way in which Brexit would affect Northern Ireland and the difficult, complicated border issue there was an afterthought; we did not invest enough time in thinking that through and coming up with a solution. The backstop is there for a very good reason.

I never accepted the narrative that has grown in recent months on the Government side of the House and among some on the Opposition Benches that the backstop is some kind of entrapment mechanism. I regard that as a conspiracy theory. I tested this view with Ministers in Europe when I visited with the Exiting the European Union Committee, as well as on individual visits. I talked to independent trade and legal experts here in the UK who also reject the conspiracy theory that the backstop has been cooked up as an entrapment mechanism between a tricky Irish Government and a malevolent EU Commission to somehow lock the UK long term into an arrangement that we do not want.

Lady Hermon: I am most grateful to the right hon. Gentleman for taking an intervention. Will he take a moment to reflect on the advice given by the Chief Constable of the Police Service of Northern Ireland, who has asked for over 300 additional police officers? Quite rightly, the Government have acceded to his request. He has also taken off the market three unused border police stations that were up for sale, because he knows the dangers of a hard border in the event that we leave without a deal. Will the right hon. Gentleman reflect on that warning?

Stephen Crabb: I agree 100% with the hon. Lady. The Select Committee took evidence from the PSNI and visited the communities affected. Anyone who tries to belittle or downplay these issues has, I am afraid, a completely wrong reading of the very serious and sensitive issues we are discussing.

The proper way of seeing the backstop is as a concession. The backstop in the withdrawal agreement reflected an ask that we made. It did not reflect the original form of the backstop. We wanted it to be a UK-wide backstop, rather than Northern Ireland-specific. We were granted that, and that is how people view it on the other side of the channel: they see it as a concession that they made to us. In effect, it was an achievement of our diplomacy and our negotiating that the final version of the backstop reflected something that we asked for. Rather than being defended as the fruit of our efforts, however, it has been trashed with the conspiracy theory that it was some kind of entrapment mechanism. There are two golden rules when one is a Minister: do not trash your civil servants, and do not trash your own achievements and homework. It does feel that we have rather done that to the withdrawal agreement we negotiated.

I say to my colleagues who have still not been convinced to support the deal that all of us on the Government Benches shared in the joint responsibility of triggering article 50 to begin the process that would lead to a negotiated outcome. What did we think was going to emerge from that process? An agreement that looks very much like the one that is in front of us. It would not have mattered who else was in Downing Street. With the greatest respect, whether it was my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) or any Opposition Member, it would not have changed the fundamental shape and form of the withdrawal agreement that emerged at the other end of the article 50 process. It is not the personality in Downing Street—whether they are a true believer or not—that has shaped this withdrawal agreement. The withdrawal agreement has been shaped by our red lines, but also by a number of fixed variables that we cannot escape from when discussing Brexit.

The Northern Irish border is one of those fixed variables. Another is the hard choices and compromises that need to be made on trade: the level of market access and whether we have pure frictionless trade, balanced against the extent of the obligations we are willing to take on. One of the failings on our side, collectively, since the referendum is that we have not properly explained to the British public some of those choices and compromises, so there is still fantasy swirling around that Brexit can deliver all the benefits and none of the obligations. But the fantasy is not on offer. What is on offer is just a set of very difficult and unattractive choices. I genuinely believe that the deal in front of us represents the very best of those choices. There are strengths and merit to the deal in front of us.

I encourage and implore my colleagues, on the Government Benches and on the Opposition Benches, who genuinely believe in delivering a responsible Brexit to support the deal.

Richard Graham: My right hon. Friend is making a series of very good points. The former head of the Legal Services Commission said that the new arrangements give us a legal way of ensuring that we are not locked into a customs union indefinitely if we do not want to be, because the unilateral declaration allows us to suspend obligations. Does he not agree that it cannot be right that both my right hon. Friend the Member for Uxbridge and South Ruislip and the right hon. Member for Broxtowe (Anna Soubry) believe that turning down the
deal is a good idea—one because they want no deal and the other because they do not want any Brexit? Surely both of them cannot be right.

Stephen Crabb: My hon. Friend makes an important point. The fact is that being in the backstop is not a happy or comfortable arrangement either for the EU side or for our side. It is not the long-term objective of the negotiators on the EU side—I genuinely believe that. Again, I return to what I described as the conspiracy theory of entrapment—that somehow we are being lured into an arrangement that we will never be able to get out of. This is just one more stage in a very long process to come.

I recall one particular leaflet that was delivered to every household during the referendum campaign. One of the warnings in it, among some of what many of my colleagues would regard as scaremongering, was a present one of the potential of 10 years or more of negotiation and wrangling over what Britain’s future relationship would be with the EU. It feels very much as though here we are in year three, and we are still in the baby steps of quite a long process. If colleagues of mine want to see quicker, more purposeful progress, they will support the deal tonight.

Finally, I do a lot of mountain climbing in Scotland and in Wales. Every year, people set off on a sunny day up mountains wearing a pair of trainers, armed with a slice of Kendal mint cake, thinking that they are going to get to the summit. They get up there, the weather is not as good as they wanted, they do not have a map and they are not equipped properly. They might argue among themselves about what the right direction is, and eventually they need rescuing off the mountain. It feels a bit like that is perhaps where we are heading, but mountain rescue is not going to come for us. The solution to get off the mountain is in our hands, and that solution is to pass the deal tonight.

5.46 pm

Imran Hussain (Bradford East) (Lab): I declare straight away that I have never climbed mountains—there is time for me yet to get into it—but it is a pleasure to follow the right hon. Member for Preseli Pembrokeshire (Stephen Crabb). Time is short, so I will try to be brief and will not take any interventions, because many hon. Members are yet to speak and it would be unfair, in such an important debate, for Members to be reduced to a time limit of two to three minutes—so, my apologies.

I echo many of the serious concerns that Opposition Members have raised about the Prime Minister’s deal or no deal, and the hugely negative impact that those scenarios will have on our communities, where a Tory Brexit will be devastating. The Prime Minister’s legal guarantee changes nothing. While we have heard lots of debate and emphasis on that today, quite rightly, I wish to concentrate my contribution on the human impact that is at play.

I will start by looking at my home town and constituency of Bradford, and the destruction that ideological Tory policies and the Government’s austerity cuts have brought upon our communities in Bradford in the last decade. We see rampant poverty gripping the city, with more than half the children living in my constituency in poverty according to the End Child Poverty campaign, and with not a week going by that I do not have a worried parent in my constituency advice surgery telling me how they are struggling even to cloth or feed their children because of the deep poverty they are in. We see poor educational attainment, with far too many children leaving school without enough GCSEs and far too many unable to go university. We see abysmally low wages, with people in Bradford paid less than the national average, or even the regional average.

We see insecure jobs and more and more people forced to take on zero-hours contract roles that do not pay the bills and do not offer the protection that they need. We see cuts to local government funding that have crushed advice centres, libraries, community halls and other services that people rely on and that are vital to the fabric of community life. We see an underfunded NHS, with our hospitals creaking as they are forced to do more with less, and staff underappreciated and underpaid. We see uncertain futures, with no hope of tomorrow being better than today and no bright future for our children.

Do I think that the Prime Minister’s deal or no deal is the right choice and that it will offer people in Bradford a better future? Not at all, because let me be clear: it is the Prime Minister and this Tory Government who have left us in such a state, because it is their austerity that is driving Bradford into the ground, not the EU. We were promised by the leave campaign that everything would be fantastic—that there would be millions more for the NHS, that the economy would be fine and that wages would be higher but the stark reality is that those promises have failed to materialise and that a Tory Brexit will only devastate our communities further.

A Tory Brexit will help the Government to strip away workers’ rights—rights we have fought hard for and depend upon—and allow them to continue their relentless pursuit of deregulation to make it easier for people to lose their jobs, their holidays and their representation. It will grind down our economy in Bradford and Yorkshire, which exported £9.7 billion of goods—goods that create thousands of jobs but depend on free and unhindered access to the continent—to the EU in 2017. It will hit wages and the pockets of working people as the economy shrinks, jobs are lost and even food prices rise. It will allow the Government to continue their ideological austerity drive, with money set aside for the regions by the EU not coming back to the north but being spent in the south and the Tory shires. Ultimately, it will worsen poverty, as rights are watered down, jobs are lost, wages shrink and austerity continues.

People in Bradford have suffered for years under this Tory Government, who have enacted ideologically driven policies and forced poverty on our communities, so why should they trust a Tory Brexit? A Tory Brexit is not the answer for people in Bradford, and nor is a Tory Government, full stop. I cannot support an outcome that would leave people in Bradford worse off. I cannot allow our communities to be dragged further into the spiral of deprivation, social injustice and poverty.

5.51 pm

Nick Herbert (Arundel and South Downs) (Con): I will support the deal tonight, as I did before. I welcome the further agreement that was struck in Strasbourg in relation to the backstop. We now have far greater legal certainty about our ability to exit it.
The focus of this debate, and of most of the debate in the past 24 hours and previously, has been the legalities of the backstop and of our exiting it. Ultimately, we should care about the real-world risk of being trapped in the backstop, but that has been discussed very little. What are the actual chances that we will be trapped in the backstop, not from a legal point of view but from a political point of view? Is it likely that we will find ourselves in that position? I think it is perfectly possible to argue that it is highly unlikely.

First, I agree with my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) that our being in the backstop would not benefit the EU at all. The EU would not want us to remain in the backstop because, for instance, while we were in it, we would have many of the benefits of the single market without paying into the EU. The idea that the EU wishes to trap us in the backstop is simply a wrong analysis.

Secondly, we would have several hurdles to jump before we ever got into the backstop. We would only start to consider it as a possibility if a trade deal were not ready. We now have further legal certainty about the efforts to ensure that the trade deal will be ready. It would only start to become a possibility if the implementation period were not extended. That is an alternative. It would only start to become a possibility if alternative arrangements were not completed. Again, we now have more certainty about the preparations for those alternative arrangements. We should stop talking about the backstop as though we are certain to get into it and certain to be trapped.

Rebecca Pow (Tunton Deane) (Con): My right hon. Friend is making such a powerful case. Is this not about degrees of risk? We should weigh the minuscule risk, as I see it, of being trapped in the backstop against the far greater risk of not agreeing this deal, which would throw into jeopardy all the good things it should bring this country.

Nick Herbert: My hon. Friend quite brilliantly anticipates my very next sentence. Ultimately, we have a political judgment to make, not a legal judgment. Is the theoretical, highly unlikely possibility that we will be trapped in the backstop really enough to risk Brexit altogether?

Let me say first of all that anyone who is clinging to the hope that no deal could still happen, and is intending to vote against this deal to achieve it—it appeared to me that my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) was thinking of doing that—should forget it, because it is clear that the House will not allow no deal. Whether one supports that move or not, it is about to be taken off the table as an option. We therefore face the clear and present danger that, if this deal does not go through, Brexit will be diluted, seriously delayed, or ditched altogether. That may be what Labour Members want—there is a whole cadre of them who want a second referendum, and others who want to cause difficulty for the Government—but one thing is clear: on these Benches, you cannot talk about gaining control and taking back control, only immediately to cede control to the House of Commons and lose any further control we have to shape the kind of Brexit that we would like. If Conservative Members do not like the deal as it is currently constituted, let them spend the next few months discussing, and then voting on, and then being outvoted on, whether they want a Norway arrangement in which we would become a rule taker, or whether they want a permanent customs union rather than the temporary one for which the backstop provides. That is what Labour Members want, and that is what the House of Commons will give us, whether my hon. Friends like it or not. That is the downside. That is the risk that they are now running: Brexit diluted, seriously delayed, or ditched altogether.

The choice is clear. We can have damaging uncertainty as a result of further delay, anger in the country that we have not implemented the decision that the country took, and the risk—of which my hon. Friend is making such a powerful case. Is this not about the hope that no deal could still happen, and is intending to support this deal, and if they really want to deliver a pragmatic deal, which recognises that while 17.4 million voted to remain, and we have to get this deal through. We avert the risk of no deal, and the risk—of which my hon. Friends should be perfectly well aware—that the impasse will lead to a general election. Conversely, there is a huge upside to getting this deal through. We avert the risk of no deal, although I think that that is about to be averted altogether.

We leave, as promised, on 29 March or shortly after. Business confidence and investment return—and we know that businesses are sitting on cash at present—because we have an implementation period and certainty for those businesses. Resources are released for public services. If the deal does not go through tonight, the Chancellor will have to make it clear tomorrow that he must hold on to cash in the event of uncertainty and of no deal becoming a possibility. If the deal goes through, that cash could be released for public services, which every Member in the House would like to happen.

There are Members who voted to trigger article 50 and who voted for the referendum. Although they did that within the last two years, they are determined to oppose this deal because, in reality, they have reached a position in which they want to oppose or dilute Brexit. Let me say to my hon. Friends that this is not a moment to choose ideological purity above pragmatism. This is a pragmatic deal, which recognises that while 17.4 million people—the majority—did vote to leave the European Union, 16.1 million voted to remain, and we have to compromise. It will be a compromise not with the European Union, but with the country: a sensible compromise which recognises that in leaving we must carry the public with us, and carry business confidence with us.

I say to Members that they have a second chance now to support this deal, and if they really want to deliver Brexit, they should do so.

5.58 pm

Mr Ivan Lewis (Bury South) (Ind): Public dissatisfaction with this place has never been greater. It is true that, when the country is so divided on Brexit, it was always going to be the toughest of challenges to earn public confidence and respect, but the failure of leadership in both the major political parties, coupled with the rigid ideological dogma of some Members, has made the situation far worse than it needed to be. Party and dogma have sadly been put ahead of country.

I have been consistent throughout. I believe that the result of the referendum has to be respected. A belief in the central importance of democracy and the dire consequences for progressive politics if we were to ignore or attempt to subvert the result mean that we must leave. Holding a second referendum would, irrespective of its result, fuel a dangerous right-wing populism in our politics that would be likely to lead to long-term
right-wing Governments in this country. However, the basis on which we leave and engage with the EU in future is all-important. It will shape our destiny for a generation. It must protect our economy; the standard of living of our constituents and our security. We also have a solemn duty to preserve the United Kingdom, which should only ever change through explicit public consent, and to protect the peace in Northern Ireland, which remains fragile—we should never forget that.

The deal we are being asked to support tonight was overwhelmingly rejected back in January largely, but not exclusively, because of the Northern Ireland backstop. The Brady amendment passed by this House gave the Government a clear instruction that the backstop must be replaced in the withdrawal agreement by alternative arrangements; this has not happened. Some propose a time limit; this has not happened. Others wanted us to be able to unilaterally leave the backstop if negotiations fail; again, this has not happened. So none of the conditions laid down by the vast majority of the original deal’s opponents has been met, and this has been starkly underlined by the Attorney General’s legal advice of this morning.

As I have said, I believe we do have a duty to implement the referendum result and leave the EU, and I will only support a minimum extension to article 50 which would ensure that we were not obliged to participate in European elections. Therefore, I will be willing to consider supporting this agreement, for all its perfections, if only the Government were willing to be clear about their aspirations for our future relationship. For the sake of trade, jobs and living standards, that has to include a customs arrangement of some kind with the EU. That could, but need not, be membership of the customs union itself. Not only is that the best way of securing economic stability, but it would guarantee that the backstop is consigned to the dustbin of history. The best means of achieving this is Common Market 2.0, with the UK moving into the EFTA pillar of the EEA and joining a comprehensive arrangement with the EU, maintaining a common external tariff with the EEA and joining a comprehensive arrangement with our European partners. The implementation period will provide Governments, businesses and people on both sides of the channel with the time to put in place the new infrastructure that will be integral to the arrangements that the Prime Minister has recently secured.

I am one of the 27. No, not the EU27, but the 27 Members of Parliament representing Greater Manchester constituencies. I am therefore particularly interested in gaining the certainty that we need and in continuing the growth of our northern economy. There is nothing that businesses fear more than uncertainty. They need to know the direction of economic travel so that they can plan for future investments. That is hugely important for my constituency, for Greater Manchester and for the economy of the north of England.

The Government’s commitment to the northern powerhouse is translating into record levels of investment across the region and, most importantly, into jobs. Greater Manchester’s local industrial strategy reinforces the region’s ambition to establish the country’s first Tech Nation hub, and a report from Ernst & Young reveals that Manchester has been ranked as the best performing city outside London for attracting foreign direct investment projects, with a 17% increase in projects since 2017. The digital sector is the leading sector influencing those figures. Many companies are now comparing Manchester to California’s silicon valley, because of the huge expansion of Manchester’s tech hub. Further evidence of the city’s confidence in this sector is Amazon’s decision to open a new office in the centre of Manchester, creating 600 digital jobs.

However, we can continue this success only by laying the foundations for an orderly, smooth Brexit. This agreement provides the basis on which we can leave while giving people and businesses the certainty that they need. I understand that some people in Chaddle and elsewhere in the north, as well as some colleagues here in the House, want to reject this deal in the hope that that will force either a no-deal Brexit or a second referendum leading to the UK remaining in the EU.
Both cannot be winners, however; both cannot be right at the same time. For any hon. Member who genuinely does not wish to stop Brexit, this is the best and only deal. The EU has made it clear that it will not change the terms of the agreement. Whatever our views on the nature of the future relationship, that relationship can be negotiated only when a withdrawal agreement has been passed. This is the only withdrawal agreement. If we do not agree to this motion today, we risk having no Brexit at all. I am backing this agreement to take us out of the European Union into a more global future, and I am anticipating a positive, optimistic future for our country.

6.8 pm

Emma Reynolds (Wolverhampton North East) (Lab):
It is a pleasure to follow the hon. Member for Cheadle (Mary Robinson). We might go through different Division Lobbies tonight, but I share her priority for safeguarding our constituents’ jobs and livelihoods. That is what is driving my decision to vote against the motion tonight, and I want to set out three reasons why I will be doing that. First, for many of us on the Opposition Benches, the package that the Prime Minister has brought back from Strasbourg at the eleventh hour totally misses the point. Our concerns about her deal have nothing to do with the Northern Irish backstop. In these debates about exiting the European Union, right hon. and hon. Members have expressed concerns about the economy and trade three times more often than concerns about the backstop.

This last-minute deal, which really has not changed much, is just the latest chapter in the Tory party’s Brexit divisions and melodrama. When the Prime Minister says that she is listening to Parliament, she is actually listening to hard-line Tory Brexiteers and her confidence and supply partners, the DUP. When she says that she is acting in the national interest, she is actually putting her party’s interests above the prosperity of our constituents. She encourages us to come together, but she has done little to reach out across the House to appeal to Labour Members and other Opposition MPs. When it comes to the deal tonight, this is the first time that I can remember in British history that a PM and Chancellor have recommended a course of action that, according to their own economic analysis, will make people worse off and our economy smaller. The people did not vote in the 2016 referendum to be poorer, and I cannot in all conscience vote for a deal that makes my constituents poorer and the country less safe.

Secondly, as the right hon. Member for Preseli Pembrokeshire (Stephen Crabb) said in his eloquent contribution, the Government have not levelled with people about the trade-offs and hard choices that should be made on Brexit. For example, Brexiteers claimed that trade deals with the US, India, Japan, Australia and New Zealand will boost our prosperity, but there is not a shred of evidence that those trade deals—even if agreed quickly and in our favour, on which the International Trade Secretary is not exactly doing a great job—would result in more jobs and investment than we would lose if we loosen our ties with the EU, which is our most important market and the destination of most of our exports. That is why it was so foolish of the Prime Minister to make leaving the customs union and the single market her red lines from the word go. If only she had dropped those red lines, she may have managed to build true cross-party consensus for an alternative deal.

The irony of today’s debate is that it is all about reassuring hard-line Brexiteers that the UK will be able to pull out of the backstop, which is in essence about the UK leaving the customs union. However, just-in-time manufacturers in the food, automotive and aerospace industries, which employ tens of thousands of people across the country and thousands in my constituency, have stressed time and again the importance of frictionless trade and the customs union with the EU and of avoiding no deal. Supermarkets have warned that a no-deal scenario and any delays at the border would put food prices up, and the car and aerospace industries have warned that delays at the border will destroy just-in-time manufacturing. Indeed, because of the threat of no deal we have seen companies big and small already taking decisions to put investments on hold. We have had bad news from Nissan in Sunderland and terrible news about Honda, and BMW has said that no deal would lead it to shift production elsewhere. As my right hon. Friend the Member for Leeds Central (Hilary Benn) said, the car industry should be the jewel in the crown of our economy, but the Government’s irresponsible actions are putting that at risk.

Thirdly, I am not prepared to vote for a blindfold Brexit. The political declaration is vague and non-binding. We were told by Tory Brexiteers a couple of years ago that the trade agreement with the EU would be the “easiest in human history” but as Ivan Rogers, the UK’s former permanent representative to the EU, so eloquently put it only the other day:

“We cannot live in glorious isolation. Talk to the Swiss and to the Norwegians—they live in a permanent state of negotiation with the EU.”

To those who say that we should vote for the deal tonight so that we can get things over and done with and move on because people are fed up, I say that boredom is not a good reason for taking an important decision about the future of our country. The negotiations will go for years and years and years.

I hope that the deal is defeated tonight, and I hope that we then vote against no deal tomorrow. It would be the height of irresponsibility. We have heard the right hon. Member for Uxbridge and South Ruislip (Boris Johnson) and the hon. Member for Morley and Outwood (Andrea Jenkyns) actually recommending a no-deal Brexit, which would be catastrophic for jobs, livelihoods and the wider economy, but do not take that from me; take it from Jaguar Land Rover and from businesses up and down the country.

Several hon. Members rose—

Mr Speaker: Order. On account of the demand and the time constraints, a five-minute limit will now apply, but I say to the hon. Member for South Suffolk (James Cartlidge) that it is not obligatory to take the full five minutes.

6.14 pm

James Cartlidge (South Suffolk) (Con): It is a great privilege to be called to speak in this debate. If I had my speech written on a piece of paper, I would now metaphorically tear it up.
I will simply respond to the quite extraordinary comment of my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson), of whom I am a great admirer. He was a very good Mayor of London. However, I have to appreciate that he is the primary spokesman and advocate for the idea that basically we should now leave on WTO terms, and many thousands of people in my party look to him and admire him for that and think he is right, yet I asked him the most basic question about the WTO today and he got it wrong. In my view, he did not understand it.

My point is that when it comes to WTO tariffs, if we go to a WTO no deal, which many Conservative Members who vote against this deal tonight will want, we have to understand there are only two choices. We are not taking back control of other countries, only this one, so we cannot affect the tariffs levied on our exports; we can only control the tariffs on our imports. It is the devil and the deep blue sea. We can either have a policy of WTO most favoured nation tariffs on imports, which could mean inflation of up to 20% on many foodstuffs and other consumer goods, or we can take the approach I understand we will be announcing tomorrow if this deal is defeated, which is to have nil tariffs on most imports. That is described as unilateral free trade but, in my view, it is not unilateral free trade but the unconditional surrender of British industry and British farming.

I want to talk about British farming, because I understand that, within the schedule we are poised to announce tomorrow if we lose this vote, arable farming—wheat—will be set with a nil import tariff. That is not a minor detail in South Suffolk, because there are currently no shipments of wheat booked out of the port of Ipswich after 29 March. That is not “Project Fear” but absolute reality, because the WTO tariff on wheat is €95, or £80, a tonne. The max to be had for milling wheat is £180 a tonne. Nobody is going to buy that. Even if we get quota, it is £12 a tonne, but we will not get it because under the WTO—guess what?—although we may come to deal with the EU on quota, New Zealand, our other friends in the Commonwealth, Australia and the United States are protesting against it in the WTO. People have to understand that the WTO ain’t no panacea.

But there is a way we can influence the tariffs on our exports, which will otherwise be very high, and it is old-fashioned: we make a deal with other countries, because we cannot directly control them. We do not have sovereignty over their tariffs, so we make a deal. Under the deal before the House, the good news is that we will continue tariff-free and quota-free trade with our largest market. Let us be honest, some of my colleagues will vote against the deal because they are getting the same emails I do, which say, “Go for WTO. Go for no deal.” They have to understand that that means that we, as Conservatives, would be saying that within a matter days the desirable outcome is the return of tariffs—and all the red tape that comes with tariffs—and non-tariff barriers across the whole of British industry. Do we think that is a good idea, as the party of enterprise? It is madness, and it will be damaging and destructive.

Here is the good news. People talk about why we voted for Brexit and all the issues around sovereignty, and I profoundly believe, because I am by nature an optimist, that if we get a sensible deal—if this vote passes—we will be successful, and I will briefly explain why. We may be the fifth largest economy, but we are 22nd or 24th in GDP per head according to the World Bank and the International Monetary Fund. We are low ranking because we do not have the sort of sustainable growth in exports that gives the higher GDP per head that our competitors enjoy.

If we take a sensible deal that secures our industrial base so that we have some industry to make those trade deals, then and only then, once we have sorted out the border, can we start making those trade deals. We will become more export-oriented and, if we control immigration sensibly, including from outside the EU, we will eventually see higher GDP per head. To really get that, we need the investment to come with it. That needs certainty, which means voting for this deal, being confident and being optimistic about the negotiations that follow on the FTA. It means backing Britain and saying, “Do you know what? We can do this. We are confident. We don’t fear the backstop. It is a risk, but we don’t fear it. We are confident.”

I believe that if we pass the vote tonight, we will be a very successful country.
to go back to the public. That was precisely the amendment that the independent group tabled for today, and I hope that at some point this week we will be able to vote on this question of a public vote. After all, a people's vote was the policy of the Labour party at its conference.

Has there ever been a time in our politics when we have been worse served by the leaderships of our main political parties? I commend those Back Benchers, some with very different views from mine, who have tried their best to navigate towards a solution. Many hon. and learned Members have put their backs into finding a solution, but they have found that the intransigence and tribalism of party politics has stubbornly stood in their way. We know that the Prime Minister is a prisoner of the ERG right wing on her side, but my patience with what was and has been going on in the Labour party has ended. I could no longer stay in the Labour party, knowing that the livelihoods and jobs of our constituents will be hurt. I appeal to my friends—

Kevin Brennan (Cardiff West) (Lab): You voted for article 50—

Mr Leslie: I did not vote for article 50.

Kevin Brennan: No, but your spokesman did.

Mr Leslie: I did not vote to trigger article 50, but the point about hon. Members who are heckling me is that they do not like to hear that a massive betrayal is going on in the Labour party right now. The conference policy that was passed was to support a public vote, and nobody can explain to me why the Labour party has not got to the stage of supporting a public vote by now. All my hon. Friends in the Labour party know that by now we should have reached the stage of a public vote. So I appeal to Members across the House: now is the time to do the right thing, for their livelihoods and jobs. We must support, this week, a public vote to put this issue back to the public, so that they can decide.

Several hon. Members rose—

Mr Speaker: Order. The time limit will now be reduced to four minutes, but I say to the right hon. Member for Gainsborough (Sir Edward Leigh), to whose eloquence we are accustomed, that it is not obligatory for him to absorb his full time.

6.28 pm

Sir Edward Leigh (Gainsborough) (Con): I voted Brexit, and so did my constituency, by 62% to 38%. It always seemed to many of us that our job was to try to deliver the decision of the people, but we were aware that unfortunately we were in a minority in Parliament and might have to compromise. It became clear to many of us months ago that the EU was unwilling to unpick the agreement. It also become abundantly clear that we could not get the deal through Parliament. So, what was the way forward? It seemed to me that there was some sort of logical way forward, because the two parties themselves had agreed that the backstop should only be temporary. If the backstop proved not to be temporary, could we not, under the Vienna convention or international law, unilaterally escape from it?

I took legal advice—I am grateful to Professor Peter Willetts, the emeritus professor of global politics at City, University of London—and eventually suggested to the Government that they use the device of a conditional unilateral declaration. It was met with some scepticism at first, but the campaign continued, and I am delighted that the Government have now issued a unilateral declaration.

The shadow Brexit Secretary and the Leader of the Opposition made it clear today that they believe the unilateral declaration is not watertight because the EU has not signed up to it. That is simply not true under international law. We are perfectly entitled under international law to interpret the treaty in the way that the parties appear to want to interpret it, which is that the backstop should be temporary. Once one of these conditional interpretative declarations—that is the term of art used—is issued, it can cease to have effect only if the other party to the treaty refuses to ratify that treaty. Not only has the EU not refused to ratify the treaty, but it has not objected to our declaration.

Our declaration makes it absolutely abundantly clear that there is nothing to stop us exiting the backstop if discussions break down. We do not have to prove a lack of good faith by the EU; we have simply stated in our unilateral declaration that there is nothing to stop us leaving the backstop if discussions break down. In paragraph 14 of the Attorney General’s report, he says that this is “a substantive and binding reinforcement” of our rights.

Now, of course there is a risk, but life is full of risks, and against the minimal risk of our being trapped in the backstop, which I believe to be minimal because we have issued the unilateral declaration and because of the stated desire of the parties, there is a much greater risk for us Brexiteers that tomorrow Parliament will block no deal, and that the next day Parliament will vote to extend article 50. For those of us who believe in Brexit and in delivering the will of the people, that is a far greater risk than the fairly small risk of our being trapped in the backstop forever. I appeal to my fellow Brexiteers: you may not like the deal, and it is not perfect, but it delivers Brexit. Let’s go for it.
For us, it has never been about the backstop, because we understand that this is a necessary consequence of a commitment that the UK Government have made to having no hard border, and we should value that commitment and we should value the Good Friday agreement. For all the energy in the discussions with the European Union since November, those discussions have been about the wrong question. The question should have been about not the backstop, but the future of our relationship with the European Union.

Our main objections to this agreement are that it leaves this country less empowered than we are at the moment, that it leaves us poorer than we would be otherwise, and, most of all, that there is no clarity on the future. The Prime Minister said so today. What is the answer to the car industry or the aerospace industry that says, “What does the future hold for us?” What is the answer to a young person who says, “What will happen to my rights in the future?” The Prime Minister told us today, after three years, that the answer is that there will be a spectrum of different outcomes. That is the answer: a spectrum of different outcomes. That is not good enough.

We have heard plenty about elites and the people in this debate, but there is nothing more elitist than driving through a withdrawal agreement while deliberately keeping from the people the true nature of the future relationship between the European Union and the United Kingdom after that happens, and that is precisely the strategy of the Government. Let me say to Ministers that if they lose the vote tonight and we are in the position of looking at an extension of article 50, let us not have a sterile debate about whether that is for one month, two months or a particular number of weeks. Let it be for a purpose. Let us recast this process so that we can level with the public about the choices that Brexit entails. Let us lay them out, all their pros and cons. We know the pros and cons of remaining: it is time that the choices and the trade-offs of leaving are laid out before the public. That is the opportunity of extending article 50, not simply another few weeks of the same parliamentary merry-go-round.

6.32 pm

**Steve Double** (St Austell and Newquay) (Con): I think it is probably an understatement to say that we are not where we want to be today, and that we are not where we should be. I do not believe that the 17.4 million people who voted to leave the EU expected that, just 17 days before our scheduled leave date, the question of whether we are going to leave on 29 March would still be in the balance.

This House voted to trigger article 50, which gave a two-year notice period for us to leave, and it passed the European Union (Withdrawal) Act, which had the date when we leave in it. It is a failure of our politics and of leadership that we are in this position today where the choice before us tonight is, as far as I am concerned, an impossible choice: a choice between the deal, which is not a deal and does not deliver on our promises to the people of this country, and voting down a deal and risking all sorts of alternatives from those who want to thwart and delay Brexit and prevent it from ever happening.

It will only be when the history books of this period are written and the real truth comes out that we will fully appreciate what happened. All the people who have sought to undermine the Prime Minister in her negotiations, and the hindrance that that has caused, are directly responsible for why we are here today. There are also those who have maintained that no deal should be taken off the table, which has completely undermined our negotiating position, and those who have supported a second referendum, which has sent a message to the EU, saying, “If you give the UK a terrible deal, it will vote it down in another referendum and decide to stay in the EU.” The truth will come out one day, and then we will know exactly what has gone on to undermine these negotiations, but we are where we are tonight.

Here we are, 20 minutes before the vote, and I still do not know how to vote; I am still in a quandary. The choices before us tonight are between two wrongs—two things that I do not want to happen. It is an impossible choice. I will make a decision and vote tonight, but it is a choice that I do not want to make. One option—if you will excuse my language, Mr Speaker—is a turd of a deal, which has now been taken away and polished so that it is a polished turd, but it might be the best turd that we have before us. The alternative would be to stop Brexit all together, as some propose, and the risk of that happening is very real. That would be a complete denial of the people. When this House voted for a referendum, we put the decision in the hands of the people. We said, “You will make this decision and we will implement it.”

The fact that we are where we are today is a failure of our politics, and every one of us needs to take responsibility for the British public’s view of this place today.

As I am faced with this impossible choice tonight, I just trust that we will deliver on the referendum and keep our word to the British people, and that—one way or another—we will leave at the end of this month.

6.36 pm

**Martin Whitfield** (East Lothian) (Lab): It is a pleasure to follow the hon. Member for St Austell and Newquay (Steve Double), but may I give him a little piece of advice and suggest that he votes against the deal?

We have listened to the debate over the past few months, and can extract many anomalies that go to the heart of the constitutional problem we find ourselves with today. There is a real risk that this Parliament is becoming a hollow Parliament—a Parliament that the Executive hold so low that they will not dare open negotiations with it, and whose votes the Executive choose to follow or choose not to follow. It is a Parliament that some right hon. and hon. Members have, in the very recent past, suggested be adjourned until after Brexit, and one to which the Executive will not grant Opposition days for fear of being forced to follow the will of the people’s elected representatives. It is a Parliament that the people look at and, like so many generations before, are starting to despair at. But I warn the Executive that this Parliament will bite back.

There is no majority for this identical deal, there is no majority for no deal and there is no majority to authorise this Executive to throw us over an economic cliff, to damage our culture, our communities and our future generations, and to lose respect for this country around the world and the respect that this country has for itself. If those who lead cannot act in the best interests of our country on the evidence that lies before us—not some historical prejudice—they should not be surprised if this Chamber bites back.
[Martin Whitfield]

So here we are, finding ourselves with a meaningful vote in March. The right hon. Member for Loughborough (Nicky Morgan) mentioned the people’s vote, and said that it would risk breaking democracy and our politics. But it is interesting that we do not hear about the fraud, the investment and the attempts to buy votes in the original referendum. Why is that not damaging our democracy and our politics? It begs the question: what intellectual humility is needed to say that what the Government are doing is wrong, and to look at the facts that influence current thinking? I hope that it is not history, because history will judge this folly severely.

My predecessor had the pleasure of sitting in the Chamber for six hours to speak and vote when we went into the forerunner of the European Union—the organisation that we watched being created after world war two not for trade, but to keep the peace. Today we have heard from hon. Members about the Belfast/Good Friday agreement, and not because of what was said about the economics during the referendum—that we were all going to be so much better off—but because of the young people in East Lothian whose futures are being damaged by this decision. There are people who say that there are hard Brexiters and hard remainers, and that the reality lies somewhere in the middle. Well, tonight I declare my interest as a hard remainder, because that is where I think the future of East Lothian, the future of Scotland and the future of the United Kingdom is best suited.

6.40 pm

Keir Starmer (Holborn and St Pancras) (Lab): This has been a very important debate, and tonight’s vote will be one of the most significant votes this House will ever take. I want to thank all those who have spoken in the debate today, and indeed all those who have spoken in the debates on previous occasions. As we go to vote, I also want to put on record my thanks to the civil service and the UK negotiating team. They are dedicated, committed, and have worked tirelessly for the past two years. They deserve our thanks. Too often, they have received wholly unwarranted criticism with no right of reply. The verdict that this House delivers on the deal is received wholly unwonted criticism with no right of

The mood in the debate today has been lively at times, but also sombre. Members have clearly been contemplating what is likely to happen tonight. The theme has been clear, and has focused on what the Prime Minister said she could deliver—namely, legally binding changes to the backstop. As has been said many times in the debate, on 12 February the Prime Minister outlined her three options for achieving those legally binding changes to the backstop: either a legally binding time limit, a legally binding unilateral exit clause, or the ideas put forward by the alternative arrangements working group. Those commitments—those promises—have been repeated many times by the Prime Minister and by other Cabinet Ministers, so much so that for many Members of this House, not least Conservative Members, this has become a matter of trust. These were promises made by the Prime Minister to them, to Parliament, and to the country.

I have repeatedly raised the question of expectations—the concern that the Prime Minister was raising expectations that she could not fulfil. When I said that last week and the week before, Conservative Members challenged me, saying that I was not optimistic enough when I said that I did not think there were going to be legally binding changes. It is now obvious that the expectations, having been raised, have not been fulfilled and the promises have not been kept.

Among the problems for the Prime Minister and the Government has been that they have been living day to day, week to week—avoiding defeat today by promising something tomorrow. That was what happened on 10 December when the vote was pulled—the Government avoiding defeat by promising assurances on the backstop. It is what happened on 29 January when the Government voted for the so-called Brady amendment requiring that the backstop be replaced. It happened on 12 February when that promise was made about legally binding changes; and it happened two weeks ago when, facing possible defeat on a crucial motion, the promise was made that we would have the meaningful vote today, a vote on no deal tomorrow, and a vote on extension the day after. They were all promises made to avoid defeat today—promises for tomorrow. But as tonight’s vote is likely to show, today has caught up with tomorrow. There can be no more buying time.

I appreciate that in the last 24 hours, the Prime Minister has valiantly tried to argue that she has delivered on her promises and that there are significant changes, but that claim has been tested in argument in this House. There was always a temporary right to suspend the backstop under the withdrawal Act if the arbitration panel found a breach of good faith. That is not new—it has been there since 25 November. There was always a commitment that the backstop would not have to be replicated. That has been there since 14 January in the letter from Presidents Tusk and Juncker.

The announcement that the letter is legally binding was made last night, but the Prime Minister made it clear that the letter had legal force on 14 January, for the first vote. “Legal force” and “legally binding” are the only difference; it is dancing on the head of a pin. That claim has been tested in this debate, and the Attorney General delivered his opinion earlier, with the key conclusion in paragraph 19 of his advice being that there is “no internationally lawful means” of exiting the backstop, “save by agreement.” He could not have been clearer. The Attorney General made much play of the difference between political and legal issues, but the problem for the Prime Minister is that she promised legal changes.

The Father of the House challenged the Leader of the Opposition on the question of the backstop, and rightly so. I make it clear: we have always accepted the need for a backstop. Nobody likes the backstop, but it is inevitable. However, as the letter from President Tusk and President Juncker makes clear, the withdrawal agreement and the political declaration “are part of the same negotiated package.”

Mr Kenneth Clarke: What I put to the Leader of the Opposition was that the only things we are settling today with this vote are the deal we have on citizens’
rights, the money we owe and the Irish backstop. Those are the only things that will be resolved if we pass this withdrawal agreement today. I still cannot understand what the Labour party’s objection is to any of those three.

**Keir Starmer:** I engaged with that point, because it is important. I have dealt with it a number of times from the Dispatch Box. I have made it clear on a number of occasions that the Labour party recognises the need for the backstop. The problem is in the heart of the letter from President Tusk and President Juncker, where they say:

“the Withdrawal Agreement and the Political Declaration…are part of the same negotiated package.”

Anybody who has read the legislation that we are voting under tonight will appreciate that the Government cannot move forward unless both the withdrawal agreement and the political declaration together are voted on tonight. It is a cheap point to simply say, “Well, since you accept that there is a backstop, you should vote for this tonight.” I will not accept it.

It is not just about the technical fact that the withdrawal agreement and the political declaration have to be voted through together. It is also about the fact that what happens today, given the promises, is as much about trust as it is about substance. I have never doubted the difficulty of the Prime Minister’s task or the way that she has gone about it. She has been right to refuse to listen to those who are casual and complacent about the need to avoid a hard border in Northern Ireland. But the reality is that the deal the Prime Minister has put before this House is deeply flawed. The future relationship document is flimsy and vague. It is an options paper. It is the blindest of Brexits.

I heard what the Prime Minister said today—that she has said it before—about not being able to negotiate a trade agreement with the EU until we have left, and that is right. But she and I know what she promised: a comprehensive and detailed political declaration, ready to be implemented. That is why it was called an implementation period, not a transition period. That commitment to a detailed political declaration was made at the Dispatch Box by Brexit Secretaries on a number of occasions. This deal is not that: it is an abject failure. It does not protect jobs, living standards or rights. It will not deliver frictionless trade. The deal has already been rejected once by this House. It has been rejected by the Scottish Parliament and the Welsh Assembly. It is opposed by the TUC and the entire trade union movement. Every Opposition party in this House, and I suspect a good many Conservative Members, will oppose it tonight. This is a sorry outcome after two years of negotiations.

**Anna Soubry:** Will the right hon. and learned Gentleman give way?

**Keir Starmer:** I will not give way, because I have just looked at the clock.

Mr Speaker, I want to end with this. I have been in the role of shadow Brexit Secretary for two and a half years; it often feels longer. Many predictions were possible back then, but I could not possibly have foreseen the scale of the calamity now upon us. The truth is that the Prime Minister has spent 24 months negotiating the deal, but the deal arrived at is a desperate attempt to keep her divided party together. It has failed even in that endeavour, and I believe it will be rejected by this House. This is a difficult moment for this House and for the country. We in this House should take no joy in the events that have unfolded. After tonight, the House will need to come together and find a way out of the mess that the Prime Minister and this Government have created.

6.51 pm

**The Secretary of State for Exiting the European Union (Stephen Barclay):** The right hon. and learned Member for Holborn and St Pancras (Keir Starmer) began his remarks by paying tribute to the officials across Whitehall who have put so much work into the negotiations on which we will vote tonight. On behalf of the Government, I join him in paying tribute to them for that work.

Eight weeks ago, Parliament made it clear that, despite the benefits delivered by the deal, the deal must change. The Government have listened to the concerns of the House, and they have done that. They return to present a revised package, which my right hon. Friend the Prime Minister, my right hon. and learned Friend the Attorney General and I are putting to the House, that signals a moment in time when we can move forward and when the country can move forward. It delivers the certainty our businesses need, the guarantees our citizens seek and the protections requested across the House on workers’ rights and environmental standards. On Gibraltar, as the Chief Minister himself has said on many occasions, the Prime Minister has been absolutely clear that we stand behind British sovereignty for Gibraltar and that will never change. Above all, a vote for the deal tonight will deliver a wider global message that, when this country votes, respecting strongly held differences of opinion, its Parliament acts on that public vote.

In recent weeks, the Prime Minister and senior members of the Government have engaged widely: from trade unionists such as Len McCluskey to businesses, EU leaders, many colleagues across the House and even—on one occasion, when he finally got round to it—the Leader of the Opposition. Tonight, the Government present a package of measures that will extinguish the risk of no deal and remove the democratic threat posed by no Brexit. The fear of being trapped in the backstop by no deal and of the EU using its leverage in negotiations have been repeatedly raised in previous debates. I do not believe that the EU ever intended to approach our future relationship in bad faith. Indeed, it is a slight irony that those who say they are European suggest that the backstop and the EU acting in bad faith is a concern of theirs. It is certainly not my experience of dealing with them. We share values and we want to trade together, but we have to address that risk.

**Mr Jacob Rees-Mogg (North East Somerset) (Con):** I am very grateful to my right hon. Friend for giving way on the point about our being stuck in the backstop. Further to my question earlier, I understand that the Attorney General has been able to extend his advice on how article 62 of the Vienna convention could be used. Would my right hon. Friend be able to confirm that?

**Stephen Barclay:** I am very happy to address the point that my hon. Friend raises. Before I do, I was going to come on to the wider point that the Attorney General made clear in his comments this evening—
that the documents laid before the House reduce the risk on which he previously gave advice to the House on 13 November.

However, I think the issue to which my hon. Friend alludes is the exceptional circumstances that might change the basis on which the UK might enter into an agreement. For the clarity of the House, if the United Kingdom took the reasonable view, on clear evidence, that the objectives of the protocol were no longer being proportionately served by its provisions because, for example, it was no longer protecting the 1998 agreement in all its dimensions, the UK would first, obviously, attempt to resolve the issue in the Joint Committee and within the negotiations.

However, as the Attorney General said in the House today, it could respectfully be argued, if the facts clearly warranted it, that there had been an unforeseen and fundamental change of circumstances affecting the essential basis of the treaty on which the United Kingdom’s consent had been given. As my hon. Friend will know, article 62 of the Vienna convention on the law of treaties, which is reflective of the customary international law, permits the termination of a treaty in such circumstances. It would, in the Government’s view, be clear in those exceptional circumstances that international law provides the United Kingdom with a right to terminate the withdrawal agreement. In the unlikely event that that were to happen, the United Kingdom would no doubt offer to continue to observe the unexhausted obligations in connection, for example, with citizens’ rights. I hope that addresses the concern that was raised.

**Joanna Cherry:** Is the Attorney General going to issue an addendum to the statement and the opinion he has already given, or is this just the right hon. Gentleman’s view on the matter?

**Stephen Barclay:** First, I have set out at the Dispatch Box the position on behalf of the Government and given that clarity ahead of the vote. What was clear in response to the Attorney General’s statement earlier today is that he has been assiduous in his duties to this House. He has provided his legal advice, both on today and on 13 November and today, and I am sure he will continue to be a servant of the House and to act in that way.

**Several hon. Members rose—**

**Stephen Barclay:** I have three minutes remaining. It is—[Interruption.]—

**Mr Speaker:** Order. The Secretary of State has already explained that he is speaking for the Government. Colleagues must make their own assessment. There is no time to delay.

**Stephen Barclay:** Given that I have but one minute left, let me say that what came through in the statement this morning is, if I can quote the Attorney General, that legal advice “can only inform...a political decision”. Tonight, the House faces a political decision. We have a strong message from our business community that wants certainty. We have a message from our citizens who want to know their rights are protected. We are a country that stands by its legal obligations, which is why we will settle the financial settlement. But the reality is that we face a fork in the road. It is time to choose. It is time to move forward. I commend the motion to the House.
Baldwin, Harriett
Barclay, rh Stephen
Barron, rh Sir Kevin
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Boles, Nick
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Brereton, Jack
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burt, rh Alistair
Caims, rh Alun
Cartledge, James
Caulfield, Maria
Chalk, Alex
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Cleaver, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Costa, Alberto
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glynn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Duguid, David
Duncan, rh Sir Alan
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Eustice, George
Evans, Mr Nigel
Evennett, rh Sir David
Field, rh Frank
Field, rh Mark
Flint, rh Caroline
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Frazer, Lucy
Freeman, George
Freer, Mike
Gale, rh Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Grayling, rh Chris
Green, rh Damian
Griffiths, Andrew
Hair, Kirstene
Halfon, rh Robert
Hale, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harrington, Richard
Harrisons, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Herbert, rh Nick
Hermon, Lady
Hinds, rh Damian
Hoare, Simon
Hollingbery, George
Hollinsworth, Kevin
Howell, John
Huddleston, Nigel
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jenrick, Robert
Johnson, Dr Caroline
Jones, Andrew
Jones, rh Mr Marcus
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Leadsom, rh Andrea
Leffroy, Jeremy
Leigh, rh Sir Edward
Letwin, rh Sir Oliver
Lewis, rh Brandon
Liddington, rh Mr David
Lloyd, Stephen
Lopresti, Jack
Loughton, Tim
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mann, John
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Mayor, rh Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
Menzies, Mark
Mercer, Johnny
Merriam, 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, David
Morris, James
Morton, Wendy
Mundell, rh David
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O’Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Parish, Neil
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Perry, Andy
Perry, rh Claire
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Powell, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Quin, Jeremy
Quince, Will
Robinson, Mary
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Sharma, Alok
Shelbrooke, Alec
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, rh Julian
Soames, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stevenson, John
Stewart, Rory
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Thurlow, Kelly
Tomlinson, Justin
Tredinnick, David
Truss, rh Elizabeth
Tugendhat, Tom
Vazey, rh Mr Edward
Vickers, Martin
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheelier, Mrs Heather
Whittaker, Craig
Wiggin, Bill
Williamson, rh Gavin
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Ayes:
Andrew Stephenson and Iain Stewart

NOES
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Blunt, Crispin
Bone, Mr Peter
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Braverman, Suella
Brennan, Kevin
Bridge, Andrew
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryan, Chris
Buck, Ms Karen
Burden, Richard
Burns, Richard
Burns, Connor
Butler, Dawn
Ireland, and of the potential damage to the Union that the United Kingdom of Great Britain and Northern course of action. 

I believe that there is a majority in the House for that is to leave in an orderly way with a deal, and I still equally passionately believe that the best way to do that is about delivering the result of the referendum, but I 

I profoundly regret the decision that this House has taken tonight. I continue to believe that by far the best outcome is that the United Kingdom leaves the European Union in an orderly fashion with a deal, and that the decision, the Government will tomorrow publish information on essential policies that would need to be put in place if we were to leave without a deal. These will cover our approach to tariffs and the Northern Ireland border, among other matters. 

If the House votes to leave without a deal on 29 March, it will be the policy of the Government to implement that decision. If the House declines to approve leaving without a deal on 29 March, the Government will, following that vote, bring forward a motion on Thursday on whether Parliament wants to seek an extension to article 50. If the House votes for an extension, the Government will seek to agree that extension with the EU and bring forward the necessary legislation to change the exit date, commensurate with that extension. 

But let me be clear: voting against leaving without a deal and for an extension does not solve the problems that we face. The EU will want to know what use we mean to make of such an extension, and this House will have to answer that question. Does it wish to revoke article 50? Does it want to hold a second referendum? Or does it want to leave with a deal, but not this deal? These are unenviable choices, but thanks to the decision that the House has made this evening, they are choices that must now be faced. 

Jeremy Corbyn: On a point of order, Mr Speaker. The Government have been defeated again by an enormous majority, and they must now accept that their deal, the proposal that the Prime Minister has put forward, is clearly dead and does not have the support of the House. Quite clearly, no deal must be taken off the table—we have said that before and we will say it again—but this does mean that the House has to make a choice, and this House will have to answer that question. Does it wish to revoke article 50? Does it want to hold a second referendum? Or does it want to leave with a deal, but not this deal? These are unenviable choices, but thanks to the decision that the House has made this evening, they are choices that must now be faced.

Ian Blackford: On a point of order, Mr Speaker. This is a humiliating defeat for the Government this evening, and this deal should not come back again in any way, shape or form. People will once again be looking at this Parliament and this Government in despair. The next few days will provide the opportunity finally to take some essential steps. Tomorrow, we have the opportunity leaving without a deal could do when one part of our country is without devolved governance. I can therefore confirm that the motion will read:

That this House declines to approve leaving the European Union without a Withdrawal Agreement and a Framework on the Future Relationship on 29 March 2019; and notes that leaving without a deal remains the default in UK and EU law unless this House and the EU ratify an agreement.”

I will return to the House to open the debate tomorrow and to take interventions from hon. Members. To ensure that the House is fully informed in making this historic decision, the Government will tomorrow publish information on essential policies that would need to be put in place if we were to leave without a deal. These will cover our approach to tariffs and the Northern Ireland border, among other matters.

The House is shown the following list of votes, but I urge Members to be patient.

The Prime Minister: On a point of order, Mr Speaker. I profoundly regret the decision that this House has taken tonight. I continue to believe that by far the best outcome is that the United Kingdom leaves the European Union in an orderly fashion with a deal, and that the deal we have negotiated is the best, and indeed the only, deal available, but I would like to set out briefly how the Government mean to proceed.

Two weeks ago I made a series of commitments from this Dispatch Box regarding the steps we would take in the event that this House rejected the deal on offer. I stand by those commitments in full. Therefore tonight we will table a motion for debate tomorrow to test whether the House supports leaving the European Union without a deal on 29 March. The Leader of the House will shortly make an emergency business statement confirming the change to tomorrow’s business.

This is an issue of grave importance for the future of our country. Just like in the referendum, there are strongly held and equally legitimate views on both sides. For that reason I can confirm that this will be a free vote on this side of the House.

I have personally struggled with this choice, as I am sure many other hon. Members will. I am passionate about delivering the result of the referendum, but I equally passionately believe that the best way to do that is to leave in an orderly way with a deal, and I still believe that there is a majority in the House for that course of action.

I am conscious also of my duties as Prime Minister of the United Kingdom of Great Britain and Northern Ireland, and of the potential damage to the Union that...
to vote to block any attempt to leave the EU without a deal, and the Prime Minister must act—as the Prime Minister, not as the Tory party leader—to bring her party into line to prevent the UK from being dragged off a cliff by voting against a no-deal Brexit.

It is the duty of the Prime Minister, and of the Government, to act in all our national interests, and that means ruling out no deal. Then, we in the Scottish National party will be prepared to engage in discussion with the Government on securing an extension to article 50 that is long enough to enable this issue to be put back to the people. This afternoon, the First Minister of Scotland told the Prime Minister that in the event that the deal was voted down again, we would engage constructively on sensible proposals. Those proposals must include another EU referendum. Mr Speaker, can you advise me on what options are open to the House to bring such proposals forward swiftly in the interests of time? We have a responsibility to end the uncertainty for all our constituents and all our businesses.

**Mr Speaker:** I am grateful to the right hon. Gentleman for his point of order, which I think was probably directed at a wider audience. In so far as he asks me for advice, I think that these matters can be explored in debate almost imminently. The Prime Minister kindly announced what is to follow, and that will be elaborated upon by the Leader of the House in the supplementary or emergency business statement. The right hon. Gentleman is well familiar with the opportunities that are available to him in the Table Office, and I have every expectation that colleagues who want to air propositions in the coming days will have the opportunity to do so. I do not think that it is necessary for me to say anything further than that, but that seems to be manifest. Let us leave it there for now.

**Yvette Cooper rose—**

**Mr Speaker:** I will come to the right hon. Lady, who may well have important matters to broach not far distant from what the right hon. Member for Ross, Skye and Lochaber (Ian Blackford) has just raised, but let us take the point of order from the leader of the Liberal Democrats.

**Sir Vince Cable:** On a point of order, Mr Speaker. With your vast knowledge of parliamentary precedent and history, can you identify a single case, say since the American war of independence, in which a Prime Minister has twice been defeated—[Interruption.]**

**Mr Speaker:** Government Back-Benchers very unkindly spoiled the right hon. Gentleman’s punchline, as a consequence of which I did not hear it.

**Sir Vince Cable:** I asked for precedent for where a Prime Minister had survived—[Interruption.]

**Mr Speaker:** Order. Mr Ellis, calm yourself. I want to hear what the leader of the Liberal Democrats has to say.

**Sir Vince Cable:** I asked for precedent of a Prime Minister surviving two humiliating defeats, but being unwilling to change policy. Since we on the Liberal Democrat Benches are willing to offer an olive branch to embrace policies that she has so far rejected, will she accept the offer of friendship to do so?

**Mr Speaker:** I think that remains to be seen. As to the matter of precedents, it is usually unwise to assert that there is none for a particular circumstance unless one is absolutely certain, because most things have happened at one time or another—quite probably in my lifetime and certainly in that of the right hon. Gentleman. [Laughter.]

**Yvette Cooper:** On a point of order, Mr Speaker. Businesses, public services and families urgently need some clarification about what will happen in just over two weeks’ time. The reason we provided for the votes over the next couple of days was to ensure that there could be a clear vote in this House on no deal and a clear vote in this House on extending article 50. The Prime Minister’s proposed motion for tomorrow sounded unclear to me. Can you therefore confirm that that motion will be laid with sufficient time for MPs to table amendments, if necessary, to ensure that the vote can be clear-cut and that there can be no misunderstanding or misinterpretation? Will you also confirm that if tomorrow’s vote is passed, the vote on extending article 50 will go ahead on Thursday and that there will be no new proposal to wait for the Government to attempt to put their deal back a third time, given how comprehensively it was defeated tonight?

**Mr Speaker:** I am grateful to the right hon. Lady for her point of order, and I will bring forward what I would have said after the business statement by the Leader of the House and say it now instead in light of that concern. To be fair, I thought the Prime Minister’s commitment about what will take place tomorrow and Thursday was clear. The detail of the motion is another matter, but the chronology of events was all very clear.

Let me just say this: I hope it will be helpful to the House if I indicate, as I did in respect of today’s proceedings when I addressed the House last night, an advisory cut-off time of 10.30 am on Wednesday for manuscript amendments to tomorrow’s motion. My strong expectation, and I think I heard it, is that the motion for tomorrow, in accordance with normal practice, will be tabled tonight before the close of business, and there should be an opportunity for manuscript amendments up to 10.30 am tomorrow.

Amendments that reach the Table Office before the rise of the House tonight will appear on the Order Paper in the usual way, as those that were tabled before the close of business last night appeared on the Order Paper today in the usual way. The Table Office, which by the way we thank for its prodigious endeavours at this difficult time, will arrange the publication and distribution of a consolidated amendment list as soon as possible after 10.30 am on Wednesday, including all the manuscript amendments. I will announce my selection of amendments in the usual way at the beginning of the debate.

I hope that is helpful both to the right hon. Lady and, for that matter, to all colleagues.

**Hilary Benn rose—**
Angus Brendan MacNeil rose—

Mr Speaker: These are important matters and, although the right hon. Member for Leeds Central (Hilary Benn) is a self-effacing fellow, he is an important man.

Hilary Benn: On a point of order, Mr Speaker, further to your announcement about manuscript amendments to the motion we will debate tomorrow. Depending on the outcome of that vote, we will, as the Prime Minister has just made clear, come to a motion on Thursday about seeking an extension to article 50. Could you please clarify—depending on what time that motion is tabled tomorrow, which clearly cannot be until we have voted to reject leaving with no deal—what arrangements you intend to apply for Thursday to allow for manuscript amendments in the way you have just set out for Wednesday?

Mr Speaker: The hours will be different, because we start earlier on a Thursday, but I will apply the same logic and, I hope, sense of reasonableness and desire to accommodate colleagues. I have not yet come to a particular view about the precise deadline for Thursday, but it is something I am happy to discuss privately with the right hon. Gentleman and other colleagues if they so wish. I will have the same consideration in mind. The House’s interest must be served, and I should seek to facilitate what Members want. I hope that is helpful.

Angus Brendan MacNeil: On a point of order, Mr Speaker. As Chair of the International Trade Committee, it is clear to me that Brexit now seems to be a busted flush, but it leaves us all in a very serious situation. The one option that the Prime Minister did not mention, but she mentioned it in private before, is that surely the Government must now move quickly to revoke article 50, as it is only 17 days away, or face self-inflicted economic damage and calamity to all our traders and businesses. Surely the way to leave with a deal is to maintain the deal that the UK currently has and revoke article 50. Can we see that before the House as an option for MPs to vote on in the 17 days of seriousness we now have before us?

Mr Speaker: The hon. Gentleman chairs an important Select Committee in this place, the International Trade Committee. His brow was furrowed, he had a look of great seriousness and I thought he was going to make a purely procedural point. It is partly a procedural point but, if I may say so, it is also a political point, to which the answer is that there will be an opportunity for an amendment to be tabled to any motion on the prospective extension of article 50. The opportunity is there for colleagues, and, if an amendment is tabled and garners significant support, that will be a factor in the mind of the Chair in deciding whether to select it. It is open to him to table such an amendment, and I have a feeling he will go beetling around the House in hot pursuit of colleagues who share his views on this matter.

Liz Saville Roberts: On a point of order, Mr Speaker. I note that the Prime Minister listed revocation, a different deal or a people’s vote. I seek your advice on how this House will ascertain those choices.

Mr Speaker: Forgive me, but I think the hon. Lady has foxed me. I apologise to her, because I am sure her point was an extremely good and clear one, but it was not clear to me immediately. Would she just put that question to me again, because I am not quite sure what she is seeking?

Liz Saville Roberts: We have been presented with three options by the Prime Minister: revocation, a different deal, or a people’s vote. What I seek is clarity on how this House, which is being seen outside to be very good at disagreeing, will actually arrive at agreement on one of these points.

Mr Speaker: The answer is that there are terms of debate for tomorrow and for Thursday, but that is not necessarily the end of the debate. In fact, I think I can say with almost complete certainty that it will not be the end of the debates on these matters. I see the Chancellor chuckling, I think in agreement with that proposition. It will be the end of Thursday’s debates and no more than that. So the answer to the hon. Lady’s question is that if Members wish to test the will of the House on a variety of different options, there will be such an opportunity. This point has been flagged up by the Father of the House, the hon. Member for Bishop Auckland (Helen Goodman) and others. If it is the will of colleagues that there should be such a series of votes, I think it almost certain that that opportunity will arise in the coming days or weeks.

If there are no further points of order, we can now conveniently come to the business statement by the Leader of the House.
Business of the House

7.40 pm

**The Leader of the House of Commons (Andrea Leadsom):**
Mr Speaker, with the leave of the House and further to my right hon. Friend the Prime Minister’s announcement, I should like to make a short business statement regarding the business for tomorrow and the remainder of this week:

**Wednesday 13 March**—My right hon. Friend the Chancellor of the Exchequer will deliver his spring statement, followed by a debate on a motion relating to the UK’s withdrawal from the European Union without a withdrawal agreement and a framework for the future relationship.

**Thursday 14 March**—Debate on a motion relating to the NICE appraisal process for treatments for rare diseases. The subject for this debate was determined by the Backbench Business Committee.

**Friday 15 March**—Private Members’ Bills.

I will make a short business statement on Wednesday should it be necessary, and I shall make a further business statement in the usual way on Thursday.

7.41 pm

**Valerie Vaz** (Walsall South) (Lab): I thank the Leader of the House for that, but I am astonished at this business statement. We still have no idea on this, despite the Prime Minister setting out the next steps. We have had a vote and, as the Prime Minister herself said, we are now into an emergency business statement. This is callous and it is incompetence from the Government, and it is a discourtesy to the House and to the country.

**Mr Speaker:** I think what the Leader of the House is saying is that there would be a further business statement tomorrow—presumably she means after tomorrow’s debate and vote. Those points have been put on the record and I note what the shadow Leader of the House has said. I am happy to hear other points of order at this stage.

**Mr Peter Bone** (Wellingborough) (Con): On a point of order, Mr Speaker. Could the Leader of the House tell us whether there will be protected time for the debate tomorrow, given that there will be an important statement first?

**Mr Speaker:** Forgive me, but I want to facilitate the House. Let us continue the exchanges on the business statement, as the hon. Gentleman’s inquiry is really for the benefit of the Leader of the House, to which she can respond.

**Andrea Leadsom:** The motion will be brought forward in the usual way and it will be for the House to agree.

**Pete Wishart** (Perth and North Perthshire) (SNP): I thank the Leader of the House for that very brief business statement. There was no question whatsoever that the Government could possibly renego the Prime Minister’s commitment to have these consecutive votes, so we very much welcome that. I was a bit more concerned about what the Prime Minister said about the motion tomorrow, as I detected that there seemed to be that little bit of wriggle room, whereby the Government would still hope to proceed with a no-deal Brexit in the event of this House voting to stop it. I need to hear from the Leader of the House tonight that the Government will bring forward legislation, in good time, for no deal to be taken off the table and that there will be no question but that if this is what the House decides, this is what the House will get. Too often we have had these debates and these votes, only for this Government to casually ignore them. They have said that tomorrow there will be a free vote, and I hope that that will be extended to the vote on article 50.

We need to have protected time so that this can be properly considered by the House, with no question of the two votes being bundled into one, as was rumoured today. So can we have these rock-solid commitments, because today this has been an absolute disaster? The chaotic cluelessness of this Government’s Brexit has been played out to the very end of these proceedings. We now need to get through the next 17 days with as much order and as much respect given to this House as possible, and that means respecting decisions. Will the Leader of the House do that in the next two days?

**Andrea Leadsom:** What I can say to the hon. Gentleman is really just to repeat what my right hon. Friend the Prime Minister said, which is that if the House votes to leave without a deal on 29 March, it will be the policy of the Government to implement that decision. If the House declines to approve leaving without a deal on 29 March, the Government will, following that vote, bring forward a motion on Thursday on whether Parliament wants to seek an extension to article 50.

**Mr Speaker:** If it is helpful, I can inform the House that I understand that the Government’s motion for tomorrow’s debate has now been tabled. Colleagues who are thinking of tabling amendments, or who simply want to study the motion in the Table Office, have the opportunity to do so if they wish.

**Tom Brake** (Carshalton and Wallington) (LD): For the benefit of everyone in the Chamber, it really would be extremely helpful if the Leader of the House could confirm whether protected time will be available for the debate tomorrow. We do not want it to be scrunched into a very short period of time. There may be urgent questions and statements and we may be left with perhaps a matter of minutes. We do not want a repeat of last night, when the Minister for the Cabinet Office came to make a key statement at 10 o’clock at night, and then to be left with very little time to assess the implications before the following morning. May we have a guarantee that protected time will be available? It is not an unreasonable demand.

**Andrea Leadsom:** As the right hon. Gentleman will know, a motion of this House is amendable. It is for the House to agree the timetable for tomorrow’s discussion.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): Given that a meaningful vote has been defeated tonight, will the Leader of the House confirm that that means that the Government will table a motion under section 13(4) of the European Union (Withdrawal) Act? When will that motion be tabled? Will she confirm that it will be tabled next week and before the European Council?
Andrea Leadsom: The Government will ensure that their commitments under section 13 of the European Union (Withdrawal) Act 2018 and the order of 4 December are met.

Ms Angela Eagle (Wallasey) (Lab): The Leader of the House has chosen to give an emergency business statement merely about tomorrow’s business, when we know that there are sequential changes to Thursday’s business as well. She has not made it quite clear to the House—I hope she will be able to do so this evening—that should we vote to take no deal off the agenda in the vote on the motion tomorrow, there will be a change to the legislation, which is obviously not superseded by a motion passed by the House. We would have to change the legislation that contains the 29 March leaving date. Will she take this opportunity to reassure us all by getting to the Dispatch Box and telling us that if we vote to take no deal off the table tomorrow, she will immediately facilitate a change to legislation to ensure that that happens?

Andrea Leadsom: What I can say to the hon. Lady is that if the House declines to approve leaving without a deal on 29 March, the Government will, following that vote, bring forward a motion on Thursday on whether Parliament wants to seek an extension to article 50.

Ms Eagle: That’s not the answer!

Mr Speaker: I appreciate that that is not the answer the hon. Lady wants, but it is the answer she is getting tonight. I understand entirely where she is coming from, but these matters can all be explored in the days ahead, and I am absolutely certain that they will be.

Chris Bryant (Rhondda) (Lab): I guess that if the Government have tabled the main motion, they have also tabled the Business of the House motion governing tomorrow, so I do not understand why the Leader of the House cannot just tell us what time the votes will be tomorrow. It would be for the convenience of Members who have families and so on to know, because we are substantially changing the business for one of the most important matters affecting the House. Will it be at 7 o’clock tomorrow evening? Will it be 5 o’clock or 7 o’clock on Thursday?

Andrea Leadsom: These are matters for the House to agree.

Mr Speaker: As I understand it at the moment, the Business of the House motion, I think, is proposing a 7 o’clock finish. A 7 o’clock finish is proposed, though, as the Leader of the House says, that is an amendable proposition. If colleagues want to propose amendments to that, they can.

Helen Goodman (Bishop Auckland) (Lab): Surely if the House votes against no deal tomorrow and for an extension, the simple and straightforward way for the Government to facilitate this under the EU (Withdrawal) Act is to bring forward a statutory instrument, which is something that they could do in 24 hours.

Andrea Leadsom: As my right hon. Friend the Prime Minister said, I think, two weeks ago now, if the House votes for an extension, she will seek to agree that extension approved by the House with the EU and will bring forward the necessary legislation to change the exit date commensurate with that extension. But as she also said this evening, it is not within her gift, or within this Government’s gift, to insist on an extension. That will be a matter for agreement with the European Union and potentially subject to conditions imposed by it, but it would come back to this House, finally, to Parliament, and would need to be approved by Parliament.

Kirsty Blackman (Aberdeen North) (SNP): Given that we are just over a fortnight away from Brexit day and the Prime Minister’s deal has again been resoundingly rejected by this House, it is absolutely necessary that the spring statement tomorrow is upgraded to an emergency Budget. Will the Leader of the House ensure that that happens?

Andrea Leadsom: I have already announced the business for tomorrow and my right hon. Friend the Chancellor will continue as planned with his spring statement.

Vernon Coaker (Gedling) (Lab): If no deal is passed tomorrow and we have a Government motion on extension to article 50 on Thursday, will the Government motion include anything about the length of time that the Government expect that extension to article 50 to be?

Andrea Leadsom: I do not want to get into hypotheticals. At the moment, we have set out the debate for tomorrow, and the Prime Minister has been clear that should the House decline to leave the European Union without a withdrawal agreement and political declaration, then we will table a further motion that invites the House to consider if it wants to extend article 50. That will be an amendable motion, so it will be for the House to agree the length of such an extension, but that would be tabled only tomorrow should that be necessary.

Wes Streeting (Ilford North) (Lab): This evening’s defeat was entirely foreseeable and foreseen and yet in spite of that the Leader of the House is standing at the Dispatch Box and will not tell us what the limits are on the timing of the debate tomorrow. She still will not tell us what the proposed wording for a motion on Thursday would be or the conditions for the debate. I am afraid that it is no good talking about hypotheticals because this is the story of Brexit all along: poor planning, poor preparation and treating Parliament with contempt. The Leader of the House owes it to every Member of the House, so that we can consider these things properly, to stand up and tell us what the motion will be on Thursday so that people can think about amendments they want to table. That is within her gift. She is right that it is the House that decides, but the Government must come up with the proposition, and there is no reason why she should not offer that proposition now.

Andrea Leadsom: May I say to the hon. Gentleman that I always treat the House with the utmost respect? I have tried very hard to explain these propositions for tomorrow, and if tomorrow the House declines to leave the European Union without the withdrawal agreement and future declaration then and only then will we table a motion for the following day whereby the House can consider whether it wants to extend article 50. These are sequential. These are not a package that the House is
voting on together. I can confirm to the hon. Gentleman that the motion for tomorrow has been tabled and that the Business of the House motion proposes that votes take place at 7 pm, but it is a fact—and it is not in any sense controversial to say this—that these matters must be agreed by the House. These motions are amendable, and therefore can be amended and voted on by Members.

Stewart Malcolm McDonald (Glasgow South) (SNP): Following the points made by the hon. Members for Gedling (Vernon Coaker) and for Ilford North (Wes Streeting), the Leader of the House knows, I know and the dogs in the street know that there is no majority in this House to leave the European Union without a deal. That is what is going to happen tomorrow, so even if she cannot give us the full motion, is there a reason why she cannot at least tell the House what the extension on offer from the Government will be? Surely she can see that that is in her gift, and that it does not look good that she is keeping it to herself and not being open with the House this evening. Giving the House this information would also help the substance of tomorrow’s debate, depending on exactly which way the Government want it to go. Why can she not be open, up front and honest at the Dispatch Box, and tell us what the extension on offer might be?

Andrea Leadsom: I am always up front, honest and open with the House. Should the House decline to leave the European Union without a future declaration and withdrawal agreement, then and only then will I come forward with a motion for the following day, which will be amendable; it will be for the House to determine what the proposed extension period should be.

[Interuption.]

Mr Speaker: I do not know whether the hon. Member for Glasgow South (Stewart Malcolm McDonald) is genuinely indignant or flummoxed. I hope that he is neither, although he certainly seems to be the former. To be fair, the Leader of the House has repeatedly said—[Interuption.]

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): Will the Government lay out on Thursday, alongside the motion, their considerations on what will no doubt be a proposed period of extension, which could obviously be amended? Through the work of the Public Accounts Committee, we see the real challenges of being prepared to leave, even with a deal, by 29 March. Even a short extension would give little comfort to people out there. So will the Leader of the House give us, either now or then, an indication of the length of time that the Government would be proposing on Thursday for an extension to article 50?

Maria Eagle (Garston and Halewood) (Lab): The Leader of the House said in answer to an earlier question that she always seeks to assist the House. It is difficult with all the drama going on in the Government at present, but I wonder if she recalls that she is the champion of the Back Benchers in this place within Government. Will she use her best endeavours to ensure that, no matter what chaos is going on within the Government at present, they bear in mind that hon. Members need to understand and see the nature of the motions that are being promised as soon as possible in order to facilitate the will of the House in deciding the way forward?

Andrea Leadsom: I take the hon. Lady’s suggestion in the spirit in which she intended it. I take my responsibilities as Parliament’s voice in Government very seriously, and I will most certainly take her suggestions back to the business managers.

Alan Brown (Kilmarnock and Loudoun) (SNP): We are in this mess for a variety of reasons, but chiefly because the Government had no coherent plans when they triggered article 50, and because the Prime Minister, in a blinkered way, carried on at full steam with her red lines, thinking that she could run down the clock. So here we are—the clock has nearly run down, Parliament has rejected the deal yet again and tomorrow there will be a motion with which the Government are again trying to say, “But remember, the clock is still ticking and the default is to leave on 29 March.” Following on from earlier points, when are the Government going to start thinking strategically, being open with the House, letting us see the plans and looking ahead, instead of continuing to run down the clock one day at a time?

Andrea Leadsom: The hon. Gentleman will know that there has been a steady desire on the part of the Government to seek agreement to the withdrawal agreement and future political declaration and to seek legally binding changes that would enable parliamentarians to support it. The Prime Minister indicated her extreme sadness at the fact that the House has declined to support the deal. She set out two weeks ago the next steps should that be the case. So we are following the process that the Prime Minister set out a couple of weeks ago. It is still our intention, if at all possible, to leave the European Union on 29 March with a good deal.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): Will the Government lay out on Thursday, alongside the motion, their considerations on what will be required for any extension, including for the length of that extension. Very importantly, the consent of the remaining 27 EU member states would also be required.

Bob Blackman (Harrow East) (Con): Will my right hon. Friend confirm that, if we get to Thursday and this House is asked to apply to the European Union for an agreement on extending article 50, the extension has to be in agreement with the European Union and we cannot make the decision unilaterally?

Andrea Leadsom: My hon. Friend is absolutely correct. The date of our exit is set out in law and further legislation would be required to change it. The consent of the House would be required for any extension, including for the length of that extension. Very importantly, the consent of the remaining 27 EU member states would also be required.
Andrea Leadsom: The Government will always endeavour to table motions swiftly so that parliamentarians have sight of them. As I have said to a number of hon. Members, the motion tomorrow is about whether the House wishes to leave without a withdrawal agreement and political declaration on 29 March. Tomorrow evening, should the House decline to leave without a deal, I will then table a motion that sets out the Government’s proposal, but, as I have said, it will be amendable, so it will be for all Members to consider whether they prefer a different sort of extension. But very importantly, again, it will then be for the EU unanimously to agree to that extension proposal. To be very clear about that, there may well be conditions imposed that this House would not wish to accept, and we all need to be open-eyed about that fact.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Forgive me if I stress this point again, but this is of course a Government who have been found in contempt of Parliament, and when the Leader of the House is not fully clear on what the consequence of voting for no deal tomorrow is, it is worth pushing. Why will she not confirm to us that the Government will bring legislation, secondary or primary, to this House straight after no deal being voted down to ensure that the default is no longer leaving the European Union if no deal is achieved? That is all she needs to do. Why cannot she offer to come to the House with what the Government are proposing on Thursday? We understand how the system works, we understand that things are amendable, and we understand that it has all got to be agreed by the European Union—all we asking for is the Government’s proposal. If they are unable to provide proposals, maybe they are unfit to be in government.

Andrea Leadsom: As I have now said a number of times, we have come forward with the proposal that the Prime Minister set out two weeks ago that in the event that the meaningful vote is declined today, we will set out tomorrow a motion enabling the House to decline to leave the European Union without a deal and without a future political declaration, and should the House decline to leave the EU without a deal, then on the following day we will bring forward a motion asking the House whether it wishes to have a short extension. That is the process that the Prime Minister set out, and that is what we will be doing.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): If, on Thursday, the House were to determine an extension past 26 May, then, according to the letters exchanged between Mr Juncker and Michel Barnier, there would have to be participation in European elections, which I for one would not support. If the House were to choose that, would a funding contingency be put in place, since there would be a large cost to the public purse for elections that I do not think we should be participating in?

Andrea Leadsom: The hon. Gentleman makes a good point. As the Prime Minister has said on numerous occasions, the only way to truly take no deal off the table is to agree a deal or to revoke article 50. The House has consistently rejected the former, and the latter would overturn the result of the referendum. However, if the House votes for an extension, the Prime Minister will seek to agree the extension that the House has requested with the European Union, and she will then bring forward the necessary legislation to change the exit date, commensurate with that extension. But the hon. Gentleman is exactly right; that may have significant costs associated with it and conditions put upon it by other members of the European Union. These are all imponderables as we stand here today.

Neil Gray (Airdrie and Shotts) (SNP): The Government have just taken another pasting on their deal, and instead of coming forward with proposals for how to mitigate the risks we face, the Leader of the House is ramping up the jeopardy by saying that if the House accepts tomorrow that no deal is the way forward, that will become Government policy, when the reverse should be the case as well—if the House votes against no deal, the Government should introduce legislation to ensure that that is ruled out. Why has she steadfastly refused to make that the Government’s position tonight?

Andrea Leadsom: If the hon. Gentleman thinks about it logically, he will see that the only way to take no deal off the table is either to revoke article 50 or to agree a deal that changes the outcome. The Prime Minister has set out that we will come back to the House to see whether the House wants to extend article 50. It is not our policy to revoke article 50.

David Linden (Glasgow East) (SNP): I spent some time in the No Lobby tonight, which was even busier than usual. You will recall, Mr Speaker, that you had to ask the Serjeant at Arms to check the Lobby during the Division. The place was packed. Given that we will have another vote of significance tomorrow, and a vast majority of Members will probably vote to take no deal off the table, has the Leader of the House had any thoughts about introducing electronic voting and dragging us into the 21st century tomorrow night?

Mr Speaker: It is a tad ambitious for the hon. Gentleman to expect the Leader of the House to facilitate that tomorrow, but he never loses an opportunity. I understand his enthusiasm on that matter, which I rather share, but it is a matter of hot dispute within the House. The Leader of the House can respond if she wants, but she is not under any obligation to do so.

Andrea Leadsom: I am grateful to the hon. Gentleman for making me think of every Thursday morning. He raises that issue with me frequently, and I have always said that if the Procedure Committee wants to come forward with an appraisal of electronic voting, with huge support from around the House, I will always be delighted to consider it.

Stewart Malcolm McDonald: On a point of order, Mr Speaker. During our earlier exchange, you asked whether I was indignant or flummoxed. The phrase I would prefer to use is that I am bent out of shape with what has gone on here this evening. My question to the Leader of the House was nothing to do with procedure, which you tried to help me with. My question was whether there is anything to prevent her from telling the House what extension the Government have on offer in advance of publication of the motion, which you tell us is amendable, and rightly so. You know, I know, she
knows and we all know that no deal will be ruled out substantially tomorrow night, and this motion will have to come forward.

The Leader of the House is probably sat there with this information in her substantial notes. I do not think she is that much out of the loop in the Government just yet; she will know what the extension might be. How can Members find that out, so that we are best prepared and furnished for tomorrow and Thursday’s debates? How can we prevent a situation where we are running around with amendments to a Government motion scribbled on napkins to hand in to you by half-past 10 o’clock or whatever time it might be on Thursday morning, and ensure that the Government are open with us?

**Mr Speaker:** That is a point of order for the Chair. To be fair to the hon. Gentleman—I hope this can be dealt with in a genial spirit—he is not one who suffers from a concern that, having made a point once, it would be excessive to repeat it. On the contrary, he is an experienced campaigner. I was taught by the right hon. Member for New Forest East (Dr Lewis) 30 years ago that quantity, persistence and, above all, repetition are as important as the quality of your arguments. Your arguments have to pass muster, but it is a great mistake to think you can just make a point once, persuade someone that you are right and he or she is wrong, and that is the end of it. In fact, you have to keep going over and over again.

The hon. Gentleman made his point in the form of an inquiry once, was not satisfied with the perfectly procedurally legitimate reply that he got from the Leader of the House and therefore waited several minutes before repeating, in a slightly fuller and extremely eloquent form, his own preoccupation. He has done that, but to be fair, I do not think he is going to get any further answer tonight. The Leader of the House has said what she said, and I think we will have to leave it there for tonight, but do I expect the hon. Gentleman to be in his place tomorrow, eager to favour the House with his views and leaping to his feet with alacrity? That is as predictable as the passage of the seasons.

**Stewart Malcolm McDonald** rose—

**Mr Speaker:** Oh, very well. I will indulge the hon. Gentleman very briefly. [Interruption.] “No”, says one of his party colleagues, but I will indulge him.

**Stewart Malcolm McDonald:** Further to that point of order, Mr Speaker. I am most flattered by all of that, but it does not actually answer my question, which was to you this time. Is there anything to prevent the Leader of the House, in advance of the motion being published, to come forward.

**Mr Speaker:** Quite possibly, there is the fact that the right hon. Lady does not wish, at this stage, to do so. I can think of another reason, which is that the precise terms of the motion for Thursday, particularly as it is contingent on what happens tomorrow, will not yet have been crafted. The Leader of the House does not need my help, but I am saving her the hassle of getting up at the Dispatch Box.

**Andrea Leadsom:** I am very grateful, Mr Speaker.

**Mr Speaker:** I was genuinely trying to be helpful. It seems to me entirely reasonable not to have the wording yet, but there we go. Anyway, the right hon. Lady says she is grateful, and I will take her at her word.

**Pete Wishart:** On a point of order, Mr Speaker. The Leader of the House has continually and consistently said that the default position with the European Union (Withdrawal) Act 2018 is to leave with no deal. That is the position, and I think everybody in the House agrees with that. If there is a vote tomorrow and the House votes overwhelmingly to take no deal off the table, the way to overturn that is for legislation to be introduced. Am I right in my understanding that legislation will be required in order to overturn the requirements of the withdrawal Act, and is there any indication that that legislation will be forthcoming if the House votes to take no deal off the table?

**Mr Speaker:** The hon. Gentleman is getting into hypotheticals, which were deprecated—or, at any rate, resisted—by the Leader of the House. The answer is that I do not dissent from what the hon. Gentleman says about the legal position, but we are not at that point yet, and therefore I am reluctant to introduce new words into this exchange that are not required at this time. I am not disagreeing with him and I entirely understand the logic of what he is saying, but we are not at that point yet. The hon. Gentleman will be in his place on subsequent days, and I am sure he will give full voice to his conviction on this matter. I dare say others will, too, on either side of that argument.

I think it would be seemly if we now drew points of order to a close.

### Business without Debate

#### DELEGATED LEGISLATION

**Mr Speaker:** We come now to a series of motions and I suggest, as there is slight uncertainty about exactly what may or may not be objected to, that I should take them separately.

*Motion made, and Question put forthwith (Standing Order No. 118(6)).*

**EXITING THE EUROPEAN UNION (WILDLIFE)**

That the draft Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 28 January, be approved. —(Michelle Donelan.)

*Question agreed to.*

*Motion made, and Question put forthwith (Standing Order No. 118(6)).*

**EMPLOYMENT TRIBUNALS**

That the draft Employment Rights (Miscellaneous Amendments) Regulations 2019, which was laid before this House on 17 December 2018, be approved. —(Michelle Donelan.)

*Question agreed to.*

*Motion made, and Question put forthwith (Standing Order No. 118(6)).*
TERMS AND CONDITIONS OF EMPLOYMENT

That the draft Agency Workers (Amendment) Regulations 2019, which was laid before this House on 17 December 2018, be approved. — (Michelle Donelan.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EMPLOYMENT AGENCIES

That the draft Conduct of Employment Agencies and Employment Businesses (Amendment) Regulations 2019, which were laid before this House on 28 January 2019, be approved. — (Michelle Donelan.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (FINANCIAL SERVICES AND MARKETS)

That the draft Mortgage Credit (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 19 December 2018, be approved. —(Michelle Donelan.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (FINANCIAL SERVICES AND MARKETS)

That the draft Financial Services (Distance Marketing)(Amendment and Savings Provisions) (EU Exit) Regulations 2019, which were laid before this House on 6 February 2019, be approved. —(Michelle Donelan.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (ROAD TRAFFIC)

That the draft Licensing of Operators and International Road Haulage (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 6 February 2019, be approved. —(Michelle Donelan.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (IMMIGRATION)

That the draft Immigration (European Economic Area Nationals) (EU Exit) Order 2019, which was laid before this House on 11 February 2019, be approved. — (Michelle Donelan.)

The Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 13 March (Standing Order No. 41A).

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (FINANCIAL SERVICES)

That the draft Investment Exchanges, Clearing Houses and Central Securities Depositories (Amendment)(EU Exit) Regulations 2019, which were laid before this House on 17 January, be approved.—(Michelle Donelan.)

Question agreed to.

PETITIONS

The regulation of the Hair, Barber and Beauty industries

8.15 pm

John Mc Nally (Falkirk) (SNP): I would like to declare my membership of the Hair Council and that I am a salon owner and a state-registered senior barber.

The Hairdressers (Registration) Act 1964 established a voluntary statutory UK register for qualified hairdressers, which is maintained by the Hair Council and was set up in 1964 under the Act. The necessity of amending the Act to make registration mandatory has been addressed several times in the House since that time. However, the need for regulation to become a requirement has never been as crucial as it is now. Regulation for the barber and beauty industries is equally essential and of the upmost importance. I therefore rise to present this petition of residents of the UK.

The petition states:

The petition of residents of the United Kingdom, declares that based upon recent research from industry, stakeholders and the general public, (upwards of 84% average of all respondents), there is a strong need and desire to amend this Act of Parliament from voluntary to that of mandatory; further that currently the hair, barber and beauty industries are completely unregulated which the public and industry find totally unacceptable and not in line with protecting the public from untrained and unqualified practitioners, including cases of poor health, safety and hygiene standards; further that with the current modern day slavery issues together with the use of precursor chemicals used in the making of incendiary devices, by giving industry the tools to self-regulate, we can make a huge contribution to challenging and stamping out these illegal and dangerous practices.

The petitioners therefore request that the House of Commons urge the Government to amend this Act of Parliament to that of ‘Mandatory’ whilst including Beauty into the body of the ‘Act’, thus allowing industry to self-regulate with the remit to raise the standards of quality and training within the industry, whilst also raising the perception of the industry with the general public and protecting them from any form of malpractice; the petitioners further request that the Hair and Barber Council be consulted when amending this Act.

And the petitioners remain, etc.

Save Romiley Greenbelt

8.17 pm

Mr William Wragg (Hazel Grove) (Con): We now come to the important business of the day. I rise to present a petition about the Greater Manchester spatial framework and, in particular, the Romiley green belt. Since the framework’s publication in 2016, I have consistently urged that the overall number of houses needs to be reduced, that where houses are to be built, we should follow a robust brownfield-first strategy, and that local green-belt land, which is highly valued by local people, should be protected.

One such site, which is of particular concern in my constituency, is Hyde Bank Meadows in Romiley. It comprises a well-used community sports facility, a popular green space, a nature reserve, orchards and allotments. The loss of this green space would be damaging to the local environment, the community and the health and wellbeing of local people.

I have worked closely with the Friends of Tangshutt group over recent weeks, and I am especially grateful to Chantal Johnson for her help in collecting the signatures for this petition, which has been signed by 692 local residents.
Mr William Wragg

The petition:

Declares that the revised Greater Manchester Spatial Framework should avoid the residential development of 250 units on the greenbelt at the site of Hyde Bank Meadows in Romiley; notes that the proposed site contains well-used community facilities of Tangshutt fields including, playing fields, three football pitches, a children’s play area, and outdoor gym; further notes the proposed site is adjacent to Tangshutt Meadow, popular green space, a nature reserve, community orchards and allotments, which are all hugely valued by local people; further declares concern about insufficient road access and increasing traffic levels, endangering child safety by blocking a section the ‘Safe Route School’, loss of sports and exercise facilities for both individuals and teams, and loss of community event space which unites two areas of existing housing; further declares such a loss of this green space would be damaging to the local environment, the community, and the health and well being of local people; and further notes the petitioners oppose plans for a new residential development on Hyde Park Meadows as set out in the Greater Manchester Spatial Framework-Revised Draft (2019).

The petitioners therefore request that the House of Commons urges the Greater Manchester Combined Authority, the Stockport Metropolitan Borough Council, and the Ministry of Housing, Communities and Local Government not to support plans of this development.

And the petitioners remain, etc.

[P002437]

Closure of the Wellingborough Driving Test Centre

8.20 pm

Mr Peter Bone (Wellingborough) (Con): I rise to present a petition signed by hundreds of my constituents, called “Stop Wexit”, which I entirely support. Wexit stands for “Stop Wellingborough driving test centre closing”. The proposal is to close the driving test centre in Wellingborough, which would mean that my constituents would have to drive to Kettering and Northampton. They tried that once before and it was a disaster. It will be another disaster if they are allowed to get away with it. The petition is led by Chris Howard.

The petition states:

The Humble Petition of the residents of Wellingborough, Northamptonshire and the surrounding areas,

Sheweth,

That the petitioners believe that the closure of the Wellingborough Driving Test Centre should be refused on the grounds of increased pollution, foul odour, effect on local house prices, increased traffic volumes; and further that similar farms have a poor record on animal welfare.

Wherefore your Petitioners pray that your Honourable House urges the Department for Environment, Food and Rural Affairs, the Department for Communities and Local Government, Northamptonshire County Council and East Northamptonshire Council to take into account the concerns of petitioners and refuse to grant the planning application for a high intensity chicken farm to Bedfordia Farms.

And your Petitioners, as in duty bound, will ever pray, etc.

Luke Graham (Ochil and South Perthshire) (Con): On a point of order, Madam Deputy Speaker. I rise to ask your guidance and to try to get some advice about what recourse a Member of this House might have if another Member has deliberately or inadvertently misrepresented them on social media. Earlier today, the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) posted that I called Scotland “a principality”.

That simply is not true. At the time, I was chuntering about Wales and its constitutional status—which was a subject in a Westminster Hall debate a number of weeks ago—but I was certainly not referring to Scotland in the debate. Constitutional matters are ones that we on the Government side of the House regularly disagree with, and I think there is enough for us to disagree about on facts and substantive debates. I was not allowed to speak in the previous debate and I was not allowed to intervene, so I ask you, Madam Deputy Speaker, about the recourse that can be had and about how to make sure that the record is clear that I did not say that about Scotland. Actually, we should focus on facts and substance in our debate, where the Conservative party and the SNP have plenty to disagree about.

Gavin Newlands: Further to that point of order, Madam Deputy Speaker. I thank the hon. Gentleman for giving me advance notice of his point of order. I have come to expect some strange remarks from him, but even I was surprised at what I heard in the Chamber earlier on. I did see my colleagues who were also irked and many of them confirmed that they also had heard “Scotland”, but I hear what he says. I do wish that he would be as rigorous in representing his Ochil and South Perthshire constituents’ remain vote as he is in defending his running down of Scotland in this Chamber. [Interruption.]

Madam Deputy Speaker (Dame Eleanor Laing): The hon. Gentlemen concerned will appreciate that this is not a matter for the Chair, except in so far as the veracity and truthfulness of anything that is said and reported in this Chamber is a matter of concern for everyone in the Chamber and for the Chair. If there has been a misunderstanding about what one hon. Member has been reported as saying, which has been repeated—but, I take it, without malice—by another hon. Member, I am pleased that there has been an opportunity through points of order to clear up the misunderstanding. I am
of the House. I thank the hon. Gentleman.

discuss the intricacies of security matters on the Floor with it, but as a matter of principle, it is better not to ensure that it is duly passed on to those who are concerned. It is very serious. I have noted the point and I will make tonight’s vote, but I am sure that all of us in the House would wish him and his family all the best for the next 24 hours or so.

David Linden (Glasgow East) (SNP): On a point of order, Madam Deputy Speaker. Just to bring the House back together in a spirit of unity, on behalf of SNP Members, can I wish the hon. Member for Moray (Douglas Ross) all the very best? I know that this is on Twitter and that was the subject of the point of order earlier, but the hon. Gentleman has had to return home because his wife has gone into labour. He was unable to make tonight’s vote, but I am sure that all of us in the House would wish him and his family all the best for the next 24 hours or so.

Madam Deputy Speaker (Dame Eleanor Laing): Once again, it is always very pleasant when we have a point of order that is not a point of order but which is a point that the entire Chamber is very happy to note. We all look forward to good news coming from Moray in the very near future. I am sure that the lady in question will wish it to be sooner rather than later, and we all send our congratulations.

Jim Shannon (Strangford) (DUP): On a point of order, Madam Deputy Speaker. Today, a number of visitors came to see me with different constituency issues, health issues and things that I hoped to help them with. They made me aware that the security today had only one line open and not two. I said, “Is that because the other line was broken?” They said, “No, it is not. It is because they did not have enough security staff there to facilitate both security lines.” The result of all that was that a large number of people were in the queue outside; it was unbelievably long and there was heavy rain, as you, I and everybody in the Chamber knows. Were you aware of that situation, Madam Deputy Speaker? If so, I seek your guidance on how we can ensure that it does not happen tomorrow. The weather hopefully will not be the same tomorrow, but let us hope that it does not happen.

Madam Deputy Speaker (Dame Eleanor Laing): I appreciate the point that the hon. Gentleman is making. It is very serious. I have noted the point and I will make sure that it is duly passed on to those who are concerned with it, but as a matter of principle, it is better not to discuss the intricacies of security matters on the Floor of the House. I thank the hon. Gentleman.

Community Hospitals

Motion made, and Question proposed, That this House do now adjourn.—[Michelle Donelan.]

8.29 pm

Fiona Bruce (Congleton) (Con): I was pleased to note that on announcing his long-term plan for the NHS, the Secretary of State for Health and Social Care said he is a strong supporter of community hospitals, so I am today asking if Health Ministers will kindly look into how some of the additional resources announced with the long-term plan can be earmarked for the community care provided by community hospitals, such as the much loved Congleton War Memorial Hospital in my constituency.

Congleton Hospital needs sufficient resources to ensure that it can continue to provide the all-round services it has already provided for several generations of my constituents for generations to come. The hospital is much valued locally, providing a range of services, such as the minor injuries unit, which saves residents travelling some distance to hospitals further afield with A&E facilities. Minor injuries such as burns, cuts, splinters and sprains can be treated quickly and efficiently at Congleton. As one person, who sustained a hand injury, told me:

“I popped down to Congleton Hospital, the wound was treated straight away and I was back at work within the hour.”

That person would have lost at least half a day’s work travelling for treatment elsewhere.

In recent winters, the minor injuries unit has, on occasion, been closed temporarily by East Cheshire NHS Trust, with staff redeployed to Macclesfield’s A&E. Then, in September 2018, the trust stated that it expected closures to be in place throughout weekends and bank holidays, plus ad hoc weekdays, throughout this winter. As a result, the minor injuries unit is currently scheduled to open only between 9 am and 5 pm from Monday to Friday, but with additional ad hoc closures within these hours. It was not open, for example, when I visited last Friday afternoon.

It is therefore not surprising that some people in need of urgent treatment decide not to risk calling at a unit that may be closed unpredictably, with user numbers no doubt affected accordingly. It is also understandable that these closures are causing grave concern among local people. On their behalf, I am calling on Ministers to ensure, please, that resources are put in place so that valuable community hospital facilities such as Congleton Hospital’s minor injuries unit are not only stabilised but strengthened.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on bringing this issue to the Chamber. I spoke to her beforehand to ask what her thoughts were on this issue and how I might helpfully intervene. I spoke to the Minister, too. In the past few weeks, the national and provincial press have highlighted a number of incidents in hospitals. They report NHS staff referring to “war zone” conditions in A&Es. The community hospitals the hon. Lady refers to are vital for the treatment of patients, but it is also good for the mental health of NHS staff to have hospitals where they can do their job—their duty—without facing any injury or threat to their life.
Fiona Bruce: The hon. Gentleman is right, as he so often is. Where they are properly resourced, minor injuries units can help relieve A&E facilities and enable them to treat more serious injuries more efficiently.

More broadly, the wide range of local healthcare services at Congleton Hospital includes a 28-bed in-patient intermediate care ward called the Aston unit, which is particularly appreciated by local families visiting patients. As the hospital’s website states, that unit helps those who no longer need the more acute wards of Macclesfield District General Hospital, relieves services there and allows people to “recover in a homely and relaxed environment” in Congleton. The website adds that the hospital “has a very ‘family’ feel about it.”

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): The hon. Lady is making a wonderful point about the value of community hospitals. In north Staffordshire, Bradwell Hospital, Haywood Hospital and Leek Hospital all provide excellent care, but my clinical commissioning group is consulting on closing those hospitals and reducing bed spaces. Does she agree that closing community hospitals is detrimental to the overall impact of our health economy? Exactly as she says, such hospitals free up more expensive acute beds in the big hospitals and allow people who are medically fit for discharge but are not ready to go home to get the care they need.

Fiona Bruce: I am sure the Minister will have heard what the hon. Gentleman has said. Indeed, that is why I initiated the debate “Community Hospitals” rather than simply “Congleton Community Hospital”.

As I have said, the hospital at Congleton has a family feel. I can testify to that following my most recent visit, last week. I met kindly nursing staff who were clearly dedicated and committed to serving the community in and around Congleton, and who were proud to tell me that they had, through sound management, recently achieved an increase in the number of in-patients treated. About 350 are currently cared for each year in the Aston unit.

In addition to the minor injuries unit and in-patient care facilities, the hospital provides out-patient clinics, with approximately 9,000 out-patient attendances each year in a wide range of specialties. For instance, there are about 1,600 appointments a year for adult audiology treatment and about 1,000 for general surgery, and a similar number of gynaecology treatments. There are also about 2,000 trauma and orthopaedic appointments. Other services include blood tests, occupational therapy, a physiotherapy gym, district nursing, dementia services, and a highly popular GP out-of-hours service.

James Heappey (Wells) (Con): In my constituency, Burnham On Sea War Memorial Hospital, West Mendip Community Hospital and Shepton Mallet Community Hospital do so much of the great work that my hon. Friend is describing. Does she agree that in areas where the main hospitals are somewhat distant—in my case, Bristol, Yeovil, Taunton or Bath—community hospitals are vital in filling that gap, and it is essential for them to remain a core part of our future NHS?

Fiona Bruce: My hon. Friend has made one of my points for me. None of the major hospitals in east Cheshire lie within my constituency, although it is reasonably large, so my constituents must travel some distance to use their services.

I have mentioned the four-hour GP appointments on Saturdays and Sundays. They are always full, and are meeting a very clear local need. The convenience of such services cannot be overstated. During my visit, an elderly gentleman, clearly frail, arrived asking for directions to the X-ray department. I watched as he was directed to it immediately. He was seen, and he departed. All that happened within what seemed to me to be about three minutes flat.

The value of such local services for a population like mine, which contains a higher than average number of older residents, cannot be overstated. They are particularly appreciated by those who are less mobile owing to age or infirmity, or for whom a lack of convenient public transport facilities would make travel to the larger hospitals outside my constituency very difficult, if not impossible. Moreover, 9,000 fewer out-patient appointments across east Cheshire must reduce congestion.

The trust informs me that the Congleton Hospital site also has space for use by other NHS organisations, including providers of mental health and health visiting services. As local health partners and providers increasingly work together in support of their local communities’ health and wellbeing, Congleton Hospital, located as it is almost in the centre of the town, is ideally placed to become an even more strategic community health hub for additional services.

Karin Smyth (Bristol South) (Lab): The hon. Lady is making a powerful speech on behalf of community hospitals. South Bristol Community Hospital was opened only in 2012, after 60 years of campaigning by local people. As three providers run different services in it and as it is a LIFT building, no one is really responsible for making it work. Does the hon. Lady agree that the health service must bear in mind that such hospitals are developed and fundamentally loved by their communities, and that those communities should have the ultimate say in what goes into them?

Fiona Bruce: The hon. Lady is absolutely right. Indeed, members of the community in Congleton are speaking out about the importance to them of their community hospital. I shall say more about that shortly.

On behalf of my constituents, I am pressing Ministers to consider resourcing Congleton Hospital as a community hub going forward. It has a very special place in local people’s hearts, as I have said, not least because of the manner in which it was funded many decades ago by local people’s contributions from wage packet deductions. It was founded in 1924 by public subscription as a memorial to those locally who gave their lives in the first world war, hence its full name: Congleton War Memorial Hospital. I spoke at greater length about this here in this place in 2014, when I raised concerns about the future sustainability of the hospital, so this is by no means a new issue. Indeed, in 1962 when there was a suggestion that the hospital be closed, it resulted in a mass meeting in the town hall with an overflow of some 2,000 residents, presided over by the then mayor leading to a petition of 24,000 signatures. Plans were quickly dropped. More recently, the £20 billion additional funding announced by the Prime Minister for investment in the
NHS surely offers an opportunity for the future of the hospital to be secured, or even augmented as a community hub for the long term.

I have been in continuing dialogue for some months now with—and have met, together with local councillors—John Wilbraham, chief executive of the local NHS trust responsible for the management of the hospital, the East Cheshire NHS Trust. I am grateful to Mr Wilbraham for that open dialogue. We spoke again recently when he confirmed that, in his words, the sustainability of the site is on the agenda for the transformation programme to be discussed by the trust shortly. So also on the agenda is the future of the minor injuries unit, which is, as I have mentioned, causing particular concern to residents, as the trust is aware from recent public demonstrations which involved people from right across the community and political divides, including me and Congleton town mayor Suzie Akers Smith, who was in full mayoral regalia and chain.

I am grateful that Mr. Wilbraham has agreed to meet a cross-party group in the town shortly to discuss the hospital’s future further and look forward to that meeting. In the meantime, for the record I note that in his most recent letter to me of late December 2018 he confirmed, and I welcome this, that “the Trust has no plans to change the service provision at the Congleton Hospital site and this remains the case. I continue to discuss with health and social care partners about the service offer from the hospital site and I understand the desire of you and the local population to maintain the facility. We await the publication of the NHS 10-Year Plan in early 2019 which provides the basis for the local health partners, including the town’s GPs, to set out its plans for the next 5-10 years. I am certain this will provide the opportunity to be clear on future service provision across the local health economy including Congleton.”

I am optimistic that both Mr. Wilbraham, as its chief executive, and the trust itself have listening ears. We need only witness the furore that arose in Congleton three years ago when there was a suggestion that car-parking charges be introduced at the hospital. The trust clearly registered the indignation of local residents, not least through a petition I presented here in Parliament at that time. That they could be asked to pay to park at their own hospital—a hospital they and their forebears had paid for by both wage packet deduction and subsequent fundraising and donations over the decades—aroused considerable consternation. The trust subsequently discounted the suggestion of car park charges outright; it listened to local people’s concerns.

I was pleased to note the chief executive’s reconfirmation of this in his most recent letter to me, with the words: “I note the suggestion of car parking charges being introduced to supplement the income for the hospital site but this is not something the Board will be considering.”

Now that the 10-year plan has been published, and in the light of the Secretary of State’s indication of his support for community hospitals, I am today asking the Minister what more can be done to ensure that vital services provided by community hospitals in the heart of our local communities, like Congleton, are not swallowed up by larger hospitals at a distance. What the Congleton community seeks is reassurance that the future of Congleton hospital is put on a firm, clear and sustainable footing going forward, so that the periodic recurring concerns over the years about its future can be fully and finally put to rest.

The Minister for Care (Caroline Dinenage): I would like to start by thanking my hon. Friend the Member for Congleton (Fiona Bruce) for bringing forward this incredibly important matter for debate, and for articulating so beautifully the great value of the Congleton War Memorial Hospital to her constituency. I would also like to reiterate the important role that community hospitals play in local areas. She could not have articulated those great values more beautifully this evening.

Community hospitals provide vital in-patient care for people who need it most. As a whole, patients should be supported to recover in the most appropriate setting, which is quite often back in the heart of their local community and closer to home. However, community hospitals do far more than just provide hospital beds. They also offer a range of out-patient services that provide much-needed support to patients, including physical therapy, lab tests, X-rays and counselling. They can also contain minor injuries units, which, as we have heard, can have people in and out and back to work or back home much more quickly. They also offer a welcome local alternative to the big emergency facilities at an acute hospital that is many miles away. To its credit, Congleton Hospital already does all this for its local community and for local people. It is these services, this outreach and these minor injuries units that place these institutions firmly at the heart of their local communities.

The Government are absolutely committed to ensuring that patients have access to care that is as close as possible to where they live. This is very evident in the NHS long-term plan, which focuses on shifting to a new way of delivering care, with services in the community at the very forefront of planning. Community hospitals represent much more than just medical services. Many, such as Congleton Hospital and my own, the Gosport War Memorial Hospital, were originally built through the donations of local people to address local need many decades ago. It is this history, along with the important services that they provide, that make community hospitals the object of affection and appreciation in local communities. It is therefore important that any planning decisions about these much-loved institutions must be taken locally, and with enormous care and the utmost sensitivity. Fundamentally, this is about developing sustainable health and care services in the community. We care deeply about ensuring that residents in all areas can access excellent health and care services, both now and in the future.

James Heappey: Our social media timelines are busy enough at the moment, so in order to avoid attracting the ire of a quarter of my constituents, I must remedy the fact that I neglected to mention the brilliant Weston-super-Mare General Hospital in my intervention. I am putting it on the record now.

Caroline Dinenage: I am glad that my hon. Friend said that, because if he had not, I would have been forced to do so. We should all celebrate the hospital provision in Weston-super-Mare and the great work that is being done there.

We care deeply about ensuring that residents in all local areas can access excellent health and care services, both now and well into the future, and that is why the NHS is this Government’s No. 1 spending priority.
The NHS budget will increase by £33.9 billion in cash terms by 2023-24, which is the single biggest cash increase in the NHS’s history. We have set out the what, and we now have to set out the how, which is why we are focusing on successfully implementing the NHS long-term plan. The NHS will develop a clear implementation framework, setting out how the long-term plan’s commitments will be delivered by local systems. This will be shared shortly, and it is being led by NHS England.

My hon. Friend asked whether some of the additional resources from the NHS funding settlement could be earmarked for community care so that valuable community resources such as Congleton Hospital can continue to deliver their vital services. I can confirm that we have prioritised investment in primary and community healthcare through the long-term plan, in which we have committed at least an extra £4.5 billion a year to primary medical and community health services. That additional money will fund expanded community multi-disciplinary teams and will help to ensure that, within five years, all parts of the country will have improved community health response services that can be delivered by flexible teams working across primary care and local hospitals, and developed to meet local needs.

Gareth Snell: I fear that the Minister may have been about to answer my question, so I apologise if she was. I welcome the suggestion that community care should be the focus of part of the new investment that is coming into the NHS. Where CCGs take a decision to reduce the number of community facilities in their area, what recourse will the public have to say, “The Minister said this, but your actions are different”? In places such as Stoke-on-Trent, what the Government are outlining is not what our CCG is doing.

Caroline Dinenage: The hon. Gentleman makes an incredibly strong point. I often stand at the Dispatch Box—usually during Adjournment debates—having listened to hon. Members. Members talk about CCG decisions that they feel may not be in the best interests of their local area, but it is up to local areas to decide. The whole point of devolving money and decision making down to CCGs is that we trust them to be able to make the best decisions in the best interests of local communities to deliver services that best meet needs and priorities. If the hon. Gentleman feels that that is not happening and if he has had the opportunity to discuss that with his CCG, it could be a good idea to take the matter up with NHS England.

CCG funding allocations are decided by an independent committee, which advises NHS England on how to target health funding in line with a funding allocation formula. This objective method of allocation supports equal opportunity of access and reduces health inequalities. That way, the decision of where taxpayers’ money goes is decided in an independent and impartial manner.

As my hon. Friend the Member for Congleton will be aware, it is down to the CCG—in this case Eastern Cheshire CCG—to decide how it spends its allocation and to determine which services are the right ones for the local community it serves. One would hope that CCGs have the necessary clinical knowledge and local expertise to make informed decisions on how to spend taxpayers’ money. To support the long-term planning of services, NHS England has already informed all CCGs about how much funding they can expect to receive between 2019-20 and 2023-24. My hon. Friend may be interested to know that Eastern Cheshire CCG’s funding will increase from £270.2 million to £311.6 million over that period—a substantial increase. I hope that she will agree that that information gives CCGs the stability to plan appropriately and establish their services for the long term.

Karin Smyth: I do not disagree with much of the thrust of what the Minister is saying, because CCGs—I used to work for one—do spend taxpayers’ money. She will often have heard hon. Members say that there is no link between the accountability for that money, the work that we do as Members of Parliament and the decisions that are made by CCGs. The new NHS plan looks like it may want to do something about that, but will the Government send a message to NHS England and the CCGs that local democratic accountability must somehow start to be built into the CCG decision-making process?

Caroline Dinenage: The hon. Lady makes an interesting point, and it is one with which I have a certain sympathy. When NHS England comes up with the implementation plan for the long-term plan, I hope it will include suggestions as to how such issues might be addressed.

It is important to remember that the NHS is close to all our hearts. Fundamentally, it belongs to the people of this country. It is founded on a common set of principles and values that bind together the communities and people it serves. For that reason, it is welcome to hear my hon. Friend the Member for Congleton talk so highly of the open and honest relationship between her local NHS and the residents of Congleton. The examples she gave of the decision-making process for introducing car parking charges highlights how local people in Congleton are being listened to and, if I might say so, it says a lot for the people of Congleton. It takes a lot for the people of Congleton to demonstrate, but this shows that they do so effectively when they decide to take such action.

I commend my hon. Friend for the role she has played in the work to protect her local hospital and for all her activities in that direction. I also commend her for her ongoing efforts in forging constructive relationships, which are so important. These open conversations between health systems and the people they serve will, ultimately, allow us to continue building a sustainable future for the NHS.

Question put and agreed to.

8.55 pm

House adjourned.
Oral Answers to Questions

CABINET OFFICE AND CHANCELLOR OF THE DUCHY OF LANCASTER

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster was asked—

Leaving the EU: No Deal

1. Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): What recent progress his Department has made on preparations for the UK leaving the EU without a deal. [909760]

The Minister without Portfolio (Brandon Lewis): If you will indulge me for 30 seconds, Mr Speaker, I would like to apologise on behalf of my right hon. Friend the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office for his absence from the Chamber. As I think you know, he has a commitment that means that I am taking his place today.

I say to the hon. Member for Sheffield, Brightside and Hillsborough (Gill Furniss) that we have published over 300 items of no-deal content and we have broadcast across some 200 commercial radio stations. The Cabinet Office is facilitating the redeployment of staff between Departments, and it is co-ordinating contingency planning through established structures.

Gill Furniss: It was announced overnight that the Government plan to slash tariffs on the majority of products imported from outside the EU in the event of a no-deal Brexit. Such a move would mean cheaper steel imports, with business saying that that could destroy our steel sector and our manufacturing sector more broadly. What consultation did the Government undertake with the steel sector before the announcement?

Brandon Lewis: The temporary tariff regime aims to minimise costs to business and mitigate price impacts on consumers while supporting UK producers. I stress again that that is a temporary scheme, and business will be consulted over the first 12 months.

Michael Fabricant (Lichfield) (Con): This morning, right hon. and hon. Members and I were serving on a statutory instrument Committee. Along the Committee corridor, there are SI Committees almost every day, preparing not only for a deal-Brexit but for a no-deal Brexit. Can I tell my right hon. Friend that we are prepared, in my view?

Mr Speaker: Aren’t we? I think that is where the question mark comes.

Brandon Lewis: My hon. Friend makes a very good point. As the Government have said consistently over the past couple of years, we are working so that we are prepared, whatever the outcome. The legislative default for this Parliament is to leave without a deal, if we do not agree a deal.

Jon Trickett (Hemsworth) (Lab): The country is hanging on to a no-deal cliff edge. Today, we read about the Government’s latest brilliant idea: a ludicrous TV advert telling the public, from Friday onwards, “Don’t panic”, which is a bit like Corporal Jones in “Dad’s Army”. However, this is not the Home Guard in the 1940s, and the prospect of thousands of job losses and shortages of food, medicine and so on are no joke. We can prevent this. Today, the Commons will take control from the Government to prevent such a disastrous scenario. Will the Minister join us?

Brandon Lewis: I find it somewhat ironic that the hon. Gentleman, along with his colleagues, is talking about preparation—the previous question was about preparation too—but complains that we are preparing the public for what may happen on 29 March. The simple answer is that he and his colleagues should have voted with us last night to make sure that we left the EU with a deal.

Civil Service Pay

2. Bambos Charalambous (Enfield, Southgate) (Lab): What recent discussions he has had with trades unions on civil service pay. [909761]

The Parliamentary Secretary, Cabinet Office (Oliver Dowden): The Chancellor of the Duchy of Lancaster and I regularly engage with unions on a range of civil service workforce issues, including pay. I most recently met union representatives across the wider public sector last month, and I will meet civil service trade unions on pay for 2019 very shortly.

Bambos Charalambous: Since 2010, wages for workers in the civil service have fallen 10% to 13% behind workers in the NHS, local government and the education sector. Despite that, the Cabinet Office has confirmed that any pay rise above 1% will have to come from further cuts in jobs, and in terms and conditions. Is it not time that the Government backed up their claim to be ending austerity by ending it first for their own employees?

Oliver Dowden: As the hon. Gentleman acknowledges, we have removed the 1% pay cap, and it is up to each Department to find efficiency savings and better ways of working to pay for greater pay rises. That is exactly what we have seen. For example, the Foreign Office agreed a deal of 4.6% on average over the course of two years, giving a pay rise but funded properly by efficiency savings.
Sir David Evennett (Bexleyheath and Crayford) (Con): Will my hon. Friend say whether in the discussions he has been having he has reflected on how much the national living wage will increase from next month, and how many workers that will benefit? Oliver Dowden: As ever, my right hon. Friend is absolutely correct. In fact, the effect of the national living wage this year is to hand workers a £700 pay rise.

Chris Stephens (Glasgow South West) (SNP): Can the Minister confirm that permanent secretaries agreed a 1% pay offer across the board in Departments last year? Does that not make a mockery of the fact that the Government have 200 separate pay negotiations across the civil service? Oliver Dowden: As the hon. Gentleman is aware, in respect of lower grades—those below the senior civil service—there is a delegated pay process. The overall framework is set by the Cabinet Office and the Treasury, and it is for individual Departments to decide. We will go through the proper process, and no final decisions have been taken.

Election Candidates: Disabilities

3. James Duddridge (Rochford and Southend East) (Con): What plans does the Government have to encourage more candidates with disabilities to stand for election.

The Minister without Portfolio (Brandon Lewis): In December 2018, we launched the £250,000 EnAble fund, which provides grants to help cover disability-related expenses that people might face when seeking elected office ahead of the May local elections.

James Duddridge: I thank the Minister for that answer. In the past, I have been a trustee of SHIELDS—Supporting, Helping, Informing Everyone with Learning Disabilities in Southend. What plans do the Government have to engage people who have learning disabilities in the electoral process?

Brandon Lewis: I congratulate my hon. Friend, as I know he works hard in supporting what SHIELDS does. It is clearly doing positive work for people with learning disabilities in Southend. We are committed to supporting people with learning disabilities in participating in democracy. We are working, to that end, in partnership with the Royal Mencap Society, including, for example, through facilitating a meeting between Mencap and political parties on the provision of easy-read manifestos.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Perhaps I should declare an interest, in that my wife is disabled and I have been glad of her support in my elections in the past. At the recent snap election, we faced an issue with access to voting stations; sometimes a school would be declared unsuitable because repairs were being carried out and another place had to be found for a voting station. Sometimes disabled access was an issue. What are the Government doing to make sure that it is made as easy as possible for disabled people to get in there and cast their vote?

Brandon Lewis: The hon. Gentleman makes a good point. We are working with returning officers on this issue, and there is the wider issue of engaging with people with disabilities to address. All of us, in all political parties, can do more about that. We should be looking at what we can do to encourage people to get involved. That is why I am so proud of being part of the Conservative party whose Conservative Foundation does exactly that.

Leaving the EU: Civil Service Responsibilities

4. Ruth George (High Peak) (Lab): What assessment has the Department made of the capacity of the civil service to manage its additional responsibilities as a result of the UK leaving the EU?

The Minister without Portfolio (Brandon Lewis): The Government are equipping themselves with the right people and the right skills to deliver the UK’s exit from the European Union. We now have more than 14,500 people working specifically on EU exit-related policy and programmes across government. Workforce plans will continue to be reviewed to ensure that the civil service can always respond to emerging capacity and capability requirements.

Ruth George: What assessment has the Department made of the impact on other Departments, many of which have seen civil servants transferred into working on our strategy for exiting the EU?

Brandon Lewis: We have more than 400,000 civil servants across Departments and across the country, many of whom have areas that cross over with the work they are doing on the EU. We work with Departments to ensure that we are using the right skills in the right places to make sure that we are prepared to leave the EU in a good and orderly fashion.

Bob Blackman (Harrow East) (Con): Will my right hon. Friend update the House on what measures are being taken to return civil servants who work in the EU—in Brussels and other parts—to the UK to carry on their duties?

Brandon Lewis: Obviously, as we leave the European Union, the civil servants who have been focused on those issues will continue to do the work they need to do that relates to the EU. Where that work ceases, they will be moved back into the relevant civil service areas, as is required, across Departments.

Ruth Cadbury (Brentford and Isleworth) (Lab): At a meeting of the Cabinet Office in December, it was reportedly agreed that all non-essential Government business is to be suspended so that civil servants can concentrate on no-deal planning. Can the Minister confirm whether the Government consider the housing crisis, resourcing the Home Office to process settled status applicants, the failure of universal credit and the delays to HS2 to be essential or non-essential business?

Brandon Lewis: The best advice I can give the hon. Lady is not to get tempted to believe rumours of Cabinet leaks that she reads about in the newspapers. If she looks at the Government’s track record, she will see that
we are delivering record employment levels and record low unemployment, that we are improving wage levels for people who work for the Government, and that we are delivering for people, with good and outstanding education continuing. I am sure she will look forward to hearing more about that in the spring statement later today.

Mr Gregory Campbell (East Londonderry) (DUP): Compared with two years ago when we triggered article 50, how much more and better prepared is the civil service ready to leave the European Union on 29 March?

Brandon Lewis: Work has continued over the past two years. As the hon. Gentleman may recall from answers I have given at the Dispatch Box over the past year or so, the number of civil servants focused on this policy area has changed and increased as required, so that we are ready to leave the European Union on 29 March.

Tommy Sheppard (Edinburgh East) (SNP): It is clear, is it not, that Brexit will mean a lot of change, upheaval and uncertainty for ordinary civil servants throughout the country. I was therefore genuinely astounded to learn last week from the general secretary of the Public and Commercial Services Union that not a single meeting had taken place with national officers of that union to discuss Brexit. When will the Government start to discuss these matters with representatives of the workforce they depend on to deliver services throughout the country?

Brandon Lewis: We are engaged not only across the devolved authorities but with union officials, at both ministerial and official level, on a regular basis.

Dark Money

5. Helen Hayes (Dulwich and West Norwood) (Lab): What assessment he has made of the effect of dark money on (a) transparency and (b) influence in UK politics.

Chloe Smith: My right hon. Friend makes a weighty and important point. He is absolutely right that we should not be complacent about the way our electoral system runs. We have already taken forward a series of measures to ensure that it is secure, and we will do more of that to ensure that our system is good for today and fit for tomorrow.

Chloe Smith: The hon. Gentleman will have noticed the written ministerial statement that I published only last week, which outlined the steps that the Government have already taken and will be taking to reduce intimidation in public life. It has to be a collective job, though, and the Committee on Standards in Public Life was right to ask various organisations, including the social media companies, on which I know the hon. Gentleman does some work with one of his all-party groups, to take action.

Government Departments: Living Wage

6. Carol Monaghan (Glasgow North West) (SNP): If he will make it his policy to introduce the real living wage in all Government Departments and to seek accreditation from the Living Wage Foundation.

Chris Elmore (Ogmore) (Lab): The problem is that the Government spend an awful lot of time-condemning the actions of the press or social media platforms, but right now there are social media posts describing Members of this House as traitors and asking for us to be targeted to make sure that we vote a particular way. It is no good our condemning that sort of language in this House if Ministers do not take real action now to make election laws fit for now, to ensure that Members of Parliament can do their jobs freely and not be intimidated to vote a particular way.

Goverment Departments: Living Wage

The Parliamentary Secretary, Cabinet Office (Oliver Dowden): We are addressing this issue through the application of the statutory national minimum wage and the national living wage, based on the advice of the Low Pay Commission. From April, the national living wage will rise again, from £7.83 to £8.21 per hour, handing a full-time worker a further £690 annual pay rise.

Carol Monaghan: The real living wage is £9 an hour, and, in terms of paying it, Scotland is already the best performing part of the UK. Over the next three years, the Scottish Government will be lifting more people—25,000 more people—out of poverty and on to the real
living wage. When will the UK Government follow Scotland’s lead in paying the real living wage, not the bogus national living wage?

Oliver Dowden: I am sorry to hear the hon. Lady referring to the national living wage as bogus. It is a very proud achievement of this Government and it is actually rising faster this year than the real living wage. Over the past three years, since it was introduced, the national living wage has handed the lowest paid workers a pay rise of almost £3,000.

Cyber-security

7. Alex Burghart (Brentwood and Ongar) (Con): What steps is his Department taking to help improve the cyber-security of public and private sector organisations?

The Parliamentary Secretary, Cabinet Office (Oliver Dowden): Our world-leading national cyber-security strategy, supported by £1.9 billion of transformational investment, sets out the steps that we are taking to defend our people, deter our adversaries, and develop the skills and capabilities that we need. Our vision is that, by 2021, the UK is secure and resilient to cyber threats and prosperous in the digital world.

Alex Burghart: I was concerned to read that three quarters of FTSE 350 companies are not aware of the risks associated with businesses in their supply chain, particularly with businesses with which they have no contact. What steps are the Government taking to ensure that their own suppliers understand these vulnerabilities?

Oliver Dowden: As ever, my hon. Friend is absolutely right to raise this very important issue. Companies must do more to understand their supply-chain risks. Our cyber essentials scheme extends our influence to organisations that provide products and services to Government; it specifies standards that will improve their cyber-security. We use contractual arrangements to ensure that they help those in their supply chains, often small companies, to be more secure.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Technology can help deliver public services which are better, smarter, more tailored and put people in control, but that requires investment in people, processes and equipment. The 2017 WannaCry attack on the NHS was a consequence of a lack of investment in all three. What is the Minister doing specifically to give local authorities and other public service deliverers the resources and the skills that they need to ensure secure digital public services?

Oliver Dowden: The hon. Lady is absolutely right to raise the challenge of cyber-security, but we have responded to that challenge. That is why we have created the National Cyber Security Centre, funded by £1.9 billion of additional money. On the WannaCry incident, we have learned the lessons since that attack and we are, for example, rolling out Windows 10 across the NHS.

Jo Platt (Leigh) (Lab/Co-op): We know that 43% of businesses experience cyber-security breaches each year and, as we have just heard from my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah), we know that half of all local authorities in England still rely on unsupported server software. We know from the Minister himself that the Government have no idea how many cyber-attacks hit Government. Does the Minister accept that we need a new approach? We need to look at how we foster cultural cyber-change and we need to look at how we put the public good rather than private interest back at the heart of Government cyber strategy.

Oliver Dowden: The hon. Lady says that we have no idea of the level of attacks. I am happy to set out the number for her. We have already managed more than 1,100 major incidents through the National Cyber Security Centre. The national cyber security strategy is delivering, for example, the removal of more than 4.5 million malicious emails every month, and the taking down of 140,000 fraudulent phishing sites. This strategy is bringing together the commercial side and the Government side and it is delivering.

Mr Speaker: We are out of time, but we must hear the question of the right hon. Member for Loughborough (Nicky Morgan).

Intimidation in Public Life


The Parliamentary Secretary, Cabinet Office (Chloe Smith): The increasing prevalence of intimidation in public life can seriously damage our democracy, as we have already just discussed. The Government are taking a range of actions to tackle this problem, including a consultation on a new electoral offence of intimidating candidates and campaigners.

Nicky Morgan: I thank the Minister very much for that reply. She may have seen the “Exposure” programme broadcast last week, which captured the abuse and threats of death that I have faced, that my hon. Friend the Member for Eddisbury (Antoinette Sandbach) has faced, that my former right hon. Friend—still a friend—the right hon. Member for Broxtowe (Anna Soubry), has faced. There was also an excellent response from the Speaker to a point of order that I raised on the matter. Does the Minister agree that the systematic intimidation of MPs in this place on the way they vote should be a real concern to anybody interested in our democracy?

Chloe Smith: Yes, I do agree. The Government have therefore been working closely with the parliamentary security team, the police, administrators and others, because tackling this issue requires action from everyone. It also goes wider than just Members of Parliament. For example, we are helping candidates at the local elections this year to be safer with their home addresses.

Several hon. Members rose—

Mr Speaker: One sentence, Tom Brake.
10. [909769] Tom Brake (Carshalton and Wallington) (LD): Will the Minister commit to conducting a Mueller-style public inquiry into the alleged electoral fraud that has been committed in electronic campaigning by, for example, the leave campaign and potentially Arron Banks, who is being investigated by the National Crime Agency?

Mr Speaker: The right hon. Gentleman is of course concerned about the implications for intimidation, to which I am sure the question relates.

Chloe Smith: The right hon. Gentleman should know that the Government cannot have such an inquiry because the agencies investigating are independent, and rightly so. I can reassure the House that we have seen no evidence of successful interference in UK democratic processes, and that is as we would wish it to be.

Topical Questions

T1. [909775] Henry Smith (Crawley) (Con): If he will make a statement on his departmental responsibilities.

The Minister without Portfolio (Brandon Lewis): Last week, the Minister for the Constitution, my hon. Friend the Member for Norwich North (Chloe Smith), updated the House on the actions we are taking to tackle the inexcusable intimidation of people in public life. We have legislated so that candidates in local elections have the choice to remove their home addresses from ballot papers. We have consulted on a new electoral offence of intimidatory behaviour. It is vital that everyone in the House works together to prevent such behaviour and address this worrying trend.

Henry Smith: My constituents rightly care about the security of their ballots. May I ask for Crawley to be considered for a future voter ID pilot?

Brandon Lewis: My hon. Friend makes a good point. We will be looking carefully at the evaluations from the 2018 pilots and—when they come forward in a few months—the 2019 pilots to help inform our next steps and to shape how the final policy will look when introduced. We can benefit from close collaboration with local authorities, and we would welcome the involvement of Crawley as we progress.

Cat Smith (Lancaster and Fleetwood) (Lab): There have been reports that the Conservative party is preparing to take part in the upcoming European elections. The Opposition have heard that on Monday, there was a telephone conference between the Cabinet Office and regional returning officers, who would run such an election, during which preparations for European elections were discussed. Are the Government saying one thing in public and another in private?

Brandon Lewis: As I said to the hon. Lady’s colleague earlier, she should not believe every rumour she reads in a newspaper or on Twitter. It is simply not true.

T4. [909778] Greg Hands (Chelsea and Fulham) (Con): My right hon. Friend will be aware of the arbitrary 15-year rule that prevents Britons abroad from voting in UK elections. Will she recommit the Government to supporting the private Member’s Bill of our hon. Friend the Member for Montgomeryshire (Glyn Davies), when it comes back to the House next week?

The Parliamentary Secretary, Cabinet Office (Chloe Smith): I am grateful to my right hon. Friend. Friend for raising that point. The Government continue to support that Bill and think it is the right thing to do.

T2. [909776] Rosie Cooper (West Lancashire) (Lab): On Sunday, the BBC reported that Interserve is likely to go into administration on Friday. What steps is the Minister taking to protect jobs and pensions, should Interserve collapse?

The Parliamentary Secretary, Cabinet Office (Oliver Dowden): As the hon. Lady would expect, we keep under review the situation in relation to all our strategic suppliers. I assure her that we take appropriate contingency measures in respect of every strategic supplier.

Oliver Dowden: To date, we have already delivered almost 800 services online on gov.uk. In addition, I regularly engage with ministerial colleagues, principally through the digital implementation task force, which is chaired by my right hon. Friend, the Secretary of State for Digital, Culture, Media and Sport.

Oliver Dowden: The Government do not support national pay bargaining. It has been a step forward that we tailor pay to the needs of each individual Department. But I engage with all trade unions as we set the overall framework that applies to pay grades below the senior civil service.

Damien Moore (Southport) (Con): I welcome the announcement from the Cabinet Office on reforming the way that Government contracts are awarded so that they consider social impacts. Has my hon. Friend made an assessment of the effect of these changes on social enterprises?

Oliver Dowden: My hon. Friend rightly raises the issue of social enterprises. That is why, earlier this week, I made an announcement that we would be consulting on how to allow social enterprises to bid for a range of Government contracts and set out a clear framework for them to do so. I am confident that we will be able to unlock the opportunities of the over 100,000 social enterprises we have in this country.
The Prime Minister was asked—

Engagements

Q1. [909745] Mr John Baron (Basildon and Billericay) (Con): If she will list her official engagements for Wednesday 13 March.

The Prime Minister (Mrs Theresa May): I am sure all of us concur with the Prime Minister’s remarks about the disaster in Ethiopia.

Many of us recognise the Prime Minister’s efforts to secure a deal, but given that we profitably trade with the majority of the world’s GDP outside the EU on largely World Trade Organisation, no-deal terms, has the time not come to look beyond this remain-dominated Westminster bubble and for all of us to recognise that the default position of our votes to trigger article 50 is that no deal is better than a bad deal, so that we can honour the referendum and leave the EU on 29 March?

The Prime Minister: It may be to the benefit of the House, Mr Speaker, and I am sure that people will recognise this, if I try to keep my answers shorter than usual today. Let me say to my hon. Friend that I want to leave the European Union with a good deal. I believe we have a good deal. Yes, no deal is better than a bad deal, but I have been working for us to leave on 29 March and leave with a good deal.

Jeremy Corbyn (Islington North) (Lab): I absolutely concur with the Prime Minister’s remarks about the disaster of the air crash in Ethiopia, and indeed the earlier crash in Asia that affected the same type of aircraft. I commend the Civil Aviation Authority and the European Union for taking prompt action about the safety of the aircraft concerned. We need to ensure that all air passengers are as safe as they possibly can be.

The Prime Minister has been stubbornly declaring that the only choice is between her deal and no deal. Last night’s vote finished off her deal. Tonight she is not even showing the leadership to whip on no deal. Just a few weeks ago, she whipped her MPs against ruling out no deal. So how will she be voting tonight?

The Prime Minister: I will be voting for the motion standing in my name.

Jeremy Corbyn: Well, there may well be other votes, and the Prime Minister’s Brexit strategy is clearly in tatters. Her deal has been twice rejected and is now dead, and she is not even asking her MPs to support her on it tonight.

A couple of months ago, the Chancellor, who is here today—we will hear from him later—reassured business leaders that the threat of a no-deal Brexit would be taken off the table, while the Business Secretary said that a no-deal Brexit would be “ruinous” to the UK economy. Indeed, the Government’s own forecasts suggest that no deal would knock 10% off the economy, damaging jobs and industry. Why is the Prime Minister still ambivalent about the outcome?

The Prime Minister: I have been working for leaving the EU with a deal. Businesses and business organisations have been clear across the UK that they want MPs to back the deal. Yes, businesses worry about the uncertainty of Brexit, but there is one thing they worry about more, and that is a Corbyn Government.

Jeremy Corbyn: The Prime Minister does not seem to understand. Her deal has been flatly rejected twice by this House by unprecedented majorities. Even this morning, the CBI said that no deal would be a “sledgehammer” to the economy and went on to say that there has been “no consultation with business”, adding: “This is no way to run a country.”

The reason the Prime Minister’s deal is now dead is that at every step of the way, she has refused to listen—refused to listen to manufacturers and refused to listen to trade unions about the best way to protect jobs in this country, which is to agree a customs union. Manufacturing is now in recession. Many companies have laid off many workers. Her own deal has been decisively rejected. When will she listen to workers who are concerned about their jobs and to businesses that are concerned about their future and accept that there has to be a negotiated customs union with the EU?

The Prime Minister: The CBI said that the Labour party’s policies would lead to a drop in living standards. That is not very good for the people who the right hon. Gentleman claims to stand up and represent. He talks about a customs union, which of course was part of proposals that he put forward. That is yet another position he has taken. He has moved to being in favour of a second referendum, but I note that last night, he did not actually refer to a second referendum. He has just spoken about a deal involving a customs union—that has already been rejected, and in the past, very often rejected by him.

Jeremy Corbyn: It would be rather reckless for the Prime Minister to rule out any option at the present time, I would have thought. I do not think her answer
will help workers at Honda in Swindon, those at Nissan in Sunderland or many others who are very concerned about their future because of the danger to the manufacturing industry.

Britain’s food producers are also in despair. A coalition of UK producers asked the Prime Minister to call for tariff-free access to the single market. With her red lines now in tatters, will she back the view of UK food producers and back close alignment to the single market, to secure their industry? After all, she promised at Chequers that there would be frictionless trade.

**The Prime Minister:** The deal that we have negotiated includes access to the European Union on the basis of no tariffs. It might help if he had actually read it.

**Jeremy Corbyn:** Former Secretary of State for Environment, Food and Rural Affairs, the right hon. Member for North Shropshire (Mr Paterson), said while campaigning to leave in the referendum—this is not the kind of language I would use—that “Only a madman would actually leave” the single market.

The Prime Minister has previously said that we cannot just reject no deal; we need to be for something. With her own deal now so decisively rejected, can the Prime Minister inform us what she is now for? Does she recognise that the Labour alternative—the five pillars we put forward—is the credible show in town, available and ready to be negotiated? Is it not time she moved on from her red lines and faced the reality of the situation she has got herself, her party, this Parliament and this country into?

**The Prime Minister:** The right hon. Gentleman talks about not wanting no deal yet repeatedly votes in a way that brings no deal closer. The deal that he is proposing has been rejected several times by this House. I may not have my own voice, but I do understand the voice of the country. They want—[Interruption.]

**Mr Speaker:** Order. The House must calm itself. I do have sympathy for the Prime Minister in the face of a huge national crisis. The Prime Minister’s deal has failed, and she no longer has the ability to lead. This is a rudderless Government in the face of a huge national crisis. The hon. Member for Broxbourne (Mr Walker) recognises it, saying that the Government “is not fit for purpose. We are not doing what we need to do, which is govern the country properly and effectively.”

Where the Prime Minister has so obviously failed, this House needs to listen to the country—listen to unions, people in work fearful for their future, manufacturers and businesses, workers, European Union citizens who have made such a fantastic contribution to our society and British citizens across Europe who are all facing uncertainty. With jobs and industry at risk and the country in crisis, she needs now to show leadership, so can the Prime Minister tell us exactly what her plan is now?

**The Prime Minister:** I continue to believe that the House today will have an opportunity to vote on no deal, and it will then have an opportunity tomorrow, depending on how it has voted tonight, to vote on the question of the extension of article 50. As I said last night, there will be hard choices for this House, but this House will need to determine what its view is on the way forward. As far as the Government are concerned, we want to continue to work to leave the European Union. That is what we will deliver for the people on the vote in the referendum. We will continue to work to deliver leaving the European Union, but to deliver leaving the European Union with a good deal.

As for the right hon. Gentleman, he does not agree with Government policy; he does not even agree with Labour party policy. He has nothing to offer this country.

**Q6. [909750] Andrew Rosindell (Romford) (Con):** The whole House will want to send its condolences to the families of the recent victims of knife crime, including 17-year-old Jodie Chesney, who was tragically murdered in my borough of Havering. When two thirds of those carrying a knife escape a custodial sentence and one in five repeat offenders avoids prison, what assurances will the Prime Minister give that we are serious about getting tough on knife crime, and does she understand why so many people are fed up with soft sentencing?

**The Prime Minister:** First, I am sure that Members from across the whole House will want to join me in sending our deepest sympathies and condolences to the family and friends of Jodie. I know there is nothing that we can do or say that is going to ease the pain the family are going through at her loss.

We are very clear that judges must have the powers they need to impose tough sentences on those involved in serious violence and knife crime. The law already provides for a mandatory prison sentence for a second offence of carrying a knife, and conviction of a knife or offensive weapon offence is now more likely to result in some form of custodial sentence—and for longer—than at any point in the last 10 years. Obviously, individual sentencing decisions are a matter for the courts, but we are catching and prosecuting more people who carry a knife, and those who are convicted are now more likely to go to prison and for longer. As I set out in Prime Minister’s questions last week, both I and the Home Secretary are working to see what more we can do to deal with the serious violence and knife crime that has beset so many of our communities.

**Ian Blackford (Ross, Skye and Lochaber) (SNP):** May I associate myself with the remarks of the Prime Minister on the tragedy in Ethiopia and the tragic loss of life?
On this day, we of course commemorate the sad loss of the 16 young children and their schoolteacher in Dunblane who were cruelly cut down by Thomas Hamilton. The sanctity of young life is something we remember today when we hear the news from the hon. Member for Moray (Douglas Ross) that his wife Krystle has given birth to their young son, and I am sure the whole House will want to congratulate him.

A no deal will result in unprecedented harm. Does the Prime Minister really want to be the first Prime Minister in history to deliberately plunge the United Kingdom economy into recession?

The Prime Minister: First of all, I am pleased to add my congratulations to my hon. Friend the Member for Moray and his wife on the birth of their son. I am also sure that the thoughts of the whole House are with the right hon. Gentleman in remembering the terrible loss of young life we saw in Dunblane.

The right hon. Gentleman will of course hear the spring statement from my right hon. Friend the Chancellor of the Exchequer in a short time, and I am pleased to say that it will show the strength of the United Kingdom's economy, in which Scotland is able to participate as a member of the UK.

Ian Blackford: In 16 days the United Kingdom runs the risk of crashing out of the European Union with no deal, which we know from the Government's own analysis will crash the economy. Why does the Prime Minister not show some leadership today, do the right thing and whip all her MPs to take no deal off the table on 29 March and forever?

The Prime Minister: You can only take no deal off the table by doing one of two things: either revoke article 50, which means betraying the vote of the referendum; or agree a deal. If the right hon. Gentleman wants to take no deal off the table, he should have voted for the deal.

Q8. Mike Wood (Dudley South) (Con): As our right hon. Friend the Member for Romford (Andrew Rosindell) said, nearly a fifth of people convicted on a second or subsequent time for possessing an illegal knife are spared a prison sentence. We would not accept that for firearm offences. Will the Prime Minister look again at sentencing guidelines and practice to ensure that anyone carrying an offensive weapon gets the sentence they deserve?

The Prime Minister: I fully appreciate the concern that my hon. Friend, our hon. Friend the Member for Romford and others across the House have shown on this issue. The most recent statistics show that 82% of offenders received a custodial sentence for repeat possession offences. Obviously, as I have said, sentencing decisions are a matter for the courts, but the Government regularly look at ensuring that the powers are there to allow tough sentences to be imposed on those involved in knife crime.

Q2. Rosie Duffield (Canterbury) (Lab): On Friday, some of the excellent headteachers in my constituency sent their pupils home with letters detailing to parents how their budgets have been slashed by 8% and how they are struggling to make ends meet. On three separate occasions since September 2018 they have asked for a meeting with the Secretary of State for Education to discuss school funding shortages in Kent, but they have been refused. Will the Prime Minister please ask the Secretary of State to meet Ms Spinks, Ms Hines, Mr Wright, Mr Cooper, Ms Butcher, Ms Koune, Mr Pywell and others as a matter of urgency?

The Prime Minister: I will ensure that Ministers in the Department for Education have heard the hon. Lady’s request, but let me just remind her and Members of the House that the schools budget this year is £42 billion, which is the highest it has ever been—[Interruption.]

Mr Speaker: Order. The hon. Member for Birmingham, Yardley (Jess Phillips) usually advocates good and respectful behaviour, which she must now herself exemplify, notwithstanding her passion or insistence upon her point of view, in which she in not exceptional.

The Prime Minister: The schools budget is the highest ever this year, and we have given every local authority more money for every pupil in every school this year.

Q10. Mr Peter Bone (Wellingborough) (Con): I think that the whole House could unite in agreeing that the Prime Minister has put an enormous amount of hard work and energy into trying to resolve the European Union issue, and we certainly wish her well and hope that she gets better soon.

Has the Prime Minister had an opportunity to look at amendment (f) on today's Order Paper, tabled by my right hon. Friend the Member for Ashford (Damian Green), the former Deputy Prime Minister, and signed by many Conservative remainer MPs and Conservative leader MPs, and by the parliamentary leader of the Democratic Unionist party and Labour Members? I believe that the amendment could unite those on the Conservative Benches and attract support from the Opposition. Has the Prime Minister had an opportunity to consider whether she would be able to support the amendment?

The Prime Minister: I am grateful to my right hon. and hon. Friends for the spirit in which they have sought to broker a compromise in this House. The amendment has four propositions. The first is that we should publish our day-one tariff schedules; we have done so this morning. The second is that we should seek to extend the article 50 process; we remain committed to giving the House the opportunity to debate and vote on that tomorrow. The third is that we should unilaterally guarantee the rights of EU citizens resident in the UK; I am pleased to reconfirm that we have done that. The fourth is to seek to negotiate an implementation period in return for a financial payment but without the withdrawal agreement that we have agreed. The EU has made it clear that there will be no agreement without a withdrawal agreement, and that includes what we have already negotiated on citizens’ rights, a financial settlement and a Northern Ireland protocol. The plan that exists and has been agreed is, obviously, the deal that was put to the House and rejected by it last night. As I have said, the EU has made it clear that it would not accept elements of what is in the current withdrawal agreement without them being in a withdrawal agreement.
Q3. Jo Platt (Leigh) (Lab/Co-op): Monday will mark 40 years since the Golborne mining disaster in the constituency of Leigh. The disaster resulted in the tragic death of 10 miners, which still reverberates throughout our community and affects the families of those involved. Will the Prime Minister send her support for the commemoration service on Sunday and recommit, in their honour, to increasing work safety standards and providing all the necessary support to our ex-mining communities?

The Prime Minister: I thank the hon. Lady for raising this issue. I am sure that the whole House will want to join me in sending our deepest sympathies and condolences to the families and friends of those affected by that terrible tragedy. I am pleased to say that our health and safety record for mines has improved greatly since 1979. That improvement has resulted from learning from previous incidents such as the Golborne tragedy and preventing as far as possible disasters like it. As the hon. Lady may know, in 2015, following an extensive review, the Mines Regulations 2014 replaced all previous legislation relating to health and safety in underground mines. They provide a comprehensive and simple goal-setting legal framework to ensure that mine operators provide the necessary protection for mine workers and others from what we all accept are inherent hazards in mines. I assure the hon. Lady that we will continue to review safety regulations so that we can make sure that a tragedy like this never happens again.

Q11. Mr Shashi Vara (North West Cambridgeshire) (Con): Given that no-deal Brexit is the Government’s default position, will the Prime Minister kindly inform the House that she will instruct the Chancellor of the Exchequer to make available any funds that are required to ensure that the country is as best prepared as possible in the event that we do leave on a no-deal basis?

The Prime Minister: Obviously we continue to work to leave in an orderly fashion with a deal, but we have made funding available and it is being used to make sure that we have preparations for a no deal.

Q4. Bridget Phillipson (Houghton and Sunderland South) (Lab): The Prime Minister routinely deflects questions on child poverty, insisting on absolute rather than relative measures. Can she assure the House that if the figures published later this month on her own preferred measure of absolute poverty show that child poverty is rising, she will at last join those of us calling for a pause to universal credit?

The Prime Minister: I continue to believe, as I have said in this House before, that the best route out of poverty is through work. The hon. Lady refers to figures that I quote. I also quote figures, which I have to say are very important for this House, regarding the reduction in the number of children living in workless households. There is very clear evidence of the advantages of children being brought up in a house in which there is work. Universal credit is encouraging work. It is delivering on ensuring that we see more people in work and able to provide for their families.

Q13. Rachel Maclean (Redditch) (Con): As a former technology entrepreneur, I have seen the barriers that face aspiring women seeking to start up new businesses, yet we know that £250 billion could be added to the UK economy if women can start and scale up businesses at the same rate as men. Therefore, does the Prime Minister welcome Alison Rose’s review into female entrepreneurship, and will she call for the banks to adopt those recommendations without delay?

The Prime Minister: I thank my hon. Friend for raising this important issue and for bringing her successful experience as an entrepreneur to the House. I am happy to join her in welcoming Alison Rose’s review. We are setting out our ambition to increase the number of female entrepreneurs by half by 2030 in various ways. The Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Rochester and Strood (Kelly Tolhurst), will sponsor an industry-led taskforce alongside Treasury Ministers that will drive forward work to encourage greater investment in female entrepreneurs by all types of finance providers, including the banks.

Q5. Emma Reynolds (Wolverhampton North East) (Lab): Last year, 690 children were attacked or threatened with a knife in the west midlands. Parents are terrified. Police officers across the country agree that there is a link between the knife crime epidemic and the Prime Minister’s decision as Home Secretary to cut 20,000 police officers from our streets. Is she the last person standing to deny that link?

The Prime Minister: I set out last week steps the Government are taking to increase our work on knife crime. I understand that my right hon. Friend the Home Secretary met the west midlands chief constable at the end of last week to discuss policing there. The hon. Lady refers to decisions taken by the Government in 2010. Yes, those were tough decisions in terms of public sector funding, but they were taken because of the appalling circumstances of the economy left by Labour.

Several hon. Members rose—

Mr Speaker: Order. I understand that the hon. Member for Bexhill and Battle (Huw Merriman) is about to namecheck his mother, an admirable woman—a former teacher and, in my view very importantly, my constituent.

Q14. Huw Merriman (Bexhill and Battle) (Con): Thank you, Mr Speaker. I think she loves you more than me these days, because she is also a Labour supporter—albeit that you are of course independent. On behalf of me and my lovely mum, I point out that there are parts of the country, from Sheffield to Staffordshire and Sussex, where pupils receive less money per head than pupils in other parts of the country. I know the Prime Minister values a good education—she went to the same school as my mother, who became a teacher. Therefore, for me and my lovely mum, we want three things: first, more funding for our schools; secondly, on special educational needs, we need more focus and priority on stopping academies excluding pupils unnecessarily because of their targets; and thirdly, the lowest-funded areas should be funded first when we get this right.
The Prime Minister: I thank my hon. Friend for his question. I was tempted to start by saying that I suspect his mother and I were at the school at a different time—[Interruption.] Oh, he says it is true. Good.

I recognise that we have asked schools to do more. We have responded with £1.3 billion extra investment in our schools this year and next, so the core schools budget will rise by around £2.6 billion in total, and the Government are protecting overall per-pupil funding in real terms. Every school is attracting at least 1% more per pupil by next year, and thousands of schools will attract significantly larger gains of up to 3% per pupil per year.

That investment will mean more children having the chance of a better future, but the quality of education also matters. I commend my hon. Friend. His mother, who I understand was a teacher, for the work she has done in education. I say thanks from the whole House to all our teachers up and down the country for the work they are doing in education.

Q7. [909751] Lyn Brown (West Ham) (Lab): As I told the Prime Minister a month ago, my constituent Maryam was diagnosed with spinal muscular atrophy 1—SMA—in November last year when she was just four months old. She needs Spinraza now and is likely to live only a few months without it. NICE met last week but, cruelly, to date has not even announced a decision. Last time, the Prime Minister told me to see a Minister—I did, and nothing changed. All I am asking is that baby Maryam has the same chance of getting Spinraza as she would have if she lived in Scotland, Germany, Italy, Romania or 20 other European countries. Let me be clear: I am asking the Prime Minister to intervene. Will she?

The Prime Minister: I am sure the whole House sends their sympathies and concerns to the family of Maryam. We recognise that this must be an incredibly difficult time. Decisions on such matters are rightly taken not by politicians but by clinicians. I understand that the hon. Lady recently met my right hon. Friend the Health Secretary, and as she says, NICE considered the relevant information and recommendations at its appraisal committee meeting on 6 March. It is right, however, that the benefits and evidence in relation to new medicines be properly considered by the experts and clinicians in the field. The Department of Health and Social Care is working with NICE on this issue.

Andrew Griffiths (Burton) (Con): My constituent Nicola Morgan-Dingley is a wife and mum. She was just 36 when she was diagnosed with triple negative breast cancer, the most virulent form, and, sadly, at 38, she has a terminal diagnosis. Nicola has asked me to ask three things today. First, will the Prime Minister consider publicising the fact that women should never miss a mammogram and the importance of attending? Secondly, will she consider lowering the age at which women can seek a mammogram so that more women are not missed out? Thirdly, there are some immunotherapy trials taking place across the country that could offer a lifeline to Nicola. Will she consider expanding those trials so that Nicola can get the help that could save her life?

The Prime Minister: I am sure the whole House shares my hon. Friend’s concern for his constituent Nicola. Our sympathies are with her and her family and friends. She asked about three things. On the age at which a screening becomes available or is required, that matter has been considered previously and I am sure will be considered again as part of the long-term plan, but I understand that the decision is based on the evidence of the benefits of screenings at certain ages.

My hon. Friend referenced immunotherapy. To date, the National Institute for Health Research has delivered 64 studies of immunotherapy for women with breast cancer, 28 studies are being opened up to recruitment and 14 studies are currently in set-up, but I will ask the Department to respond to him on the specific case of his constituent. On the third point, Nicola is absolutely right. I would urge all women to attend their mammogram appointments—they are vital: they could save your life.

Q9. [909753] Mr Stephen Hepburn (Jarrow) (Lab): Does the Prime Minister not feel guilty that parents and teachers are being forced to buy books and pens for schools and that heads are cleaning classrooms?

The Prime Minister: The hon. Gentleman heard my response earlier. We are putting more money into our schools and ensuring that overall per-pupil funding is protected. Yes, we have asked schools to do more, and I recognise the pressures on them, but the Government have responded with more funding.

Several hon. Members rose—

Mr Speaker: I call Mr David Duguid. No? He previously signalled an interest, and I was trying to accommodate him, but never mind.

David Tredinnick (Bosworth) (Con): If my right hon. Friend had been elected leader of the Labour party, would she be allowing a free vote this evening?

The Prime Minister: There are passionately held views and differences of opinion on this issue, and I think it would be of benefit to the House if there were a free vote across the House.

Q12. [909756] Mr Alistair Carmichael (Orkney and Shetland) (LD): On Sunday, the community of Fair Isle in Shetland suffered a devastating blow when its world-renowned bird observatory was destroyed in a fire. The impact of such a thing on a community of 60 people is devastating, and they are still coming to terms with it. Will the Prime Minister join me in thanking those who have already supported Fair Isle, including the firefighters who tackled the blaze and those who transported them, and will she commit her Government today to supporting the community in Fair Isle as it looks towards rebuilding what is a globally important research resource so that it can get back into action as soon as possible?

The Prime Minister: I send my deepest sympathies to all those who work in, and indeed who visit, the observatory. As the right hon. Gentleman says, the fire will have been devastating for the local community. I also offer my praise to the local fire and coastguard services for all their efforts in bringing the blaze under control. I understand that investigations to establish the cause are ongoing. The right hon. Gentleman’s question gives me an opportunity also to thank the firefighters who dealt with a fire in my own constituency of Maidenhead yesterday, in the town centre.
I understand that the building to which the right hon. Gentleman has referred was comprehensively insured and the owners are not seeking additional funding at this time, but I will ask my Minister from the Scotland Office to meet the right hon. Gentleman to see whether any further support could be provided.

Mr Mark Francois (Rayleigh and Wickford) (Con): On 29 January, the House—including virtually the entire Conservative party, Brexiters and remainers alike—voted for the Brady amendment, with the strong encouragement of the Government. The amendment was designed to facilitate the so-called Malthouse compromise. We do not yet have the Speaker’s selection of amendments for the debate, Prime Minister, but if he is minded to select amendment (f)—which is the Malthouse compromise—one, will there be a free vote, and two, how will you personally vote on it?

The Prime Minister: I referred to the elements of that amendment, which refers to one part of what became known as the Malthouse compromise, in response to an earlier question from one of my hon. Friends. As I said, the Government have already addressed some of those issues. However, my right hon. Friend referred to the amendment tabled by my hon. Friend the Member for Altrincham and Sale West (Sir Graham Brady). That was about alternative arrangements replacing the backstop, and my hon. Friend also indicated other ways in which concern about the backstop could be dealt with. What we have agreed with the European Union, in a legally binding character, is that commitment to ensuring that alternative arrangements are indeed available by the end of December 2020, so that they can do what that amendment required and replace the backstop.

Q15. [909759] Dr Paul Williams (Stockton South) (Lab): Jodey Whiting was a mother of nine from Thornaby who died by suicide in 2017. Just before her death she missed a work capability assessment because of health problems, and was sanctioned. The independent case examiner has found multiple and significant failings on the part of the Department for Work and Pensions, including five missed opportunities to identify her mental health problems and safeguard her properly. That, of course, can never bring Ms Whiting back. Will she welcome the great work of pro-growth Rugby Borough Council? It is currently providing new homes at more than three times the UK average rate: 739 were built last year and 860 are now under way, with four house builders at Houlton.

The Prime Minister: I am happy to commend the work of my hon. Friend’s local council in providing more homes, which is very important. I am also pleased that last year, under this Government, more homes were built than in any of the last 30 years bar one. That is a record of which we should be proud, and obviously the hon. Gentleman’s council is very helpfully contributing to it. I am sure that it will continue to help to meet the real need to ensure that we have sufficient homes for families up and down the country.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): You will know, Mr Speaker, that West Dunbartonshire has two notable anniversaries this week. First, today is the 78th anniversary of proportionally the worst aerial bombardment in the history of the United Kingdom, the Clydebank blitz, and I am sure the Prime Minister will wish to be the first ever British Prime Minister to note it. Secondly, on Monday my constituent Jagtar Singh Johal will have been incarcerated for 500 days without trial and has suffered trial by media—sanctioned, some would say, by the Indian state. I appreciate that Ministers are working very hard, but can the Prime Minister now say this to their own Foreign Secretary: no guilt has yet been established and there has been no trial, so why will Ministers not meet with myself as the constituency MP and the family to hear what impact this incarceration is having on them?

The Prime Minister: First, I recognise the point the hon. Gentleman made about the aerial bombardment all those many years ago and the impact that had on the local community.

On the specific case, Ministers are dealing with this; they have been actively involved in it. Obviously the Foreign Secretary has heard the hon. Gentleman’s request for a specific meeting; I believe one of the Ministers is dealing with this case and will, I am sure, be pleased to meet with him.

Alberto Costa (South Leicestershire) (Con): The media have started calling this place a failing Parliament; there was nothing failing about this place three weeks ago when we unanimously voted to protect the rights of citizens—British and EU nationals here. Aside from the letter the Secretary of State has written to Michel Barnier, can the Prime Minister update this House on what she has personally done? For example, has she phoned Merkel or Macron or President Tusk to help protect British citizens in the EU and EU nationals here?

The Prime Minister: Yes, I am happy to tell my hon. Friend that I have spoken to a number of EU leaders about the desire that we have for UK citizens in their countries to be fully protected were there a no deal, and to be protected on a reciprocal basis. Some countries have already published legislation; we want to make sure that the basis on which they are providing guarantees for UK citizens is the same as the basis on which we are providing guarantees for EU citizens here.
Spring Statement

12.42 pm

The Chancellor of the Exchequer (Mr Philip Hammond): I am acutely conscious of the fact that the House has other pressing matters on its mind today, and to avoid making this statement any longer than necessary, I am tabling a written ministerial statement that contains additional announcements and provides further details of those that I will make.

Last night’s vote leaves a cloud of uncertainty hanging over our economy, and our most urgent task in this House is to lift that uncertainty. But the economy itself is remarkably robust: it has grown for nine consecutive years, with the longest unbroken quarterly growth run of any G7 economy, and is forecast to continue growing in each of the next five years. It is an economy that has created over 3.5 million net new jobs under Conservative-led government, that has almost halved Labour’s shocking legacy of youth unemployment, that has seen female participation in the workforce increase to record levels and that is now delivering the fastest rate of wage growth in over a decade.

It is an economy that has defied expectations and will provide the solid foundation that Britain needs to seize the opportunities that the future offers—a far cry from the eight recessions and mass unemployment predicted by the House’s very own Nostradamus over there, the shadow Chancellor. Perhaps he is not so much an astronomer as a man living in a parallel universe.

And thanks to the difficult decisions that we have taken in the past nine years and the hard work of the British people, I can also report today on public finances that continue to improve, so that, provided we do reach a deal to leave the European Union with an orderly transition and provided we avoid the disaster of a Government led by those now on the Opposition Front Bench, this country for the first time in a decade will have genuine and sustainable choices about its future.

Today’s Office for Budget Responsibility report marks another step on Britain’s journey out of austerity, and I should like to thank Robert Chote and his team for their work. Despite the slowing world economy, the OBR expects Britain to continue to grow in every year of the forecast: at 1.2% this year, with both the International Monetary Fund and the OECD forecasting the UK to grow faster than Germany; then 1.4% in 2020, as forecast at the Budget; and 1.6% in each of the final three years. This represents cumulative growth over the five years now slightly higher than the Budget forecast.

Meanwhile, Britain’s remarkable jobs story is set to continue. By 2023, the OBR expects to see 600,000 more new jobs in our economy. Despite the constant attempts from those on the Opposition Front Bench to talk down our remarkable achievement on jobs, the fact is that last year 96% of new jobs were full time. There is positive news on pay too, with the OBR revising up wage growth year on year to 96% of new jobs being full time. There is positive news on pay too, with the OBR revising up wage growth year on year to 96% of new jobs being full time.

There is good news on the public finances as well. Borrowing this year will be just 1.1% of GDP—£3 billion lower than forecast at the autumn Budget—and a staggering £130 billion lower than in the last year of the Labour Government. But what is really staggering is that the shadow Chancellor’s critique of that Government was that they did not spend enough. Looking forward, borrowing will fall from £29.3 billion in 2019-20, then £21.2 billion, £17.6 billion, £14.4 billion and finally £13.5 billion in 2023-24—its lowest level in 22 years.

We remain on track to meet both our fiscal targets early, with the cyclically adjusted deficit at 1.3% next year, falling to just 0.5% by 2023-24, and with headroom against our fiscal mandate in 2020-21 increasing from £15.4 billion at the autumn Budget to £26.6 billion today. Less borrowing means less debt—now lower in every year than forecast at the Budget, falling to 82.2% of GDP next year, then 79%, 74.9%, 74%, and finally 73% in 2023-24. Our national debt is falling sustainably for the first time in a generation. This is a major milestone on the road out of the crisis we inherited from Labour, and a key dividing line today between a shadow Chancellor whose plans would send debt soaring above 100% of GDP and a Conservative Government committed to delivering world-class public services and keeping our national debt falling.

Since 2010, we have been steering the country on a journey of recovery from Labour’s recession. Back then, the most important task was to get borrowing down to manageable levels. But when I became Chancellor in 2016 I recognised that, with the progress we had already made, as well as getting Britain’s debt down, our continued success as a nation would depend on investing in our future, supporting our vital public services and keeping taxes low to attract talent and investment. I called it a “balanced approach”, and it is delivering, with the highest sustained levels of public capital investment in 40 years, cuts in income tax for more than 30 million people in three weeks’ time—cuts that Labour voted against—and debt on a sustained downward path for the first time in a generation.

I have made over £150 billion of new spending commitments since 2016, and I announced at the Budget that the long, but necessary, squeeze on current public spending would come to an end at the upcoming spending review, setting out an indicative five-year path of 1.2% per annum real-terms increases in day-to-day spending on public services compared with real-terms cuts of 3% per annum announced at SR 2010 and 1.3% at SR 2015. We have made our biggest choice on public spending to put the NHS first in line, as the British public would expect, with my right hon. Friend the Prime Minister’s announcement of £34 billion of additional funding per year by the end of the period—the single largest cash commitment ever made by a peacetime British Government—to support our long-term plan for the NHS. It will deliver improved cancer and mental healthcare, a transformation of GP services, more doctors, more nurses and better outcomes for patients.

Now we need to address wider departmental spending for the next review period. I can confirm today that, assuming a Brexit deal is agreed over the next few weeks and that the uncertainty that is hanging over our economy is lifted, I intend to launch a full three-year spending review before the summer recess, to be concluded alongside an autumn Budget. It will set departmental budgets beyond the NHS to reflect the public’s priorities between areas such as social care, local government, schools,
police, defence and the environment, and it will maximise value for taxpayers' money through a renewed focus on high-quality outcomes.

If we leave the EU with a deal and an orderly transition to a future economic partnership, we will see a deal dividend: an economic boost from recovery in business confidence and investment, and a fiscal boost from a reduction in the minimum necessary level of fiscal headroom once the risk of a no-deal exit is removed. That will give the nation real choices as we use the spending review to decide how much of the deal dividend we can prudently release, and how we would share it between increased spending on public services, capital investment in Britain's future prosperity and keeping taxes low, while always continuing to keep debt falling. Real-terms increases in public spending, record investment in Britain's future, more jobs than ever before, higher wages and lower taxes, meaning increased take-home pay, and, for the first time in a generation, our debt going down—that is what I mean by an end to austerity delivered by a Conservative Government.

The progress that we have made will be at risk if we cannot secure a smooth and orderly exit from the EU and a transition to a new partnership that protects the current relationships that businesses have built up over 45 years and on which so many British jobs depend. I had hoped that we would do that last night, but I am confident that we, as a House, will do it over the coming weeks. Leaving with no deal would mean significant disruption in the short and medium term and a smaller, less prosperous economy in the long term than if we leave with a deal. Higher unemployment, lower wages and higher prices in the shops are not what the British people voted for in June 2016. That is why we all have a solemn duty in the days and weeks ahead to put aside our differences and seek a compromise on which this House can agree in the national interest.

The Government also have a duty to plan for every reasonably foreseeable contingency, and we have done so. First, we have plans in place to minimise disruption to our financial system, and the Bank of England judges that it is resilient to any likely no-deal shock. Secondly, we have worked across Whitehall to put in place mitigations at our border, although we cannot regulate how the EU will operate its border following a no-deal exit. Thirdly, we have published today our temporary UK no-deal tariff schedule, carefully balancing the needs of producers and consumers in the context of the pressures that the no-deal economy would face. Fourthly, the Treasury and the Bank of England together have all the tools of fiscal and monetary policy available to us, including the fiscal headroom I have held in reserve.

I need to be straight with the House: a no-deal Brexit would deliver a significant short to medium-term reduction in the productive capacity of the British economy. Our economy is operating at near full capacity, so any fiscal and monetary response would have to be carefully calibrated not to simply cause inflation, compounding the effect of any movement in the exchange rate on the price of goods in our shops. While fiscal and monetary intervention might help to smooth our path to a post-Brexit economy, both could only be temporary and neither would allow us to avoid the effects of a relatively small economy nor the pain of restructuring. The idea that there is some simple, readily available fix that can be deployed to avoid the consequences of a no-deal Brexit is, I am afraid, just wrong.

I am confident that we are going to do a deal, and when we do, the British people will fully expect us to fire up our economic plan to seize the opportunity to restore confidence in our economy returns, but it is not just the spectre of uncertainty that we need to overcome to restore confidence and unlock a brighter future, because while we Conservatives will always be the party of business, and small business especially, the shadow Chancellor identifies business as “the enemy”. A Government led by the Leader of the Opposition would “chill the very marrow of our economy, destroying jobs and stifling innovation”.

Those are not my words, but those of the hon. Member for Penistone and Stocksbridge (Angela Smith), a former member of the Labour party, and she is right.

Our task is to demonstrate to the British people that, working with business through the mechanism of a well-regulated market economy, our plan will deliver a brighter future for them, so that they are never ever tempted by the empty promises and dangerous rhetoric of Opposition Front Benchers. The plan will make the most of the opportunities ahead by building our own way independent from, but in continuing partnership with, the European Union. It will embrace the technologies of the future and equip British workers to use them, back the enterprise and ambition of British business, support our world-leading entrepreneurs, creators, innovators, inventors and discoverers, and build on the UK’s fundamental strengths and competitive advantages so that we can slay, once and for all, the twin demons of low productivity and low wages and build an economy that works for everyone.

The only sustainable path to higher wages and rising living standards is to boost productivity. To do that, we are investing in infrastructure, skills, technology and housing under our plan for Britain’s future, with £37 billion in the national productivity investment fund, the largest ever investment in England’s strategic roads, the biggest rail investment programme since Victorian times and a strategy for delivering a nationwide full-fibre network by 2033. At SR 2019, we will set multi-year capital budgets following a zero-based review, protecting our record levels of capital spending, while ensuring that investment is focused to deliver the greatest impact on productivity.

Our investment strategy is benefiting the whole the UK. I can announce today up to £260 million for the innovative borderlands growth deal, covering the border regions of England and Scotland, which comes on top of the £100 million housing infrastructure funding already announced for Carlisle. Negotiations are progressing on future deals for mid-Wales and Derry/Londonderry, and I reiterate our commitment to the Northern Powerhouse Rail project and look forward to considering Transport for the North’s business case ahead of the spending review. We will publish the updated national infrastructure strategy alongside the spending review, and I am publishing today a consultation on our approach to supporting private infrastructure investment once we leave the European Investment Bank and now that we have retired Labour's discredited private finance initiative.

Raising our productivity is not just about investing in physical capital—it is also about investing in people. The Augar review will be published shortly and will
represent an important contribution to our overall plan for post-18 education. The Government will respond later in the year. We are committed to returning technical and vocational skills to the heart of our education system, with the new T-level system on track to deliver the first three routes in 2020; the first phase of the national retraining scheme starting this summer; and the apprenticeship programme rolling out 3 million new high-quality apprenticeships. To help small businesses take on more apprentices, I can announce that I am bringing forward the £700 million package of reforms that I announced at the Budget to the start of the new financial year in April.

The productivity agenda is above all about increasing the wages of the lowest paid, and the pay of a full-timer on the national minimum wage has risen by £2,750 a year since 2016. We have confirmed the Low Pay Commission’s remit for the national living wage to reach 60% of median earnings by 2020, but later this year we will need to set a new remit beyond 2020. We want to be ambitious, driving productivity across the income distribution, with the ultimate objective of ending low pay in the UK.

We also want to take care to protect employment opportunities for lower-paid workers, so we have asked Professor Arin Dube, a world-leading expert in the field, to undertake a review of the international evidence on the employment and productivity effects of minimum wage rates. This study will support the extensive discussions on the employment and productivity effects of minimum field, to undertake a review of the international evidence opportunities for lower-paid workers, so we have asked income distribution, with the ultimate objective of ending want to be ambitious, driving productivity across the

Another key pillar of our plan is backing Britain to remain at the forefront of the technology revolution that is transforming our economy, and to support that ambition from this autumn we will completely exempt PhD-level roles from the visa caps. Since 2016, we have launched our modern industrial strategy and committed an additional £7 billion to science and innovation—clear progress towards our target of total research and development spending reaching 2.4% of the economy.

But technology does not stand still, and neither can we. To maintain the UK’s technological edge, we will invest £79 million in ARCHER 2, a new supercomputer to be hosted at Edinburgh University. I am told that it is up to five times faster than the current generation of supercomputers, capable of a staggering 10,000 trillion calculations per second. I am told that with the right algorithms it might even be able to come up with a solution to the backstop.

I am allocating £455 million of the northern powerhouse investment fund to the European Bioinformatics Institute, ensuring Britain’s continued lead in genomics research. I will guarantee our commitment to the UK’s funding for the JET—Joint European Torus—nuclear fusion reactor, whatever happens with Brexit, and invest £81 million in a new extreme photonics centre in Oxfordshire to develop new types of laser—literally the cutting edge of technology.
I announced at Budget; and £717 million from the housing infrastructure fund to unlock up to 37,000 new homes on sites in west London, Cheshire, Didcot, and Cambridge, the last two being at opposite ends of the Oxford-Cambridge arc, for which I am publishing a new vision statement today.

As with the challenge of adapting to the digital age, so with the challenge of shaping the carbon-neutral economy of the future. We must apply the creativity of the marketplace to deliver solutions to one of the most complex problems of our time—climate change—and build sustainability into the heart of our economic model.

The UK is already leading the world, reducing the carbon intensity of our economy faster than any other G20 country, with ambitious and legally binding targets for the future. Today I can announce our next steps: first, we will publish a call for evidence on whether all passenger carriers should be required to offer genuinely additional carbon offsets, so that customers who want “zero-carbon travel” have that option and can be confident about additonality; secondly, we will help small businesses cut their carbon emissions and their energy bills, publishing today a call for evidence on the business energy efficiency scheme that I announced at the Budget; thirdly, we will publish proposals to require an increased proportion of green gas in the grid, advancing the decarbonisation of our mains gas supply; and, finally, we will introduce a future homes standard, mandating the end of fossil-fuel heating systems in all new houses from 2025, delivering lower carbon and lower fuel bills, too.

Climate change is not our only environmental challenge. We are already consulting on new tax and regulatory measures to tackle the scourge of plastic waste defacing our countryside and choking our oceans. Now, for the first time in 60 million years, the number of species worldwide is in sustained mass decline. The UK’s 1,500 species of pollinators deliver an estimated £680 million of annual value to the economy, so there is an economic, as well as environmental, case for protecting the diversity of the natural world. So, following consultation, the Government will use the forthcoming environment Bill to mandate biodiversity net gain for development in England, ensuring that the delivery of much needed infrastructure and housing is not at the expense of vital biodiversity.

But this is a global problem, so later this year, the UK Government will launch a comprehensive global review of the link between biodiversity and economic growth. This is to be led by Professor Sir Partha Dasgupta, Emeritus Professor of Economics at Cambridge. We in this House should be proud that the UK, with its overseas territories, has already declared more than 445,000 sq km of ocean around Ascension Island as a marine protected area. This Conservative Government are taking action today on our pledge to be the first in history to leave our environment in a better condition than we found it.

Before I conclude, I have three further short announcements to make. First, a response to a rising concern among headteachers that some girls are missing school attendance due to an inability to afford sanitary products, I have decided to fund the provision of free sanitary products in secondary schools and colleges in England from the next school year. I congratulate those hon. Members, in all parts of the House, who have campaigned on this issue, and my right hon. Friend the Education Secretary will announce further details in due course.

Secondly, I announced a year ago that we would take definitive action to tackle the scourge of late payments for our small businesses. A full response to last year’s call for evidence will be published shortly, but I can announce today that as a first step we will require company audit committees to review payment practices and report on them in their annual accounts. My right hon. Friend the Business Secretary will announce further details in due course, and I congratulate the Federation of Small Businesses, in particular, on its tireless campaign on this issue.

Thirdly, the recent surge in knife crime represents a personal tragedy for the scores of families of victims, and I know I speak for the whole House when I offer my deepest sympathies to them. We must, and we will, stamp out this menace. Police funding is due to rise by up to £970 million from April. Many police and crime commissioners have already committed to using this extra funding to recruit and train extra police officers, but that takes time and action is needed now. So the Prime Minister and I have decided, exceptionally, to make available immediately to police forces in England an additional £100 million over the course of the next year, ring-fenced to pay for additional overtime targeted specifically on knife crime, and for new violent crime reduction units, to deliver a wider cross-agency response to this epidemic. Ahead of the spending review, my right hon. Friend the Home Secretary will work with the police to consider how best to prioritise resources going forward, including newly funded manpower, to ensure a lasting solution to this problem.

To be frank, last night’s events mean we are not where I hoped we would be today. Our economy is fundamentally robust, but the uncertainty that I hoped we would lift last night still hangs over it. We cannot allow that to continue. It is damaging our economy, and it is damaging our standing and reputation in the world. Tonight, we have a choice: we can remove the threat of an imminent no-deal exit hanging over our economy. Tomorrow, we will have the opportunity to start to map out a way forward, towards building a consensus across this House for a deal we can, collectively, support, to exit the EU in an orderly way and to a future relationship that will allow Britain to flourish, protecting jobs and businesses.

We have huge opportunities ahead of us: our capital is the world’s financial centre; our universities are global powerhouses of discovery and invention; our businesses are at the cutting edge of the tech revolution; and we have shown that we are not shy, as a nation, of the tasks that lie ahead.

We are addressing the environmental challenges that threaten our planet; we are building the homes that the next generation desperately need; and we are investing in our future, tackling the productivity gap and embracing technological change—rising to its challenges and seizing its opportunities. Our potential is clear. Our advantages are manifest. We are the fifth largest economy in the world. We are a proud, successful, outward-looking nation, with no limit to our ambition and no boundaries to what we can achieve. A brighter future is within our grasp. Tonight, let’s take a decisive step towards seizing
it and building a Britain fit for the future—a Britain the next generation will be proud to call their home. I commend this statement to the House.

1.17 pm

[Mr Philip Hammond]

John McDonnell (Hayes and Harlington) (Lab): Let me thank the Chancellor for providing me with an early sight of his statement, no matter how heavily redacted. We have just witnessed a display by the Chancellor of this Government’s toxic mix of callous complacency over austerity and their grotesque incompetence over the handling of Brexit. While teachers are having to pay for the materials their pupils need, and working parents are struggling to manage as schools close early and their children are sent home, and as 5,000 of our fellow citizens will be sleeping in the cold and wet on our streets tonight, and young people are being stabbed to death in rising numbers, the Chancellor turns up today with no real end to or reversal of austerity. He threatens us—because this is what he means—saying that austerity can end only if we accept this Government’s bad deal over Brexit.

Let us look at some of the claims this Chancellor has made. He has boasted about the OBR forecast of 1.2% growth this year, but what he has not mentioned is that this has been downgraded from 1.6%. Downgrading forecasts is a pattern under this Chancellor. In November 2016, forecasts for the following year were downgraded from 2.2% to 1.4%. In autumn 2017, forecasts for the following year were downgraded from 1.6% to 1.4%. Economists are warning that what little growth there is in the economy is largely being sustained by consumption, based on high levels of household debt.

On the public finances, the Chancellor boasts about bringing down debt. Let me remind him that when Labour left office—having had to bail out his friends in the City, many of them Tony donors—the nation’s debt stood at £1 trillion. The Government have borrowed for failure and added another three quarters of a trillion to the debt since then. That is more than any Labour Government ever.

The Chancellor boasts about the deficit; he has not eliminated the deficit, as we were promised by 2015. He has simply shifted it on to the shoulders of headteachers, NHS managers, local councillors and police commissioners, and worst of all on to the backs of many of the poorest in our society. The consequences are stark: infant mortality has increased, life expectancy has reduced and yes, our communities are less safe. Police budgets have faced a £2.7 billion cut since 2010. Nothing that the Chancellor said today will make up for the human and economic consequences of those cuts.

The Chancellor talks about a balanced approach; there is nothing balanced about a Government giving over £110 billion of tax cuts to the rich and corporations while 87 people a day die before they receive the care they need. The number of children coming into care has increased every year for nine years. Benefit freezes and the roll-out of universal credit are forcing people into food banks in order to survive. Let me give the Chancellor a quote:

“Sending a message to the poorest and most vulnerable in our society that we do not care”.—[Official Report, 20 October 2015; Vol. 600, c. 876.]

That was the hon. Member for South Cambridgeshire (Heidi Allen) referring to the cuts to tax credits in 2015.

The number of pensioners now officially living in severe poverty, in the fifth largest economy in the world, has reached 1 million. We have a Government condemned by the UN for inflicting destitution on its own citizens. There is nothing balanced about the Government’s investment across the country. There is nothing balanced about a Government investing more than £4,000 per head for transport in London and only £1,600 per head in the north. There is nothing balanced about the fact that a male child born in Kensington in Liverpool can expect to live 18 years less than a child born in Kensington and Chelsea.

On employment and wages, this is the Government who have broken the historic link between securing a job and lifting yourself out of poverty. The Chancellor has referred to a “remarkable jobs story”: what is remarkable is that this Government have created a large-scale jobs market of low pay, long hours and precarious work. More than 2.5 million people out there are working below 15 hours a week. Some 3.8 million people are in insecure work. The Chancellor talks about pay; average wages are still below the level of 10 years ago. So it is hardly surprising that 4.5 million children are living in poverty, with nearly two thirds of them in households where someone is in work.

The Chancellor has bragged about his record on youth unemployment. Let us be clear: youth unemployment is 7% higher than the national average, it is higher than the OECD average, and it is at appalling levels for some communities. Some 26% of young black people are unemployed and 23% of young people from a Bangladeshi or Pakistani background are unemployed.

The Chancellor has claimed an advance with regard to women’s unemployment. What he does not say is that women make up 73% of those in part-time employment and are disproportionately affected by precarious work. Let me give one example: by 2020, the income of single mothers will have fallen by 18% since 2010. According to the much-respected Women’s Budget Group, women are facing the highest pay gap for full-time employees since 1999. All that on his watch.

On infrastructure and housing, the Chancellor has been claiming that he is on the way to delivering record sustained levels of investment. Let us be clear: he is talking about wish lists; he is not talking about what the Conservatives have actually done. The UK ranks close to the bottom of OECD countries for public investment. We are 24th out of 32 countries, according to analysis done by the Trades Union Congress.

The Chancellor describes “the biggest rail investment programme since Victorian times.”—[Official Report, 27 February 2018; Vol. 636, c. 667.]

Well, tell that to the people who faced the timetabling chaos of last year. Tell that to the rail passengers who have to deal with the incomparable incompetence of the Secretary of State for Transport.

The Chancellor has been hailing his announcement of a national infrastructure strategy. Let me remind the House that the Government announced a national infrastructure delivery plan for 2016 to 2021, and then announced a national infrastructure and construction pipeline. So, there are plans, pipelines and strategies, yet today he announced another review of the financing
mechanisms, but no real action to deliver for our businesses and communities. The Institute for Government described this Government’s decisions on infrastructure as “inconsistent and subject to constant change.”

The Chancellor made announcements on housing, again. Let us hope he has learned the lessons of the Government’s recent initiatives, which have driven profits of companies such as Persimmon to over £1 billion, with bosses’ bonuses at more than £100 million.

The Chancellor has some cheek to speak about technical and vocational skills: almost a quarter of all funding to further and adult education has been cut since 2010. The number of people starting apprenticeships has fallen by 26%.

On research and development, this Government have slashed capital funding for science across all departments by 50%.

Unlike at the Budget, the Chancellor has at last actually referred to climate change. The review of biodiversity he mentioned might, hopefully, show that the budget of Natural England, the body responsible for biodiversity in England, has more than halved over a decade. A review of carbon offsets might reveal that they do not reduce emissions, and that offsetting schemes such as the clean development mechanism have been beset by gaming and fraud. This from a Government who removed the climate change levy exemption for renewables; scrapped the feed-in tariffs for new small-scale renewable generation; and cancelled the zero-carbon homes policy. Gordon Brown pledged a zero-carbon renewables; and cancelled the zero-carbon homes policy. We endorsed it and celebrated it; the Tories scrapped it in 2015, just one year before it fully came into force.

Of course, Brexit looms large over everything we discuss. Even today, the Chancellor has tried to use the bribe of a double-deal dividend or the threat of postponing the spending review to cajole MPs into voting for the Government’s deal. What we are seeing is not a double dividend; we are seeing Brexit bankruptcies as a result of the delay in the negotiations. The publication of the tariffs this morning was clearly part of this threatening strategy. It is a calamitous strategy. It is forcing people into intransigent corners rather than bringing them together.

What we need now is for the Chancellor to stand with us today and vote to take no deal off the table; to stand up in Cabinet against those who are trying to force us into a no-deal situation; and then, yes, to come and join us to discuss the options available, including Labour’s deal proposal and yes, if required, taking any deal back to the public.

Outside this Westminster bubble, outside the narrow wealthy circles in which the Chancellor moves, nine years of hard austerity have created nine years of hardship for our constituents. Today, and in recent times, the Chancellor has had the nerve to try to argue to those who have suffered the most at the hands of this Government that their suffering was necessary. If austerity was not ideological, why has money been found for tax cuts for big corporations while vital public services have been starved of funding? Austerity was never a necessity; it was always a political choice. So when the Chancellor stands there and talks about the end of austerity and about a plan for a brighter future, how can anyone who has lived through the past nine years believe him?

This Government have demonstrated a chilling ability to disregard completely the suffering that they have caused. To talk of changing direction after nine years in office is not only impossible to believe, but much too late. It is too late for the thousands who have died while waiting for a decision on their personal independence payments; too late for the families who have lost their homes due to cuts in housing benefit; too late, yes, for the young people who have lost their lives as a result of criminal attack; and too late for those youngsters whose clubs and youth services have been savaged. This is the Chancellor’s legacy; it is this that he will be remembered for. He was the shadow Chief Secretary to George Osborne and designed the austerity programme. History will hold him responsible for that. There are no alibis. He is implicated in every cut, every closure, and every preventable death of someone waiting for hospital treatment or social care. It is time for change. People have had enough, but increasingly they know that they will not get the change that they so desperately need from this tainted Chancellor or from his Government. It is time for change, and it is time for a Labour Government.

**Mr Hammond:** We have just heard the same old recycled lines. I must be going a little bit deaf, because I did not hear any mention of record employment. Perhaps the shadow Chancellor is so ashamed of Labour’s record: no Labour Government have ever left office with unemployment below that which they inherited. I did not hear anything about rising wages; they are rising the fastest in a decade. He did not mention the extra £1.3 billion for local government, or the extra £1 billion of police funding, both of which he voted against. He did not mention the fact that we have had nine years of unbroken growth. He did not mention the fact that this economy is out-performing that of Germany this year. He writes about manufacturing without any recognition of the global economic context in which this sits—perhaps he does not inhabit the global economy. If he did, he would know very well that the downturn in manufacturing is happening across Europe and is affecting everyone. He did not mention the remarkable turnaround in our public finances and the real choices that we have as a consequence. He just relentlessly talked Britain and its economy down.

Once again, we hear this absurd proposition that the decisions that we took in 2010 were some kind of political choice—as if we could have gone on borrowing £1 for every £1 spent indefinitely, racking up interest bills and burdening future generations with debt. No responsible politician could credibly believe that these were choices in 2010.

The shadow Chancellor talks about homelessness. We have committed £1.2 billion to tackling homelessness and rough sleeping—I did not hear any mention of that. He talks about the downgrade of the 2019 economic forecast without mentioning the global context. He confuses the debt and the deficit. The reason that the debt has risen—pause. He is not listening, but it is very, very simple. It is not even economics; it is just maths. It is very, very simple. If you have a £150 billion deficit in your last year in office, your successor will find that debt is rising, and that is what we found. I have announced, since 2016, £150 billion of additional public spending as well as getting the forecast deficit down to
Mr Philip Hammond

0.5% of GDP. That means that we have real and genuine sustainable choices in this country for the first time in a decade.

The shadow Chancellor delivers repeated misinformation which we have heard countless times from those on the Labour Benches. Let us take transport funding for example. He knows that central Government transport funding is higher per capita in the north than it is in London and the south—that is a fact. He knows that there are 665,000 fewer children in workless households now than there were in 2010—that is a fact. He knows that public investment set out in the OBR report today represents Britain’s biggest public capital investment programme for 40 years—that is a fact. He accuses me of talking about housing again. Well, I will talk about housing again, and again, and again, because we have announced £44 billion investment in housing, and that is an awful lot of announcements that I will have to make.

The ultimate audacity is the moral lecturing tone in the shadow Chancellor’s closing remarks. I really do take exception to being lectured to by a man who has stood idly by, turning a blind eye, while his leader has allowed antisemitism to all but destroy a once great union of the single market?

Mr Kenneth Clarke (Rushcliffe) (Con): May I sincerely congratulate my right hon. Friend the Chancellor on keeping his head while all around are losing theirs? I am sure that he would have liked to have delivered a rather different statement if the vote had gone the other way last night. Does he agree that economic forecasting is difficult at all times, particularly at a time of slowing global growth, trade war, Chinese debt problems, and, above all, the uncertainty of Brexit? Does he agree that the optimistic forecasts by the OBR are based on a smooth progression to Brexit, with no new barriers to trade and investment with our most important market on the basis that we currently enjoy under the customs union of the single market?

Finally, will the Chancellor guarantee to me that he will keep his fiscal powder dry—keep his reserves, as he may need them to avoid a recession or a financial crisis; that he will resist the irresponsible approach of the Opposition, who have the idea of spending and borrowing money only as a policy platform on every issue; and that he will resist all the other understandable demands from all parts just to spend money in response to lobbies, because he has the duty of keeping the British economy intact at a time of almost unprecedented crisis and unforeseeable problems?

Mr Hammond: I can confirm to my right hon. and learned Friend that the OBR’s central forecast is based, as before, on an assumption of a deal done with the European Union so that we exit via a transition mechanism and have a future close trading relationship with it. I can assure him—I am sure he needs no reassurance—that I will not be remotely tempted by the policies or the profligacy of the shadow Chancellor. My right hon. and learned Friend is absolutely right that until such time as we are sure that we will not exit via a disorderly no deal, I have to keep that fiscal powder dry, but no one will be happier than me when I can release some of that headroom to support public services, capital investment and lower taxes in this economy.

Kirsty Blackman (Aberdeen North) (SNP): There is no certainty about the future health of the economy. Whatever happens regarding the Prime Minister’s deal—whether this House eventually accepts or continues to resoundingly reject it—we are still not clear about what the UK’s future trading relationship with the EU will look like. What is clear is that Brexit is bad for the economy. So far, the picture is bleak. Key economic indicators show that the UK economy grew by a meagre 0.2% in the fourth quarter of 2018. The OBR previously forecast growth of 1.6% for 2019. Even with the assumption of a smooth Brexit, it has downgraded that to 1.2%. Whatever the Chancellor’s spin, is that not the cost of Brexit?

Of course, the Chancellor predicted that himself. He told Radio 4:

“The economy will be slightly smaller in the Prime Minister’s preferred version of the future partnership.”

We now face the prospect of a no-deal Brexit, which would have a severe impact on the economy, people and businesses across Scotland. It could push the Scottish economy into a deep recession, similar in scale to the financial crash of 2008. The British Retail Consortium estimates that no deal could hike food prices by some 29%. My constituents cannot afford that. Will the Chancellor commit to voting against no deal tonight?

Given such massive uncertainty, we needed a bit more than this damp squib of a statement. It is a laudable aim to have only one Budget a year, but in these circumstances, the Chancellor should have brought forward an emergency Budget, and I call on him to do so.

We need the Chancellor to explain how he will fix the fiscal gap created by discouraging immigration. We know that the average EU citizen who chooses to live and work in our country contributes £34,400 annually to the Scottish economy. How will he plug that gap? Will he exempt those coming for PhD-level roles from the salary cap, as well as from the visa numbers cap? We need the Chancellor to provide funding to small businesses that are not prepared to cope with Brexit. Only 8% of Scottish firms feel fully ready.

We need concrete action to tackle the lack of productivity growth. It was woeful anyway, compared with our European neighbours, but over the past two years business has been so focused on Brexit damage limitation that it has lacked the resources to increase growth and productivity.
This week the New Financial think-tank said:

“Our conservative estimates show that banks and investment banks are moving around £800bn in assets; asset managers have so far transferred more than £65bn in funds; and insurance companies have so far moved £35bn in assets.”

That appears to have entirely passed the Chancellor by.

People who live in these islands have suffered through a decade of austerity. According to the Joseph Rowntree Foundation, the current benefits freeze has made life harder for more than 27 million people across the UK. It is the biggest policy behind rising poverty, costing families an average of £340 a year. If the freeze continues, by 2020 it will have driven 400,000 people into poverty. It must end now.

While the poor get poorer, the rich get richer under this Government. FTSE 100 CEO pay has gone up by 66% while the Tories have been in government, while wages for the rest have failed to reach 2008 levels. The Chancellor has had many opportunities to press his colleagues to halt the roll-out of universal credit. The system is broken and it must be fixed before more misery is inflicted. His emergency Budget should end the benefits freeze and halt the roll-out of universal credit. He has managed to find money for plenty of other things—he has allocated billions of pounds to the Democratic Unionist party to buy its support, but he has failed to allocate the £3.4 billion to Scotland that should have been our share of that largesse. Will the Chancellor ensure that the Barnett formula is properly applied to the new funding he has announced today, unlike his actions regarding the DUP deal?

Scotland’s resource block grant for 2019-20 is almost £2 billion lower in real terms than in 2010-11. That is a direct consequence of the Chancellor’s continued obsession with austerity. He has created the stronger towns fund, pumping money into leave-voting areas as yet another bribe. How well did that work this week? The Chancellor has not yet announced details of the shared prosperity fund. Especially important is whether it will replace the £2.4 billion a year that communities across the UK currently receive as a result of EU structural funds. Will he provide us with full details now? Will he give a cast-iron guarantee that the Scottish Government will be treated as equals and will continue to distribute the funding in Scotland, as has been the case under the EU programmes?

Yesterday, a majority of Scottish MPs put their names to an amendment saying that the best future for Scotland would be as an independent country within the EU. With independence, we will be able to encourage immigration, recognising the benefits brought by those who come to live, love and work in our country. We will be able to reject austerity, supporting our citizens when they need it most. We will be able to increase productivity, improve participation in our workforce and encourage and support companies to grow. We will be able to trade frictionlessly with Europe, a market eight times the size of the UK. Scotland has been badly served by consecutive Westminster Governments. We need to take our lifeboat and get off this sinking Brexit ship.

Mr Hammond: I am sure it was a momentary oversight by the hon. Lady that she did not say anything about the decommissioning measures that will be so important to her local industry in Aberdeen and that are listed in the written ministerial statement. She says that no deal will be bad for the economy, and I absolutely agree, but if she understands that, why did she not vote for the deal? I have a great deal of respect for her, but I am afraid she is creeping towards the practices of those on the Labour Front Bench when she quotes the fourth quarter growth figure of 0.2% without mentioning the more recently published growth figure of 0.5% for the first quarter of this year. [Interruption.] If she does the maths, she will find that is okay.

The hon. Lady talked about the downgrade that the OBR has applied to the 2019 growth figure. We would of course like it to be higher, but she has to see the figure in the global context. I know she understands this. Germany’s economy has slowed down and France’s economy has slowed down. Across the G7, we are exactly in the middle of the pack. We will grow faster than Germany, Japan and Italy this year. We will grow exactly the same as France and slower than Canada and the US. That is a perfectly creditable performance. Would I like to do better? Of course I would. If she is going to be honest with the House, she needs to put what she says in the context of what is happening across the global economy.

The hon. Lady asked about PhD-level roles. They will be completely exempt from the visa cap. She asked about assets being moved abroad. Of course I am concerned about that, and £35 billion of insurance company assets moved abroad is £35 billion more than I would like, but she needs to understand that that is in the context of the many trillions of pounds of assets that the companies are managing in London and, increasingly, in Edinburgh. Edinburgh’s ranking in the global asset management league table has once again risen, which we are extremely pleased about.

The hon. Lady talked about pay for the lowest paid. Those on the national minimum wage and the national living wage have seen their incomes increase by an average of £2,750 a year since 2016. She asked about universal credit. Universal credit delivers. People on universal credit are more likely to be in work than those trapped on legacy benefits. I have put billions of pounds into the system over successive fiscal events to smooth the transition to ensure that the movement of people from legacy benefits on to universal credit operates smoothly.

Finally, Scotland gets its share of the increased spending on capital and resource, but precious little thanks do we ever hear from those on the SNP Benches in exchange for it.

Nicky Morgan (Loughborough) (Con): Building on the question asked by my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), the OBR has made it clear today that it has not been able to update its forecast to reflect the current Brexit situation, saying that “we still have no meaningful basis for predicting the post-Brexit trading relationship beyond the near term.” I sense the Chancellor’s frustration with the House’s inability to approve the withdrawal agreement, but does he agree that this means that many of the forecasts are obviously going to have to be revisited as the Brexit scenario plays itself out over the next few months?

The Chancellor mentioned the forthcoming CSR and education spending. May I urge him also to think very clearly and closely about spending on further education colleges, which is another critical part of improving productivity in our country?
The Budget report recently produced by the Treasury Committee said that the Chancellor was effectively disregarding the fiscal objective to run a balanced budget in the mid-2020s, and the OBR has said today that the target will not be met again. So does he intend, by the next Budget, to ensure that the existing fiscal charter will be updated for this Parliament?

**Mr Hammond:** My right hon. Friend is right, of course, about the OBR’s Brexit assumption—I said so earlier and the OBR has said so clearly. It has to make an assumption, and until there is a new policy, that is unfortunately the way it is mandated to work. On the forecast, I have addressed this in this House many times before: The forecast is based on those assumptions. We are either going to have a no-deal exit, in which case I would expect a significantly worse outturn, or we are going to lift this cloud from above our economy, in which case I would expect a significantly better outcome.

A number of important commentators, including the Governor of the Bank of England, have suggested over the past couple of weeks that there is more juice in the economy if we can just lift this cloud.

I have noted my right hon. Friend’s early bid for further education in the spending review. There will be lots to discuss as we go into the spending review, and we will ensure that there are proper, structured arrangements for Members of this House to make their views known. My right hon. Friend the Chief Secretary will be happy to engage across the House.

My right hon. Friend asked about the target for the mid-2020s. I simply do not accept that the figures published today show that it is impossible to reach a balanced budget in the mid-2020s. In 2023-24, the deficit will be 0.5% of GDP, but whether we choose to get the deficit down to zero or choose to do other things is a choice, and we are lucky to have it.

**Mr Speaker:** The hon. Member for Manchester Central (Lucy Powell), who is ordinarily known for her buoyant and enthusiastic smile, was gesticulating at the Chancellor to speed up. I think she was auditioning for the role of Speaker, and presumably seeking to give the right hon. Gentleman a masterclass in brevity, notwithstanding his desire often to make her own point with enormous eloquence but at not inconsiderable length—but we will see.

**Rachel Reeves** (Leeds West) (Lab): In today’s forecast from the OBR, GDP growth this year is being revised down by 0.4%. The largest downward revision is to business investment—a downward revision of 3.2%. Business investment is now expected to shrink by 1% this year after shrinking by 1% last year. The Federation of Small Businesses says today that confidence is at “rock bottom”. The CBI says on tariffs that there has been “no consultation with business and no time to prepare”, and that this is “a sledgehammer for our economy.”

Does the Chancellor recognise that businesses are losing patience with this Government and that unless businesses invest and grow our economy, productivity and wages are going to stay at rock bottom? What is he going to do to reverse this incredibly worrying and dangerous reduction in business investment?

**Mr Hammond:** What the hon. Lady has not mentioned is that business investment recovers to 2.3% next year, and, over the forecast, recovers entirely, so this is a cyclical change, not a structural change. There are two drivers. Of course Brexit uncertainty is having a damping effect on investment—I have said that before and I will say it again. The sooner we can lift it, the sooner investment will come into our economy, with welcome effect. But we cannot ignore what is happening in the car industry across Europe. A large part of this effect has been in our car industry. That is very worrying, but it is not a UK phenomenon; it is a much broader phenomenon.

**John Redwood** (Wokingham) (Con): Given the fall in new car sales that followed the big increase in vehicle excise duty, other regulatory changes and the car loan squeeze, will the Chancellor now review policy towards the car industry to make it cheaper and easier to buy a new car made in a British factory?

**Mr Hammond:** As my right hon. Friend knows, we are not able, under the current regime, to discriminate between cars made in British factories and cars made elsewhere, but we do keep all fiscal policy under review, and I am acutely conscious of the pressures that the car industry is facing at the moment.

**Sir Vince Cable** (Twickenham) (LD): I am trying to find something positive to say about a rather less than earth-shattering event, but I do welcome the support for industrial strategy and innovation. I also welcome the Furman report. However, does it not rather give the game away that global monopoly abuse is being referred to the British competition authorities at a time when we are walking away from the much more powerful European Commission, which could really deal with the problem?

On growth, is it not the case that while we are escaping recession, which is very welcome, that is primarily due to continued extraordinary monetary policy and low or negative real interest rates, which cannot continue? It may have been useful after the financial crisis, but it is an addictive drug.

Finally, how on earth does the Chancellor expect this proposed surge of business investment to occur when, even under the Government’s Brexit plans, there is going to be a cliff edge in two years’ time that any business will naturally seek to avoid?

**Mr Hammond:** I do not know why the right hon. Gentleman would want to break the habit of a lifetime in finding something positive to say in response to a statement, but I will take him at face value. On the Furman report, I do think it is quite important that we ensure that the UK’s regulatory environment is at the cutting edge of the changes that are going on in the 21st-century economy. Regulation is one of our competitive advantages. We have excellent regulators, and there are plenty of examples of the UK being ahead of the global curve in setting regulations that can both protect the public and encourage investment.

I cannot comment on monetary policy, as the right hon. Gentleman knows—that is a matter entirely for the Bank of England—but as for a future cliff edge, it will be my fervent intention to give business the maximum confidence and clarity that we can about our future relationship with the European Union, as soon as I can.
Sir Michael Fallon (Sevenoaks) (Con): Can the Chancellor reassure me that the very welcome consultation on future infrastructure financing will not become any reason to delay a start on some of the essential major projects such as the lower Thames crossing, which will not only relieve pressure on the Dartford crossing but will be a fundamental link between two great wealth-creating regions of our country?

Mr Hammond: I can give my right hon. Friend that assurance. I am acutely conscious of the fact that we are committed to building a tunnel under the Thames but we have not yet committed to the link roads that will link that tunnel to the rest of the road network, and of course we absolutely will do so. This is a broader-based review to look at how we replace PFI and EIB funding over the medium term.

Sammy Wilson (East Antrim) (DUP): I welcome this statement and the news that despite the best and concerted efforts of those who think that by talking the UK economy down they can somehow stop us leaving the EU, it is pleasing that employment is up, job creation is up, and the Government finances are in a better shape. That shows that we do not need the EU as some kind of economic crutch in order to enable us to stand on our own two feet. I also welcome the Barnett consequentials for Northern Ireland.

For the future, what progress has been made on the review of air passenger duty and VAT on the hospitality industry in Northern Ireland? If the Chancellor is going to help subcontractors deal with late payments, will he consider the use of project bank accounts, which have been very successful in Northern Ireland in ensuring that public sector spend on infrastructure projects actually reaches the companies that spend the money?

Mr Hammond: I welcome the right hon. Gentleman’s comments. I draw the House’s attention to the fact that one of the features of the jobs growth we have delivered is the regional distribution of it. This is not London-centric jobs growth; it is across the country. Productivity, wages and employment have grown in every region of the UK, which is very welcome.

The APD working group has been established, as the right hon. Gentleman knows, but we are not in a position to take any action in that area until there is a devolved Administration in Stormont. On VAT, as he knows, we are not able to take any action while we are members of or subject to the rules of the European Union, but we will continue to look at these issues.

Robert Halfon (Harlow) (Con): Mr Speaker, you should see what the hon. Member for Manchester Central (Lucy Powell) is like in my Education Committee.

I strongly welcome my right hon. Friend’s statement. Given that there is a 10-year plan for the NHS—and rightly so—can we have a 10-year plan and a 10-year funding settlement for our schools and colleges in his statement before the summer?

Mr Hammond: Let me make this clear, for the avoidance of doubt. The NHS 10-year plan has been published, but the funding plan that we have announced is a five-year plan, and there will be a mid-point at which we fund the NHS for the latter part of the plan. We have no plans, I am afraid, to set out a 10-year funding plan for any area of our public services. That would not be prudent or sensible, given the cyclicality of the economy.

Several hon. Members rose—

Mr Speaker: The hon. Member for Manchester Central is much talked about. I think it is time we heard from her.

Lucy Powell (Manchester Central) (Lab/Co-op): Thank you, Mr Speaker. I am reclaiming “bossy”.

Is it not the case that cuts to police, local services and schools are a false economy? We pay for the cost of failure, the cost of rising knife crime, the cost of school exclusions, the cost of rising poverty and the cost of failing families and children. Will the Chancellor prioritise in his forthcoming spending review early intervention, to support families and help children get the best start in life?

Mr Hammond: There will be many demands on the available funding at the spending review, and we intend to look at the public’s priorities in the round. Our challenge, as always, is to ensure that we direct funding in the way that most effectively delivers the end result that the public need. If I look at the knife crime debate that we have been having over the last couple of weeks, it is clear that it is not a simple question about putting more money into policing. [Interruption.] No, it is not.

If the hon. Lady talks to police chiefs or school heads, they will tell her that it is a multifaceted challenge, and we need to address it as such. That is the point of having a cross-departmental spending review—we can look at our priorities in the round and decide how to allocate funding in a coherent way, to get the outcomes that the public want at the best value for money for the taxpayer.

Greg Hands (Chelsea and Fulham) (Con): I warmly welcome the big improvements in the public finances, particularly those as a result of the last spending review in 2015, but the Chancellor has a problem with stamp duty. Today’s report says that the forecast has “deteriorated significantly” since October, when it was already £4 billion short. Receipts fell 9.8% in 2018, which is a new £2.7 billion shortfall in the scorecard. Transactions in my constituency are down 31% since the reforms. That is something he will need to look at and propose reforms for in due course, perhaps in November. Would he like to comment on the latest deteriorating numbers?

Mr Hammond: Yes. My right hon. Friend—perhaps unsurprisingly, given his constituency—is very interested in these issues, and I would be happy to meet him to go through the numbers. There are a number of moving parts underneath the headline number. Stamp duty in Wales has been devolved, which takes a significant chunk out of the total number. There is an overall slowdown in the market, which has an effect. We have also exempted first-time buyer purchases from stamp duty, which is a considerable chunk of the reduction he refers to, but I would be happy to talk him through the details.

Mr Chris Leslie (Nottingham East) (Ind): It is a fundamental mistake for the Chancellor to underestimate the impact of Brexit on his future forecasts. To dismis
the 3.2% collapse in the forecast for business investment is a strategic error that he is making for the future. We hear the Chancellor talk about a “deal dividend” and the shadow Chancellor talk about a “jobs-first Brexit”, but that is a mythology. Brexit in all forms will hit our business investment and our tax revenues and create austerity for a decade. Can the Chancellor and the shadow Chancellor stop treating this as business as usual?

Mr Hammond: While the hon. Gentleman is entitled to his point of view and often makes a valuable contribution to the debate, he has to be careful that he does not accidentally veer off-piste into “talking Britain down” syndrome. He talks about a collapse in business investment, but I hope he would agree that this is likely to be a cyclical reduction in business investment. If he talks to businesses, they will tell him that they are postponing investment decisions until they have greater clarity about the future. I agree; we cannot keep them hanging there forever. We need to give them clarity and certainty as quickly as possible. I believe we will do that in this House over the next few weeks, and when we do, I believe that the great majority of that investment—postponed, not cancelled—will flow back into our economy later this year.

John Stevenson (Carlisle) (Con): I am delighted at the Chancellor’s announcement about the borderlands growth deal, which is welcome news for the area. Will he confirm that Departments will move to an early discussion about details of the various projects with the local authority, so that it can get on with implementation as soon as possible? Would he like to visit Carlisle and the borderlands, to see those initiatives in action?

Mr Hammond: I can confirm that we want to move ahead as quickly as possible with agreeing the individual projects and getting disbursement under way. I would be delighted to visit Carlisle, to see not only the effects of the borderlands growth deal but the £100 million housing infrastructure fund investment that we are making to facilitate a major expansion of new build housing in the area.

Ms Angela Eagle (Wallasey) (Lab): Many Members on both sides of the House have expressed worry about the slowdown in growth forecast, but all of us see that there is some growth. Given that the economy is growing, albeit too modestly, will the Chancellor look at the £1.4 billion of cuts that will be made to benefits through the benefit freeze in three weeks’ time, which means that he is taking money away from those who are least able to afford it? All economic theory shows that those who are on very low or modest incomes spend money that is given to them, which will stimulate our economy some more. Will he get up at the Dispatch Box and tell us that he is going to end the benefit freeze, which is due to hit all those people in three weeks’ time?

Mr Hammond: The hon. Lady talks about reductions in economic forecasts. It is actually one year—[Interruption.] I will answer the question in my own way, if the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) does not mind. It is only one year for which the OBR has downgraded the forecast. In two further years, it remains unchanged, and in the fourth year, it increases.

The hon. Lady asked about the benefit freeze. That has been one of the many difficult decisions we have had to take. Under the last Labour Government and Gordon Brown’s stewardship, the welfare budget increased by 65% in real terms, getting it completely out of kilter with wages and making it unsustainable. That, combined with the fiscal pressure we faced in 2010, made it inevitable that we had to take action, but we have made it clear that we have no intention of repeating the current freeze. When it is over, increases in benefits will resume in line with CPI in the normal way.

George Freeman (Mid Norfolk) (Con): I welcome the Chancellor’s announcements, particularly on investments in science and infrastructure and, seeing as the workers’ party has not welcomed them, the rise in the national living wage, the £700 pay rise for the lowest-paid and the tax reductions, with 32 million of our lowest-paid receiving a tax cut. You would think the Labour party would cheer that. I also welcome the fact that the Chancellor has reminded British business that if Brexit is a threat, the shadow Chancellor, who is still a Marxist, is an even bigger threat.

On growth, 1.2% is too low a figure. May I urge the Chancellor to use the comprehensive spending review to make sure that, as well as increasing spending on services, we incentivise really bold public sector leadership for innovation and enterprise, and make sure we get this economy growing at 3% again?

Mr Hammond: Nobody shares my hon. Friend’s ambition to see faster growth more than I do. There are many ways we can deliver that, but it has to involve raising productivity in both the public sector and the private sector. We are taking initiatives, with the National Leadership Centre, on public sector leadership to enhance productivity in the public sector, and we are taking action to reinforce leadership among smaller and medium-sized enterprises in the private sector to ensure that productivity is driven, technology is taken up effectively and we are all better off as a consequence.

Alison McGovern (Wirral South) (Lab): I have more respect than many in this House for the work of economic forecasters, but let us be honest: what we have today is a big long sum predicated on the idea that Brexit will be fine. However, surely the events of the past 24 hours demonstrate to us that Brexit is not going very well, is it? Things are not going well in the country either. Last year, the Trussell Trust gave out nearly 1.5 million three-day food parcels, which is a massive increase on last year. When will the Chancellor admit that Brexit is a massive distraction for our country, and that it is about time we got back to tackling what the public really care about—rough sleeping, poverty and the position of the worst-off in our society?

Mr Hammond: I have never been afraid to acknowledge that, as far as the economy is concerned, Brexit uncertainty is a distraction, and it is something we need to get lifted as soon as possible. I think I said that at the beginning of my statement. The sooner we can do that, the better.
It will help us to grow faster, and it will help us to raise productivity more quickly, and that means higher wages across the economy.

On the issues that the hon. Lady mentions, we are putting £1.2 billion into addressing homelessness and rough sleeping. We are consulting on an additional 1% stamp duty levy on properties bought by non-UK resident owners, with the whole of that money ring-fenced to address the rough-sleeping challenge in our cities. In relation to poverty, she knows the figures. We have over 3.5 million more people in work, with 665,000 fewer children living in workless households. However much Opposition Members may not like it, it remains the case that work is the best sustainable route out of poverty.

Alex Chalk (Cheltenham) (Con): I congratulate the Chancellor on his statement. If we do get the orderly Brexit that I know he and I want, may I urge him to consider schools funding in the spending review? Schools in my constituency are doing enormously important work, but they are facing increased challenges, particularly with pupil volatility, pupil complexity and rising demands. They are having to do more, and I invite him to ensure that they have the resources to match.

Mr Hammond: As my hon. Friend knows, we put £1.3 billion into the schools budget in 2017, and we have protected per pupil real funding since then. He will also know that there is a significant variation in the level of funding between schools and authorities across the country, which is now being addressed through the fair funding formula. I understand that there are pressures in the system until we have that rolled out and operational, having delivered the result throughout the system. However, I can confirm to him that schools funding will be considered in the spending review, along with all other areas of departmental spending in the round.

Jess Phillips (Birmingham, Yardley) (Lab): To follow up on that question, I am sure the Chancellor has noticed that there are children all over the country, including in the Prime Minister’s constituency—and among those children are my children—who will no longer be able to go to school all day on a Friday. My son’s school is going to shut at 1 o’clock, like 15 other schools in Birmingham and hundreds of schools across the country. They have been getting in touch with me, including those in the Prime Minister’s constituency, and I am sure they will be writing to him, because they are certainly writing to me. What has he offered today for the Government to do the most basic thing, and keep my children in school? What is being given today and what will be given in the CSR? I hope he is looking forward to seeing my children, because I am bringing them to be looked after by him every Friday at 1 o’clock.

Mr Hammond: I shall look forward to it.

Today is not a fiscal event, and the opportunity to look at spending priorities in the round will happen at the spending review. What I have described today is a world where improving public finances mean that, if we can lift the Brexit cloud from our economy and get that certainty restored, we will have choices. Frankly, that is something we have not enjoyed in this country for a decade now, because of the consequences of the crisis under the previous Labour Government.

If the hon. Lady wants to talk to me about schools, I am happy to talk about our record on schools, with the attainment gap narrowing, record rates of disadvantaged 18-year-olds going to university, and 84% of children being taught in good or outstanding schools compared with 66% in 2010. Those are outcomes of which we are proud.

Neil O’Brien (Harborough) (Con): May I ask the Chancellor’s view on the question of poverty? Under the previous Labour Government, we saw 1 million men and women thrown on the dole. Under this Government, unemployment is down to its lowest rate for 40 years. Yet we hear the argument from the Opposition that work is not the way out of poverty; only spending ever more on benefits is the answer. Am I correct in noting that, in reality, when a workless couple move from being out of work into full-time work, their chances of being in poverty drop from 38% to a negligible less than 1%, so work is the way out of poverty? What assessment has the Chancellor made of the combined effects of cutting taxes for the lowest-paid, reducing unemployment to the lowest level for 40 years and the new national living wage, and what assessment has he made of his intention to go further today in boosting the proud achievement of the national living wage of reducing poverty further?

Mr Hammond: We have seen the proportion of people on low pay falling to its lowest level in 20 years. I have already mentioned the statistics on the number of people in work, and I agree with him that being in work is the only sustainable way out of poverty. He is right: the previous Labour Government left 1.4 million people languishing on out-of-work benefits, and anyone who thinks that that is a good outcome—[Interruption.] Absolutely true: they should be ashamed of themselves. I can assure my hon. Friends that this issue is high on our agenda, and that we are looking at ways of maintaining the record we have built up, which is exactly the one I want to deliver.

David Hanson (Delyn) (Lab): Will the Chancellor confirm that many millions of pounds more are being cut from the police budget than the £100 million he has put in for overtime to support our hard-pressed police officers? Will he confirm something in particular? In his statement, he said that the £100 million is for England. When I was a Home Office Minister with responsibility for the police, Home Office funding was for England and Wales. Has Wales been left out again?

Mr Hammond: I believe—[Interruption.] I am aware of what the right hon. Gentleman is saying. My understanding is that the funding figure is for England. [Interruption.] Sorry; my hon. Friend the Member for Bexhill and Battle (Huw Merriman) is telling me it is for England and Wales. I apologise to the right hon. Gentleman if the statement misled him, but I am told that the funding is for England and Wales.

Richard Graham (Gloucester) (Con): I welcome the continued improvement in our public finances, which is due in no small part to the continued resilience and innovation of our businesses, some of which the Chancellor met when he recently opened the University of Gloucestershire’s new business school. What a symbol
of change that is, because only nine years ago we lost 6,000 business jobs in Gloucester, thanks to the disastrous policies of the Labour party, and youth unemployment was four times higher than it is today. My right hon. Friend knows the extraordinary enthusiasm on both sides of the House for continued funding for schools and, from my letter with 165 colleagues from four different parties, for improved funding for further education colleges. Will he therefore look at those priorities very closely in the spending review?

**Mr Hammond:** I very much enjoyed my visit to the University of Gloucestershire and was interested to see the innovative work going on there. The improvement in the public finances, to which my hon. Friend referred, is being driven by increased business tax receipts, partly as a result of the Government’s relentless clampdown on opportunities for tax avoidance and evasion and partly as a result of the very significant increase in employment. Some 3.5 million more people in work is very good news not just for 3.5 million households, but for the Exchequer, the public finances and, ultimately, our public services.

**Ms Karen Buck** (Westminster North) (Lab): Is it not true that poverty in this country increasingly wears a working face, that we now have the highest ever proportion of families in poverty who are in work, that a family of four with two people working full time on the national minimum wage will be £600 a year worse off by 2020, thanks to the Chancellor’s benefit freeze, and that, because he will not tackle the benefit freeze, including for the Exchequer, the public finances and, ultimately, our public services.

**Mr Hammond:** I have already made the point about the unsustainable rise in welfare payments under the previous Labour Government. A 65% real-terms increase in the welfare budget was not sustainable. [Interruption.] The hon. Member for West Ham (Lyn Brown) can chunter from the Opposition Front Bench as much as she likes, but it will not make it sustainable. I will tell the hon. Lady what will help her constituents: the £6,500 tax cuts per family for people earning low wages and buying fuel, which Opposition Front Benchers voted against, and the £2,500 increase in the national living wage since 2016 for people working full time on low wages.

**John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): I was delighted to hear that the Chancellor is ploughing £260 million into the borderlands growth deal, which shows this Government’s commitment to cross-border infrastructure investment. It will allow the borders railway extension—from Tweedbank to Hawick, Newcastle on and on to Carlisle—to move forward. I was also pleased to hear his response to the invitation from my hon. Friend the Member for Carlisle (John Stevenson) to visit his constituency, so when he visits will he also come across the border and visit my constituency in the Scottish borders, which will see significant benefits from this investment?

**Mr Hammond:** The whole point of the borderlands growth deal is to celebrate the economic geography of the borders region on both sides of that non-line between Scotland and England, so my hon. Friend makes a very good point. If I am coming to Carlisle, I shall certainly cross the border and visit his constituency.

**Chuka Umunna** (Streatham) (Ind): Growth is now forecast to be 1.2% in 2019 and 1.4% in 2020. It is worth reflecting on the fact that, before the EU referendum, it was forecast to be 2.1% in each of those years. Growth of under 2% over the forecast period is sluggish and unimpressive, and the problem will be exacerbated if we fall off a cliff and leave the EU without a deal. Can the Chancellor therefore tell the House—I think we need the benefit of knowing this before we vote—whether, when we vote on the motion this evening, he will be voting against us leaving without a deal?

**Mr Hammond:** Yes, I will be voting against us leaving without a deal. I have always believed that leaving without a deal would be bad for the UK economy, and that continues to be my view. May I just take the hon. Gentleman up on his point about the relatively higher growth forecasts we saw until a year or so ago? We need to remember that this is a structural downgrade. The OBR revised its estimate of the growth rate of productivity in the economy. Until we get that productivity growth rate back, we will not see sustainable higher growth in the economy. That is why it is my No. 1 priority, and it drives every announcement I make.

**Tim Loughton** (East Worthing and Shoreham) (Con): Further to the point made by the hon. Member for Manchester Central (Lucy Powell), I am pleased to hear that the Chancellor recognises the urgency of schools funding in the spending review, but will he not ignore children’s social care? Spending on early intervention by local authorities has fallen from £3.7 billion to £1.9 billion, but at the same time their spending on late intervention has risen from £5.9 billion to £6.7 billion. It does not take rocket science to work out the link, so will he acknowledge that not investing early is a false economy, both socially and financially?

**Mr Hammond:** I am all in favour of early-intervention approaches where they can be shown to be effective. My hon. Friend will know that at the Budget I announced an extra £410 million next year for social care, including for children, and we also announced £84 million specifically over five years to pilot schemes to try to keep more children safely at home. However, his representations are noted, and he will have an opportunity to make more formal representations ahead of the spending review to my right hon. Friend the Chief Secretary to the Treasury.

**Several hon. Members rose—**

**Mr Speaker:** Order. We need to speed up, because I want to accommodate colleagues. Can we have a one-sentence question?

**Ann Clwyd** (Cynon Valley) (Lab): I, too, want clarity from the Chancellor. When he talked about environmental spending in England, did he mean only England, or England and Wales? Will a certain amount of money be given to Wales? When I was first elected, 35 years ago, my constituency had one of the worst industrial polluters in the whole UK. It has left us with 27 acres of derelict
land at the bottom of a valley, and a lot of wasted investment. Will he please help us to get that toxic waste cleared up and taken away so that the land can be made suitable for people to use?

Mr Hammond: The environmental reviews that I have announced today do not involve the distribution of further money. Of course, under the devolution settlement, where matters are devolved, any money announced will be for England only; where they are reserved, money will be made available more widely.

Rebecca Pow (Taunton Deane) (Con): I very much welcome the focus on the environment and climate change in today’s announcement. I thank the Chancellor for listening to so many representations, not just from the people of Taunton Deane but from people everywhere, on the marine conservation belt and, in particular, on linking the decline of biodiversity with the economy. Will he please give some indication of when we might hear the results of the new review, which could do for biodiversity what the Stern review did for climate change?

Mr Hammond: My hon. Friend is right that the review could have far-reaching consequences, but it has not yet started and we are only just scoping the terms of reference with the reviewer, so I am afraid that I cannot give her a definitive answer on how long it will take, but I will let her know as soon as I can.

Louise Haigh (Sheffield, Heeley) (Lab): Although any extra money for the police is welcome, officers will be looking on in horror to find that it is due only on overtime as they are so overstretched already. We know that the Chancellor has said that they should be reprioritising, but does he agree with the right hon. Member for Uxbridge and South Ruislip (Boris Johnson) that they should be deprioritising spending on historical child sexual exploitation?

Mr Hammond: The money that we have announced today—exceptionally, because this is not a fiscal event—is targeted at overtime, because police chiefs are telling us that is the tool immediately at their disposal. There is £970 million in additional spending capacity going into police forces in 2019-20, from April, but many police forces have already committed that to fund recruitment and training. That will not come on line for some time, so overtime mutual aid is the preferred immediate response that police officers are signalling to us.

Helen Whately (Faversham and Mid Kent) (Con): Recognising that women and girls face different challenges in life from men and boys, I want to thank the Chancellor for listening to MPs from across the House and making his announcement on free sanitary products today. Can he advise us on when he expects the initiative to start?

Mr Hammond: I congratulate my hon. Friend on her part in this campaign. We are ready to fund the distribution of free sanitary products from the start of the new school year in September, but I cannot commit my right hon. Friend the Education Secretary to a September start until the procurement process—which unfortunately has to be gone through because we have to comply with rules—has been properly scoped. However, it will be as early as possible in the new school year.

Several hon. Members rose—

Mr Speaker: Now, this is the challenge: can people ask their question in fewer than 30 seconds?

Caroline Lucas (Brighton, Pavilion) (Green): It seems that the Chancellor is hoping to buy off the rising tide of youth campaigning with a sprinkling of announcements on the environment, but the science is clear and he is doing nothing like enough. We have 11 years to avoid climate breakdown, and protected species are in freefall. I have one test for him to prove whether he is remotely serious about the agenda: will he reverse the savage funding cuts that his Government have made to Natural England—yes or no?

Mr Hammond: The hon. Lady is nothing if not cynical. Funding for any bodies will be considered in the spending review, and I would be very happy to have a representation from her.

Catherine McKinnell (Newcastle upon Tyne) (Lab): The Chancellor made a welcome but passing comment in respect of Northern Powerhouse Rail, but when will he bring forward investment in the east coast main line to make it fit for purpose and HS2-ready? Without that investment north of York, the communities on the HS2 east coast main line risk being further away from, rather than closer to, the required connections.

Mr Hammond: We are allocating capital funding to our railway at the fastest rate than at any time since the Victorians. The way it works, as I think the hon. Lady knows, is that we allocate the funding for the so-called control periods of investment in the railway and the Transport Secretary then works with Network Rail to prioritise that investment. I will pass on to him the hon. Lady’s concerns.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I thank the Chancellor for his announcement on the package of reforms to take on apprentices. As the chair of the all-party parliamentary group on disability, I ask him to support in particular those businesses that take on apprentices with disabilities. It is extremely important that they achieve their full potential. They currently face so many challenges and barriers to the workplace. Mr Speaker, you have championed internships in this House for people with disabilities. That has been working miraculously, but we need to roll this out right across the United Kingdom, so will the Chancellor please ensure that people with disabilities get that equality of choice?

Mr Hammond: We do of course support people with disabilities going into work, with financial support for employers where necessary. We have an extremely good record in this country, over many years, on employment of disabled people—well ahead of many of our competitors. We also have an extremely good record over the past nine years of this Government of increasing the number of disabled people in work. It is a simple fact that as employment rises, as we have seen, the barriers for disabled people getting into work are lowered automatically by virtue of the operation of the labour market.
Dr Rosena Allin-Khan (Tooting) (Lab): By 2021, this Government will have cut £1 billion from the Metropolitan police budget. That is why I wrote to the Chancellor a letter, signed by every single London Labour MP, asking for more funding to tackle the rise in violent crime. Can the Chancellor confirm how much additional funding has been allocated to the London Met?

Mr Hammond: I cannot. The £100 million that we have announced today will be for the police as a whole, and my right hon. Friend the Home Secretary will engage with police chiefs. If the hon. Lady is concerned, as she obviously is, about policing in London, may I suggest that she gets in touch with the Labour Mayor of London and asks him to get off his backside and do something about it?

Tracy Brabin (Batley and Spen) (Lab/Co-op): I listened carefully to the Chancellor’s statement and very little was said about freelancers and the self-employed. In Prime Minister’s questions this afternoon, the Prime Minister said that the Government want to increase female entrepreneurship, but excluding the self-employed from sharing parental leave is causing women’s businesses to fail. Research by the Campaign for Parental Pay Equality showed that only 20% of mums were back to their pre-baby earnings by the time their child was two. Will the Chancellor and his colleagues please work with Members across the House and support my Bill so that all parents can share parental leave and women can fulfil their full potential?

Mr Hammond: I am happy to look at the issue raised by the hon. Lady. We have been looking at access to employment rights and benefits by the self-employed. As she knows, however, there is an issue: the self-employed pay significantly lower contributions than the employed into the Exchequer. The pressure is always to raise entitlements and access for the self-employed, but it is very clear—I learned the hard way in 2017—that the self-employed do not want their contributions to the Exchequer to rise and that creates a tension.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): The Select Committee on Education has received evidence that children with special educational needs and disabilities are getting support based not on their needs but on the rationed resources available. SEND funding is in crisis and parents are feeling desperate. Will the Chancellor take this opportunity to act immediately and make ring-fenced funding available to give all our children the support they need?

Mr Hammond: No, I cannot do that but I can assure the hon. Lady that special educational needs funding will be considered as part of the spending review. I am sure that her Committee will want to make representations. We have to make choices. I can confidently predict that the spending review will receive far more bids for funding from across the Government and agencies in all Departments than there is funding available, so we have to look at what our priorities are as a nation.

Rushanara Ali (Bethnal Green and Bow) (Lab): The Government have slashed millions of pounds from policing, with 21,000 police officers taken out of the system. Violent crime has gone up; the knife crime epidemic is terrorising our communities; and the police are at breaking point. Will the Chancellor, ahead of the next spending review, prioritise investing in the police service so that we can genuinely tackle knife crime and violent crime in our country?

Mr Hammond: Well, I have just done it with £100 million today. As the hon. Lady knows, we have put £460 million into the police this year, £970 million will go in next year and an extra £100 million has been announced today. Of course the police will be considered very carefully in the spending review.

Several hon. Members rose—

Mr Speaker: May I gently exhort caring and sharing comrades to care for and share with each other, and not to speak in such a way as to stop others speaking? I am sure they would not want to do that—it would be uncomradely.

Neil Gray (Airdrie and Shotts) (SNP): I and my colleagues, the Joseph Rowntree Foundation and, I presume, the Work and Pensions Secretary have encouraged the Chancellor to scrap the final year of the benefit freeze. Given that he knows that, alongside the two-child policy, it is one of the worst policies for driving up child poverty, why has he maintained it? Why has he not scrapped it in the spring statement?

Mr Hammond: I repeat once again that the spring statement is not a fiscal event, so I am not making fiscal announcements. I have already explained why the benefit freeze was necessary—difficult but necessary—and that we have no intention of extending it. When it comes to an end, benefits will resume their increase in line with CPI inflation.

Danielle Rowley (Midlothian) (Lab): While I welcome the period provision announcement and thank the Chancellor for listening to campaigners, will he extend it to primary schools, universities and homeless shelters, and will he also commit to scrapping the tampon tax as soon as we come out of the EU? Does he recognise that the girls he talks about missing days of school are the same girls who go to school hungry and that we will not end period poverty until we have ended poverty?

Mr Hammond: I suppose that is a manifestation of the universal truth that you can never satisfy. A good case has been made for providing free sanitary products in secondary schools and colleges where there is a controlled environment for their distribution and where the bulk of the need clearly lies. Of course, I understand that there is an issue regarding primary schools. I am open to sensible suggestions for how we might address that, but the core of the problem is in secondary schools and colleges. We have addressed that today, and I hope the hon. Lady recognises that.

Mary Creagh (Wakefield) (Lab): The DEFRA budget has been cut by 35% over the past eight years, so while I welcome what the Chancellor has said on the future homes standard, which is genuinely new and innovative, I cannot expect the people in Natural England and the Environment Agency to keep doing more with less while enduring a pay freeze—a 15% real-terms pay cut over the past 10 years.
Our Prime Minister has signed up to the sustainable development goals. In July, she will go to New York and say what she is doing to end poverty, violence and hunger. With infant mortality and child hunger rising, what has the Chancellor announced today to tackle that?

Mr Hammond: As I have said, this is not a fiscal statement today. I take on board the various points the hon. Lady has made, and my right hon. Friend the Prime Minister is of course going to the conference in New York. Sometimes I do not recognise this country from their descriptions. Of course we have problems and challenges, but could we stop talking Britain down relentlessly?

Several hon. Members rose—

Mr Speaker: Who's up for a single sentence?

Ben Lake (Ceredigion) (PC): Will the Chancellor clarify the extent to which reduced business investment and fewer tax reliefs have contributed to higher corporation tax receipts?

Mr Speaker: Splendid.

Mr Hammond: I am not sure I entirely understand the question, but clearly corporation tax receipts have gone up as a result of reducing corporation tax rates, making the UK one of the most attractive places for businesses to establish and invest. As I have acknowledged, business investment is depressed by Brexit uncertainty. The sooner we can end it, the sooner we can get back to business.

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): The Chancellor will be aware that the budget for the Welsh Government has been reduced by some £4 billion since 2010 because of his austerity. There is a massive impact on local councils and public services. Jobs and frontline services are all that is left to cut, so will the Chancellor end that austerity and apologise for the pain he has caused public services?

Mr Hammond: I have announced a trajectory for the growth of public spending in the next spending review period—there will be at least a 1.2% per annum real-terms growth, which will have positive consequences for Welsh Government spending.

Karin Smyth (Bristol South) (Lab): The fragmentation of money and control in further education, the apprenticeship levy, T-levels and the adult education budget is a barrier to productivity in Bristol and the wider economic region. What support will he give to Bristol and the wider west of England region to bring those things together so that we can improve our productivity?

Mr Hammond: I am interested in the hon. Lady’s suggestion that fragmentation is a barrier to productivity. If she is working with her local enterprise partnership, I would be happy to engage with them and talk about the challenge. We want to drive improved productivity throughout our public services, including our further education sector.

Ian Murray (Edinburgh South) (Lab): Has the Chancellor ever heard of the WASPI campaign? If he has, is he deliberately choosing to ignore WASPI women?

Mr Hammond: I have heard of the campaign. We settled the issue a number of years ago. [HON. MEMBERS: “What?”] Yes, we have. We were dealing with a very difficult set of challenges but did what we had to do. I know the campaign continues, but I have no further announcements to make.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): The Government will know that, since they walked away from local councils, frontline services such as adult social care and children's safeguarding have been massively underfunded, adding more and more pressure on low-income families and council tax. When will he eventually give proper funding for children’s services and adult social care?

Mr Hammond: At the risk of being repetitive: we will have a spending review later this year. The question of local government funding and how business rates retention interacts with other funding structures will be looked at, but in the meantime we have increased funding for local government by £1.3 billion, meaning that local government has a real-terms spending increase available this year. Labour Front Benchers voted against it.

Several hon. Members rose—

Mr Speaker: One sentence each.

Alison Thewliss (Glasgow Central) (SNP): When will the Government end state-sanctioned age discrimination and ensure that everybody, including those under 25, are entitled to a real living wage?

Mr Hammond: As I have said many times, the most important thing for under-25s is to ensure that they get into the workforce and establish a pattern of work.

Imran Hussain (Bradford East) (Lab): Almost half the children living in my constituency are living in poverty as a direct result of the Chancellor’s ideological austerity agenda. Why is the stain of rising child poverty not enough for him to act today?

Mr Hammond: There is nothing ideological about getting a deficit down from £150 billion a year to enable us to fund our public services sustainably in future.

Sarah Jones (Croydon Central) (Lab): Will the Chancellor confirm that the new £3 billion affordable homes scheme he announced is a re-announcement from 2017? Will he also confirm that £20 billion has been cut from the social housing grant since 2010, and that 30,000 fewer social homes are being built each year than were built under the last Labour Government?

Mr Hammond: No, that is not correct. The £3 billion is part of the £44 billion total package for housing that we have announced. I announced an overall framework, and in a series of announcements will say how we will spend that money.

Matt Western (Warwick and Leamington) (Lab): The Chancellor’s statement ignores the position of Shelter, which claims that we need to build 155,000 social homes a year. Why the lack of ambition?
Mr Hammond: In total, more than 220,000 new homes were built last year. That is the highest total in all but one of the past 31 years. This is not about money. This is about the capacity of the industry to deliver. We are taking steps not just to build houses, but to support the industry to expand by funding directly smaller and medium-sized enterprises so that they can expand the capacity of the house building industry.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): To end Brexit uncertainty, business wants a commitment to the customs union; frictionless access to the EU market; and the skilled and unskilled labour that comes from it. Will the Chancellor commit to supporting a deal that delivers just that?

Mr Hammond: I am committed, as I have been since 2016, to delivering a deal that allows us to continue our complex and long-established trading relationships with the European Union—our closest neighbours and most important economic partners. I will continue to advocate such a deal.

Alan Brown (Kilmarnock and Loudoun) (SNP): Given that a single Scottish police force was a Scottish Tory manifesto commitment, and given that the economy is so good that the Chancellor has found extra money for policing in England and Wales, why is he not moving towards refunding the £175 million VAT to Scottish police and fire services?

Mr Hammond: Scotland will benefit from the £100 million that I announced today through the Barnett formula. At the request of a group of my hon. Friends, we looked at the question of VAT and changed the rules, but the Scottish Government did what they did—they reorganised Police Scotland—in the full knowledge that it would have those VAT consequences.

Heidi Allen (South Cambridgeshire) (Ind): Does the Chancellor understand that ending the benefits freeze is not just about people in work? It is about our welfare safety net. People who cannot work because they are too ill cannot afford to live on the basic amount. The benefits freeze must end. The core amount of universal credit and employment and support allowance have not risen for three years.

Mr Hammond: As I have said, the benefits freeze will end at the end of the forthcoming year. We have no intention of renewing or prolonging it. Those were difficult decisions, but ones that we had to take.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Four babies in 1,000 will not reach their first birthday as a result of this Government’s austerity policies. If the Government are so keen on tackling burning injustices, why will they not end the freeze and end it now?

Mr Hammond: I am sorry—I did not hear which freeze the hon. Lady asked about.

Debbie Abrahams: The benefits freeze.

Mr Hammond: I have answered the question. The benefits freeze will end at the end of the forthcoming year.

Rachael Maskell (York Central) (Lab/Co-op): York schools are the worst-funded in the country, we have the highest attainment gap, and the schools in the most deprived areas have had the largest per pupil funding cut. When will the Chancellor address this huge inequality?

Mr Hammond: The hon. Lady has a legitimate point. The funding as between schools and authorities is very unevenly distributed. That is why, when we put an extra £1.3 billion into the school system in 2017, we committed to a fair funding formula that would redistribute over time. That is happening. I understand that schools that are underfunded relative to the mean would like it to happen more quickly, but that has to be the answer. We have to move towards a fair distribution of funding between schools.

Richard Burden (Birmingham, Northfield) (Lab): Does the Chancellor accept that his changes to vehicle excise duty penalise the cleanest diesels on the market while offering no incentive whatsoever to motorists to get rid of older, dirtier diesels, which has led to an increase in CO₂ emissions from new cars for the first time in a decade? When will he sort this out?

Mr Hammond: No, I do not accept that, but I accept that, because of the scandal of manipulated emissions test, we have a very difficult situation in the vehicle excise duty tables, whereby vehicles have turned out to have much higher emissions than was originally thought. We do have to address this issue, as I acknowledged in the last Budget, and we will address it.
Point of Order

2.51 pm

Tom Brake (Carshalton and Wallington) (LD): On a point of order, Mr Speaker. We are soon to start a debate on the subject of a no-deal Brexit. It may be that some Members have business interests that might benefit from a no-deal Brexit, such as companies involved in shorting the pound or the value of shares, or that might have secured payments from companies that are enthusiastic backers of a no-deal Brexit. How would you advise that those Members declare their interests?

Mr Speaker: I am grateful to the right hon. Gentleman for his point of order. The short answer is that the registration of interests is a matter for the judgment of each individual Member; no precise advice can be given to cover every eventuality. Whenever I am asked by Members for my advice, I say: if in doubt—if there is uncertainty, if they think someone might subsequently criticise—it is better to err on the side of over-declaration than of under-declaration. That has been my own philosophy, and I would commend it to colleagues. I hope that that is helpful.

Tenancy (Deposits and Arbitration)

Motion for leave to bring in a Bill (Standing Order No. 23)

2.52 pm

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): I beg to move, That leave be given to bring in a Bill to establish a single custodial tenancy deposit scheme; to provide for that scheme to invest deposits; to require interest on such investments to be used for the provision of tenant advocacy, tenant support and arbitration services; to establish a mandatory arbitration service for the resolution of disputes between landlords and tenants; and for connected purposes.

I declare an interest in that I use the current tenancy deposit system as a landlord. It neither works for landlords nor provides the safeguards the last Labour Government intended in the original legislation.

I am introducing my Bill partly because of the treatment of my constituent Andy Smith. He was living in an apartment owned by Baron Homes and had a tenancy agreement to December 2018. In January of that year, he was offered council accommodation, which he gratefully accepted, and, as his tenancy required, he got a mutual agreement in writing to break his lease. Given that he had fulfilled all aspects of his contract, one might have thought him entitled to his £650 back. Sadly, that was not the case. Baron Homes alleged that there was damage to the property and said it would keep the entire deposit. I have seen photos of before and after, showing that the damage it alleged was pre-existing, accept for some wear and tear, but, in any event, withholding the deposit was an act of bad faith because the property was to be gutted and turned into two luxury studio flats.

Brighton has a history of rogue landlords, from Nicholas van Hoogstraten, when I was growing up, to Baron Homes today, which has a woeful record of exploiting tenants in our city. It was no surprise, therefore, when Baron Homes forced Andy to challenge its decision through MyDeposits, the tenancy deposit scheme that Baron Homes uses. Judgment day came and MyDeposits ruled there was no damage to the property, but it claimed that Andy had broken his lease early, meaning that Baron Homes could keep the deposit as punishment.

I thought there had been an error. Andy had proof of an agreement to leave early, but, because both the challenge and the withholding of the deposit were not on this point, he had not provided the letter as evidence. I wrote to MyDeposits with the further information, and after chasing them for months, I finally got a very simple letter stating: “We don’t do appeals. There is no right to a review”. When I went back to Baron Homes, its response was to threaten that if Andy continued to complain, it would take him to the cleaners, charge him for council tax covering a period when he was not in the property and require him to settle the rent due. This required further appeals, including to Brighton Council, which, I am pleased to say, ruled in Andy’s favour.

All this is commonplace in Brighton and many other places up and down the country. Just as the law had to change to prevent the practices of people such as Peter Rachman, whose name in the 1960s became a synonym for exploitation and intimidation, so the law again needs to change to prevent the names of, in this case, Ms Blencowe, the director of Baron Homes, and many other landlords and agents from becoming synonyms for today’s unethical practices.
[Lloyd Russell-Moyle]

As a result of legal aid cuts, Andy has no access to legal advice and the only route left is an expensive challenge through the courts. Baron Homes and its partner in crime, MyDeposits, and landlords and agents across the country have in effect stolen my constituent’s money and that of many other constituents.

That is why I am introducing my Bill. Michael Ball, professor of urban and property economics at the University of Reading, concludes:

“Tenancy deposit schemes are poor value for money in the UK - costing the sector more than £275 million a year in fees and administration”.

He also points out that last year they released only £7 million pounds in disputed rents. A recent Nationwide survey found that the average waiting time for a deposit return was nearly two months. Most people do not realise it, but about half of deposits are not even held in a custodial scheme; instead, they are held directly by landlords and underwritten by their insurance, meaning that tenants have to complain to the insurance underwriter, which many do not do. Even when they do, as we have seen with my constituent, there is no right of appeal and no ability to set a precedent when a case is won, and of course, because the landlords are their clients, the companies have an incentive to keep them happy.

Some £4 billion is held in deposits in this country, almost all of it providing interest to the landlords or schemes, not the tenants. Generation Rent suggested I look at a deposit scheme in New South Wales, Australia. Set up in 1977, this scheme is wholly administered by the Government with no third parties involved. The landlord must deposit the bond in the scheme within 10 working days—no insurance, no underwriting—and every year the scheme earns interest of 56 million Australian dollars. Half covers the cost of running the scheme and the remaining 26 million dollars is used to fund services for tenants, including tribunal, advice, including legal advice, and advocacy programmes. Further, low-income tenants can receive what is called a “rentstart” loan, which is an interest-free loan from the Government to cover the cost of the deposit. Renters can also transfer deposits between tenancies. I propose that we introduce a similar scheme here.

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Turning back to this country, £4 billion of private renters’ money is currently being held, as I mentioned, serving no productive value. If I was to put that in an ISA, it would produce £40 million to £80 million a year in interest. My Bill would create a single custodial tenancy deposit scheme that would eventually hold that £4 billion. I would propose to use the money to fund two areas.

First, the Bill would create an independent arbitration tribunal service that could hear disputes from landlords, agents and tenants, not only over deposit deductions at the end of a lease, but over whether a landlord had fulfilled its obligations in respect of tenant evictions and requirements for property repairs. It would be a way of abolishing no-fault evictions, and would provide tenants with a way of seeking redress without costly court proceedings. Until recently, MyDeposits even allowed landlords to withhold deposits without giving any reason whatsoever. That, along with their track record on due process and appeals, shows that we need to cut them out of the system altogether. It should be noted that £8 million would restore the early legal aid for housing that was removed by the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

Also, the money could be spent on renters unions. I am a trade unionist and a co-operator, and I know that unions and co-operatives turn power relations on their heads. After decades of privatisation in the housing market, landlords now have almost unprecedented power in the lives of the renting public. In Brighton we have a growing renters union called Acorn, a democratic member-led organisation that empowers its members with knowledge of their rights in the rental sector and takes direct action when it is required. If we funded such organisations they would be able to provide legal support and advocacy, and to fight for their members just as trade unions and co-operatives do. I have seen them achieve incredible successes—preventing evictions, winning repairs in dangerous properties, and stopping banks requiring landlords to discriminate against tenants on housing benefit. We could do that for all tenants throughout the country.

We can change the law all we like in this place, but unless we empower people out there with the tools and skills that they require to support their rights, our words and our laws are hollow. That is why my Bill is intended to establish a fund for renters unions to fundamentally rebalance the power relationship between landlords and tenants. It would cost the Exchequer no money, and it would provide justice in an area in which we desperately need it.

Question put and agreed to.

Ordered.

That Lloyd Russell-Moyle, Marsha De Cordova, Matt Western, Faisal Rashid, Yasmin Qureshi, Stella Creasy, Stephen Doughty, Gareth Snell, Mr Paul Sweeney, Catherine West, Ruth George and Helen Hayes present the Bill.

Lloyd Russell-Moyle accordingly presented the Bill. The Bill read the First time; to be read a Second time on Friday 22 March and to be printed (Bill 358).

BUSINESS OF THE HOUSE (TODAY)

Ordered.

That, at this day’s sitting, the Speaker shall put the questions necessary to dispose of proceedings on the motion in the name of the Prime Minister relating to the UK’s withdrawal from the EU not later than 7.00 pm; such questions shall include the questions on any amendments selected by the Speaker which may then be moved; the questions may be put after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—(Mike Freer.)
UK’s Withdrawal from the European Union

Mr Speaker: I inform the House that I have selected amendment (a), in the name of the right hon. Member for Meriden (Dame Caroline Spelman), and amendment (f), in the name of the right hon. Member for Ashford (Damian Green).

3.4 pm

The Secretary of State for Environment, Food and Rural Affairs (Michael Gove): I beg to move,

That this House declines to approve leaving the European Union without a Withdrawal Agreement and a Framework for the Future Relationship on 29 March 2019; and notes that leaving without a deal remains the default in UK and EU law unless this House and the EU ratify an agreement.

Let me begin by paying tribute to our Prime Minister. She may have temporarily lost her voice, but what she has never lost, and will never lose, is a focus on the national interest and a full-hearted desire to do what is right for our country.

Toby Perkins (Chesterfield) (Lab): Will the Secretary of State give way?

Michael Gove: No.

Since the withdrawal agreement was concluded, the Prime Minister has stood at the Dispatch Box for more than 19 hours. She has answered many questions, and made compelling arguments. Throughout this process she has shown fortitude, tenacity, thoughtfulness, diligence and, above all, an unselfish and unstinting patriotism. I think it only appropriate that in all parts of the House, those outside the House who send us here to act on their will and deliver our departure from the European Union. It is clear that the principal parties stood on manifestos that pledged them a majority—voted to leave. That is a mandate that we are fortunate to have in that position.

Toby Perkins: Will the Secretary of State give way?

Michael Gove: Not at this stage.

The House voted to give the people of this country a choice as to whether we were to remain in the European Union or leave it, and 17.4 million people—a clear majority—voted to leave. That is a mandate that we must respect, and an instruction that we must deliver. It is also the case that at the last general election, both principal parties stood on manifestos that pledged them to conclude a free trade deal with the EU. That was the explicit aim of the campaign, and it is the policy of this Government.

Frank Field (Birkenhead) (Ind): Might I suggest that if we do want an orderly Brexit involving the Prime Minister’s deal, one way of securing it would be to invite the Secretary of State and his colleagues to vote for the amendment tabled by the right hon. Member for Meriden (Dame Caroline Spelman)? It would take crashing out of the European Union off the table, which might convince some of the Secretary of State’s friends that that is no longer an option, and that if we are to deliver on our promise, the only way in which we can do so is the Prime Minister’s deal. Might the Secretary of State also consider when we can have an opportunity—when we are not going to crash out—to vote on the Prime Minister’s deal again?

Michael Gove: Like me, the right hon. Gentleman argued that we should leave the European Union, and I take seriously the case that he makes. I shall go on to say a little about the amendment tabled by my right hon. Friend the Member for Meriden (Dame Caroline Spelman), but we should all be clear about one thing: the only way in which to ensure that we take no deal off the table is either to revoice article 50, which would dishonour the mandate, or to deliver a deal. As the right hon. Gentleman knows, the deal that the Prime Minister put before the House last night, which sadly did not command a majority, allows us to leave the European Union in an orderly fashion, and in a way that honours our democratic mandate while also preserving our economic advantages. It is much to the regret of people outside the House that we were not able to command a consensus for it then.

Toby Perkins: Will the Secretary of State give way?

Michael Gove: I am happy to give way to the hon. Gentleman.

Toby Perkins: I am grateful to the Secretary of State. He seems to be making a speech about last night’s debate rather than today’s. The debate that we are having today is about no deal. Can the Secretary of State imagine being the Prime Minister—I am sure he spends a lot of time imagining that—and coming to the House for a vote of this importance, and the Government’s not having an opinion on whether their own members should vote for or against it?

Michael Gove: The hon. Gentleman has a wonderful cheek in saying I was speaking about the events of last night when he sought to intervene on me in the very first second of my speech. Perhaps he has pretensions to clairvoyance.

Several hon. Members rose—

Michael Gove: I have none, so I do not know what my right hon. Friend the Member for Gainsborough (Sir Edward Leigh) will ask me.

Sir Edward Leigh (Gainsborough) (Con): Sadly, in his undoubted wisdom the Speaker did not select amendment (g) in my name, which instructs the Government to keep no deal on the table during negotiations with the EU. Will my right hon. Friend...
confirm that it is still the policy of Her Majesty’s Government to keep no deal on the table, as otherwise how will we get a better deal?

Michael Gove: My right hon. Friend makes an important point. The motion which stands in the name of my right hon. Friend the Prime Minister and which I will vote for this evening makes it clear that we do not believe we should leave on 29 March without a withdrawal agreement, but it does not take the option of no deal off the table because, as I underlined earlier, the only way in which that can be done comprehensively is either through revocation or agreement to a deal.

Neil O’Brien (Harborough) (Con): I voted leave in the referendum, and my right hon. Friend led the campaign. There is going to be a choice in the end for this House between the Prime Minister’s vision for Brexit, which I support, and the Leader of the Opposition’s vision. The Leader of the Opposition’s vision is to stay in the customs union, remain in the single market and continue to have free movement of people. Does my right hon. Friend agree that in no sense honours the spirit of the referendum vote to leave the European Union?

Michael Gove: My hon. Friend makes an admirable point, and I note that the Leader of the Opposition is not in his place today. I note also that in the point of order he made last night he did not refer to the newly adopted policy of embracing a second referendum, which is now Labour’s position. To add to the incoherence of the Labour party’s position in saying that it wants to be in a customs union and a single market and indeed to accept free movement, it wants to overturn the promise it has made to honour the referendum mandate, and not to bring forward a second referendum. In their naked pursuit of political advantage I am afraid that the Labour Front Bench are letting this country down, and more importantly letting their voters down.

Several hon. Members rose—

Michael Gove: I want to make a little progress but will accept more interventions in due course.

As a result of the House’s failure to agree to the deal the Prime Minister presented last night we now face a number of unattractive choices, and it is important that the House realises that all of these choices are less attractive than support for the deal the Prime Minister negotiated. We can choose as a House to leave without a deal, but there are significant economic, political and constitutional challenges if we embark on that course which I will go into in just a second. We could accept a deal less attractive than that which the Prime Minister secured, and as my hon. Friend the Member for Harborough (Neil O’Brien) has pointed out, there are many in this House who would have us leave the EU in a way that does not honour the referendum mandate and does not honour the manifesto promises at the last general election. Doing that would not only circumscribe this country’s sovereign right to make decisions in its own interests, but undermine and further erode faith in democracy. But if we are talking about faith in democracy, either frustrating the vote altogether by revoking article 50 or seeking to overturn it with a second referendum would be choices of far greater magnitude, and to my mind be far more damaging.

Michael Gove: I am very happy to give way to the right hon. Member for Broxtowe (Anna Soubry).

Anna Soubry (Broxtowe) (Ind): I thank the right hon. Gentleman for giving way. The cat is out of the bag: on his own admission this motion does not take no deal off the table. I will be guided by you, Mr Speaker, but my understanding was that at the Dispatch Box this House was given a guarantee that today we would have the opportunity to take no deal off the table. Will the right hon. Gentleman not only confirm that, Mr Speaker, but also inform us of the following? Is it the case that the Government are offering a free vote on amendment (f) in the name of the right hon. Member for Ashford (Damian Green), which Mr Speaker has selected, yet they are whipping against amendment (a) in the name of the right hon. Member for Meriden (Dame Caroline Spelman)? [Interruption.] Conservative Members do not want to hear it, but it is a shameful carry-on when a former chairman of the Conservative party is whipped against to the extent that she will not press that amendment to the vote. This House will be denied the chance to take no deal off the table; that is the truth of it, isn’t it?

Michael Gove: The right hon. Lady is a distinguished criminal barrister; now I know what it is like to be cross-examined by her, but I also understand why lawyers are paid by the hour.

Anna Soubry: On a point of order, Mr Speaker. Whether I was ever a distinguished member of the Bar is debatable, but I can tell the right hon. Gentleman as a member of the criminal Bar that we were never paid by the hour when I was at the Bar; in fact repeatedly I worked pro bono, as many criminal barristers have to do under his cuts.

Mr Speaker: The right hon. Lady has put the facts on the record. I do not think we should get into the subject of who has been remunerated by how much, whether for legal work or penning articles in newspapers or whatever. Instead let us focus on the terms of the debate. I say to the Secretary of State that, in his own interests, the less said about that matter the better.

Michael Gove: Thank you very much, Mr Speaker; I believe as a former Lord Chancellor that that is what is known as a refresher, but thank you.

Mr Ben Bradshaw (Exeter) (Lab): Will the Secretary of State give way?

Michael Gove: Not at this stage.

Mr Kenneth Clarke (Rushcliffe) (Con): Will the Secretary of State give way?

Michael Gove: Yes, to the Father of the House, of course.

Mr Clarke: On the point that was concerning the right hon. Member for Broxtowe (Anna Soubry), can the Secretary of State confirm that it is the Government’s position that we are ruling out leaving on 29 March with absolutely no arrangements at all—that we are
Michael Gove: Yes, I would not use exactly the same language as the Father of the House, but his point is correct. The motion commits the Government not to leave on 29 March without a withdrawal agreement; I hope that is clear and unambiguous. But the motion also makes clear that the default position in law is that we do leave the EU unless we can secure assent to a withdrawal agreement, which is why, as I mentioned earlier, it was so disappointing that we did not secure a mandate last night.

Several hon. Members rose—

Michael Gove: I will give way first to the right hon. Member for Exeter (Mr Bradshaw) and then to my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve).

Mr Bradshaw: Will the right hon. Gentleman now attempt to answer the question asked by the right hon. Member for Broxtowe (Anna Soubry) and explain the media reports? Given that the Prime Minister last night promised free votes—[Interruption.] Yes she did, at the Dispatch Box; the right hon. Gentleman should not shake his head. Can he therefore explain the reports that the right hon. Member for Broxtowe has pointed to that the amendment in the name of the right hon. Member for Ashford (Damian Green) will be a free vote on the Conservative Benches but the amendment in the name of the right hon. Member for Meriden (Dame Caroline Spelman) will be whipped against? That is an absolute disgrace and bad faith to this House.

Michael Gove: If only the Labour party would give its own Members a free vote, then we could find out what they really think.

Mr Dominic Grieve (Beaconsfield) (Con): It seems to me that the difficulty that might be arising across the House is as follows. If the House passes this motion this evening, and I have no reason not to support the motion in the terms of its ruling out no deal, in order to achieve that two things have to happen: first, we need to get an extension to article 50; and secondly, we are going to have to make a change to primary legislation in the withdrawal agreement Act. I assume the Government are undertaking, if this motion is passed in its own terms, to do exactly that?

Michael Gove: I am very grateful to my right hon. and learned Friend for his intervention, because it allows me to underline and further elucidate the point. It is absolutely correct that tomorrow the House will have an opportunity, if the motion passes tonight, to decide how to seek an extension. Obviously an extension is not something we can insist upon and automatically see delivered; it is in the gift of the EU and requires the assent of all 27 other EU members. But of course there will be an opportunity further to debate that tomorrow.

Mr Grieve: Just to remind the Secretary of State: there was a second part to the question, which is equally critical. It is that the Government will have to bring a statutory instrument to the House to alter the departure date set out in the European Union (Withdrawal) Act 2018. In those circumstances, I assume that the Government are undertaking to do exactly that.

Michael Gove: The Prime Minister and others have said that previously, and I am happy to place on the record once again at this Dispatch Box exactly that commitment.

Several hon. Members rose—

Michael Gove: I want to make a bit of progress, but there will be time for others to intervene. I am also conscious that many Members want to speak—

Mr Speaker: Forty.

Michael Gove: Forty Members. Thank you very much, Mr Speaker.

I stressed earlier that if we choose to leave without a deal on 29 March, this country will face economic, political and constitutional challenges. We are a great country, and we would get through it. We would in due course ensure that this country was more prosperous, freer and successful, and of course the Government have been working hard to ensure that we can be prepared for any eventuality and that we can mitigate the risks of leaving without a deal. At this stage, I should like to pay particular tribute to the civil servants across the Government who have been working exceptionally hard and with great skill to ensure that we are ready for any eventuality. We do not pay tribute to civil servants often enough, and I am sure that everyone across the House will recognise how important their work is. However, I stress that that work is work to mitigate the challenges.

If we were to leave on 29 March without a withdrawal agreement, we would be treated as a third country by the European Union. That would mean that we would face tariffs on many of our products. I am acutely aware that some of the highest and most severe tariffs would be imposed on food. Our sheep farmers and beef farmers would face the instant imposition of tariffs of at least 40% and in some cases more than 100%. Their livelihoods, and indeed the economic and social health of our countryside, would face very challenging circumstances. None of us can be blithe or blasé about those challenges.

We also know that there are at least 145,000 businesses in this country that trade with the EU—and of course do commerce in the UK—but do not trade outside the EU. As soon as we become a third country, they will need to register with Her Majesty’s Revenue and Customs in order to ensure that their trade can continue. Those businesses will need to secure their economic operator registration and identification—EORI—numbers and the other documentation necessary to trade. At the time of speaking, only about 50,000 of those 145,000 businesses have made those preparations. That means that, just over a fortnight away from the prospect of leaving without a deal, a significant number of businesses in this country do not have the wherewithal, the means, or the appropriate documentation to carry on trading.

On top of that, products of animal origin being exported to the European Union will need to undergo sanitary and phytosanitary checks—in addition to customs and other checks—at a border inspection post. A significant amount of our food produce crosses the narrow strait surrounding the United Kingdom.
from Dover to Calais or goes through Eurotunnel. At the time of speaking, there is no border inspection post at either of those ports. Of course, there are many things that this Government can do to mitigate the consequences of no deal, but we cannot dictate what the EU's tariffs will be, we cannot instruct the port authorities in France on how to order their affairs, and we cannot compel businesses to acquire the means necessary to continue to trade in the way that they have been doing. These all represent cumulative costs that businesses would face in the event of a no-deal exit on 29 March.

**Several hon. Members rose—**

**Michael Gove:** I am delighted to give way to my dear Friend.

**George Eustice** (Camborne and Redruth) (Con): I thank the Secretary of State for giving way. He is right to say that the European Union does not have border infrastructure in place to carry out the border inspection checks that he mentions. Is that perhaps why the EU has asked us to dynamically align our regulations for a period of nine months so that it would not have to carry out such checks during that period?

**Michael Gove:** My hon. Friend is right, but dynamic alignment during those nine months would mean our being a rule-taker during that period. Dynamic alignment would allow us to be registered as a third country, but there would also be sanitary and phytosanitary—SPS—checks on a variety of products.

**Stewart Malcolm McDonald** (Glasgow South) (SNP): The Secretary of State speaks as though there is some distance between him and the tragedy that he has just outlined, but is it not the case that he is a senior author of that tragedy? Does he feel no sense of shame or responsibility? Should he not apologise for the mess that we are facing?

**Michael Gove:** It is the responsibility of those who voted against the withdrawal agreement last night—[Interruption.] If Scottish National party Members had a care for Scotland's industry, Scotland's prosperity and Scotland's farmers, they would have voted for the withdrawal agreement last night, but I am afraid that when it comes to political positioning and separatist posturing, rather than serious politics, there is no equal to the ranks of the Scottish National party.

**Charlie Elphicke** (Dover) (Con): My right hon. Friend might not be aware that the authorities in Calais have said to me that they will have a border inspection post open at the end of the month. I urge his Department to work with my port and with the community in Dover on this, because they want us to have a border inspection post just outside the port—just as they do in places like Rotterdam—but the unfortunately restrictive position of DEFRA means that it is trying to say that it has to be inside the port, which it does not. Can my right hon. Friend get his Department to be more flexible?

**Michael Gove:** My Department has been flexible, and will continue to be flexible. We will continue to do everything possible in order to facilitate trade, but as my hon. Friend points out, although that border inspection post could be in place by the end of the month—and we hope it will be—it is not in place now.

**Simon Hoare** (North Dorset) (Con): My right hon. Friend knows, as I do, just how important agriculture is to this country through the jobs that it creates and through all that it adds to biodiversity and the environment. Does he agree with my assessment that no right hon. or hon. Member who purports to understand and support farming in their constituency can support leaving the European Union without a deal?

**Michael Gove:** Obviously there is a diversity of views in this House, but I agree with my hon. Friend that it is in the interests of British farming, and indeed our broader environment, that we do not leave on 29 March without a deal. This is one of the reasons why I am making these arguments at the Dispatch Box now.

There are also political challenges in leaving on 29 March without a deal. As my hon. Friend the Member for South Leicestershire (Alberto Costa) pointed out, during the referendum campaign we argued that we should leave with a deal. I am also conscious that, while our mandate was clear, it is also the case that with a 52:48 result, we need to take into account the hopes and concerns of those people who did not vote to leave the European Union. The Prime Minister's deal does that; it does more than that. Many people who voted to remain—including Members of this House in my party and in others—have accepted the result and wish us to leave in order to honour that mandate. However, they do not want us to leave on 29 March without a deal. There would inevitably be political strains and pressures consequent on leaving without a deal on 29 March that no Minister can afford to ignore.

More than that, it is important to stress that there are also significant constitutional challenges. It is the case, as several hon. Members have pointed out, that a majority of voters in Scotland and in Northern Ireland voted to remain in the EU, but we voted as one United Kingdom, and we voted to leave. It is striking that support for the Union in Scotland has risen since the vote—[HON. MEMBERS: “It's gone down!”] Well, we only need look at the ranks of Scottish Conservative MPs, who turned out the partitionist part-timers of the SNP, to see which way the tide was flowing—[Interruption.] They don't like it up 'em.

**Lady Hermon** (North Down) (Ind): The Secretary of State will be well aware, as will other Members, that Northern Ireland has not had a functioning Assembly for over two years. We have had no Ministers in Northern Ireland for over two years. This House, including the Members of the Democratic Unionist party, must therefore give due weight to the serious warning issued last week by the head of the Northern Ireland civil service, David Stirling, about the grave consequences for Northern Ireland of a no-deal Brexit.

**Michael Gove:** The hon. Lady, for whom I have enormous respect, is absolutely, 100%, totally right. Of course, it is up to this House to take that decision, but it is the case, whatever the position in Scotland—there can be no doubt that leaving without a deal would impose additional pressures on our precious Union—that there would be particular pressures on Northern Ireland if we leave without a deal on 29 March. As the hon.
Lady points out, Northern Ireland has been without a devolved Government for two years and, in the absence of the Stormont institutions, my right hon. Friend the Secretary of State for Northern Ireland has introduced legislation and guidance to empower Northern Ireland’s civil servants, including the wholly estimable David Stirling, to continue to take decisions that are in the public interest. That arrangement is sustainable at the moment, but it is the sincere hope of myself, my colleagues in Government and, I believe, almost everyone across the House that we can restore the Northern Ireland Executive.

However, it is also clear that the current situation, with no Executive, would be difficult to sustain in the uniquely challenging context of a no-deal exit. If the House voted for no deal, we would have to start formal engagement with the Irish Government about further arrangements for providing strengthened decision making in the event of that outcome. That would include the real possibility of imposing a form of direct rule. That is a grave step, and experience shows us that it is hard to return from that step, and it would be especially difficult in the context of no deal.

Mr Laurence Robertson (Tewkesbury) (Con): The Secretary of State will be aware of the Secretary of State for Northern Ireland’s written statement today, which affords frictionless trade to the Republic of Ireland in terms of tariffs and there being no checks. If that can be the basis of no deal, why can it not be the basis of a deal?

Michael Gove: It is the case that my right hon. Friend the Northern Ireland Secretary has issued a written statement, and it is the case that those provisions seek to minimise the consequences of no deal, but that is a temporary arrangement that could be open to legal challenge. To put it at its highest, it is a sub-optimal arrangement. It is a reflection of the hard work of the Northern Ireland civil service and my right hon. Friend the Northern Ireland Secretary that we will do everything we can to minimise frictions and checks at the border in order to underpin the importance of both commerce and peace on the island of Ireland. However, it is emphatically not an arrangement that any of us can regard as genuinely sustainable or ideal.

Vicky Ford (Chelmsford) (Con) rose—

Dr Andrew Murrison (South West Wiltshire) (Con) rose—

Mr Sam Gyimah (East Surrey) (Con) rose—

Michael Gove: I am happy to give way to all my hon. Friends, but I will give way first to my hon. Friend the Member for Chelmsford (Vicky Ford).

Vicky Ford: My right hon. Friend is making a clear case for why leaving without a deal at the end of this month would bring such uncertainty. Will he provide more clarity on how the time could be used during an extension?

Michael Gove: It would be for the House to decide tomorrow what type of extension it believes is appropriate. The most important thing that we could do is to rally behind a withdrawal agreement that ensures that we can preserve not just the strength of our economy, but the gains from leaving the EU. It is also the case, as I indicated earlier, that civil servants are working incredibly hard to ensure that we can mitigate all consequences.

Several hon. Members rose—

Michael Gove: I will give way to the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) in a second, but I will not give way to the hon. Gentlemen from the SNP. First, however, I will give way to my hon. Friend the Member for South West Wiltshire (Dr Murrison).

Dr Murrison: This morning’s written statement’s bearing on tariffs is welcome, particularly the zero tariffs on goods travelling north to south on the island of Ireland, but what discussion has he had with Dublin about tariffs on goods travelling south to north? Given the importance of agrifood in Northern Ireland, he will appreciate the potential grave disadvantages for agriculture in Northern Ireland in the event of no deal.

Michael Gove: My hon. Friend makes an important point. I have spoken to Michael Creed, who is the responsible Minister, but there are additional challenges that agriculture and food processing in Northern Ireland would face in the event of a no-deal scenario on 29 March.

Several hon. Members rose—

Michael Gove: I will give way to my hon. Friend the Member for East Surrey (Mr Gyimah) and then to the right hon. Member for Normanton, Pontefract and Castleford.

Mr Gyimah: My right hon. Friend is being incredibly generous with his time. The overwhelming view of business is that no deal should be taken off the table. Given that those of us on the Government Benches know that the success of our party and our country is based on backing the job creators and the wealth creators, how does he think the Conservative party of the 1980s would look at our response to business at the moment?

Michael Gove: I am fortunate to speak after the Chancellor of the Exchequer gave a spring statement in which he underlined the fact that this country has had the longest period of uninterrupted growth of any G20 economy and that we have a faster-growing economy—and are predicted to have a faster-growing economy—than Italy, Germany and Japan. It is also the case that we have a record number of people in work and real wages are rising. Under his leadership and that of the Prime Minister, anyone nostalgic for the ’80s would say that, actually, what we have once more is economic success delivered by a Conservative Government putting the national interest first.

Several hon. Members rose—

Michael Gove: I am happy to give way to the right hon. Member for Normanton, Pontefract and Castleford, but then I will make progress.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Secretary of State is making a very strong argument against no deal and the damage that it would cause. The purpose of the votes today and tomorrow is to establish the default position. If we do not have a deal in place—and we do not have a deal in place with
the majority behind it in the House—what will the default position be on 29 March? Will he clarify his position on this, as it is not clear in the motion? If there is no deal in place by 29 March, does he agree that the default position cannot be simply to leave without a deal?

Michael Gove: That is exactly what the motion today is designed to assert, and that is why I hope that people will support it.

Neil Gray (Airdrie and Shotts) (SNP) rose—

Michael Gove: No. I wanted to stress that in underlining all these challenges and by emphasising that we are doing everything that we can to mitigate them, it is not the case—I made this point earlier, and I want to underline it for the benefit of all—that we are taking no deal off the table. The only way that that can be done is either to revoke article 50 and decide to stay in the European Union, or to conclude an agreement. That is an inescapable fact, and that is why we face a series of unattractive choices. Many of the alternatives that have been put forward would undoubtedly be worse.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): On that point—

Michael Gove: No. The Labour party is now committed to a second referendum, and indeed there has been no more impressive and articulate advocate of that position than the hon. Gentleman—

Angus Brendan MacNeil rose—

Michael Gove: No, nay, never—[ Interruption. ]

Mr Speaker: Order. The Secretary of State has made the position clear. Let me conduct the very briefest tutorial for the benefit of the illustrious Chair of the International Trade Committee of the House of Commons. It is unseemly, to the point of being disorderly, to try to speak one’s intervention by mouthing it before permission has been given to undertake it. It is a point that is so blindingly obvious that, as I often observe, only an extraordinarily sophisticated person, possibly from Na h-Eileanan an Iar, could fail to grasp it. Secretary of State.

Angus Brendan MacNeil: On a point of order—[ Interruption. ]

Mr Speaker: Secretary of State.

Michael Gove: Thank you very much, Mr Speaker. Once again, I am grateful that you are in the Chair.

The Labour party is now committed to a second referendum, but many of its leading spokespeople have made clear what they thought of a second referendum in the past. The shadow Education Secretary said that it would be a mistake and would show disdain for democracy. Indeed, the shadow Foreign Secretary, the right hon. Member for Islington South and Finsbury (Emily Thornberry), when asked about a second referendum, said, “No, we don’t think that’s right. If we went for a second referendum we would be saying to people, ‘We think you’re stupid. We think you made the wrong decision. We’re going to do something else.’” Now that she embraces a second referendum, I am afraid that having once sneered at the flag of St George, she now confirms that she wants to tell the British people that they are, in her view, wrong and stupid. That may be a view popular in Islington South, but it is not the view of the Government, who are determined to honour the votes of the British people and who will not dismiss their sovereign decision as either wrong or stupid.

Angus Brendan MacNeil rose—

Michael Gove: No.

Angus Brendan MacNeil: This is worse than Jeremy Corbyn.

Michael Gove: I will tell you one thing that is worse than Jeremy Corbyn, and that is the prospect of an independent Scotland with the gaggle of, as I said earlier, part-time partitionists in favour.

Peter Kyle (Hove) (Lab) rose—

Michael Gove: There is one thing that is better than Jeremy Corbyn, and that is the hon. Member for Hove (Peter Kyle).

Peter Kyle: I take compliments wherever I can find them. The Secretary of State and the Prime Minister have said at the Dispatch Box, previously and today, that the House is very good at striking down things that are on the table but very bad at putting forward alternatives. I have noticed in recent days that both of them have been doing exactly the same thing; they spend a lot of time striking down any other proposition that is mentioned from across the House, but the one they are sticking to has also been decisively struck down more than any other—twice, in historic proportions. If we carry on doing the same thing, we are going to get the same result. Is he suggesting that he will bring the deal back again and again and again, or will he show the leadership expected of somebody in his position and someone in the Prime Minister’s position and change course, listen to other propositions and engage with people who are trying to compromise?

Michael Gove: I said before the hon. Gentleman was better than Jeremy Corbyn and he proved by his intervention that he is much, much better than Jeremy Corbyn. I do not agree with the hon. Gentleman on everything, but I do think it is right that we have dialogue across this House. We are in an uncomfortable position. I was an enthusiastic supporter of the Prime Minister’s deal. It commanded more votes last night than it did at the first time of presentation, but it did not command a majority in this House. That is why it is the responsibility of us all not only to listen and reflect, but to recognise that none of us can dodge choices. The choices before this House as a result—

Several hon. Members rose—

Michael Gove: No. The choices before this House as a result of the decision not to endorse the Prime Minister’s deal last night are unattractive, and I have laid out just how unattractive some of them are. Another proposition has been put forward—

Ms Angela Eagle (Wallasey) (Lab): On a point of order, Mr Speaker. The Secretary of State has just made it clear that the Government’s intention is to keep
Michael Gove: Thank you very much, Mr Speaker. For the benefit of the hon. Lady, let me say that I am simply making it clear that as a result of last night’s vote we face a series of unpalatable choices. The Government have put forward a motion tonight that I hope right hon. and hon. Members will support. It would ensure that we do not leave on 29 March without a deal, but this House has to decide—it has to decide what it wants—and that is why I agreed with the hon. Member for Hove (Peter Kyle). This House has been very good at saying no and insufficiently statesmanlike in supporting the Prime Minister in her efforts. It is now make your mind up time for this House. It is crucial that Members on all sides respond appropriately.

Hilary Benn (Leeds Central) (Lab): Can the Secretary of State explain to the House why it is democratic to keep bringing back to the House a proposition that has been overwhelmingly defeated on two occasions, but it is somehow undemocratic to suggest that the British people should be asked whether they want to change their minds?

Michael Gove: I point out two things on that. First, the proposition that was put before the House was significantly different from the one that was put before the House beforehand. [Laughter.]

Barry Gardiner (Brent North) (Lab): You can’t be that stupid!

Michael Gove: The hon. Gentleman taxes me about stupidity. I will return to his comments in just a second. The key thing is that the proposition was different, but of course we did not secure support for it and the House now has to decide. I respect the right hon. Member for Leeds Central (Hilary Benn) very much, as he knows, but it was the official position of his Front-Bench team not to endorse a second referendum and they have done what might inelegantly be called a flip-flop or U-turn. I was merely pointing out to the House the nature of that flip-flop and U-turn.

Mr Kenneth Clarke: My right hon. Friend keeps saying that when we reach 29 March, we will not leave unless we have a deal, and he has been considering the alternatives, because currently doing nothing means that, by law, we will leave with no deal. He keeps suggesting revoking article 50. Is that because we could seek an extension, if by then the House has some idea of what it is seeking an extension for, but the EU might then refuse it? Is he prepared to contemplate and is it the Government’s position that if the EU refuses an extension, we will revoke article 50, no doubt with the intention of invoking it later, once Parliament and the Government have decided what it is we are seeking for our future?

Michael Gove: The Father of the House makes an important point, but we cannot revoke article 50 and then invoke it again later. The European Court of Justice has made that absolutely clear, which is why—

Joanna Cherry (Edinburgh South West) (SNP): Will the Secretary of State give way on that point?

Michael Gove: No. This is why we need to come to a decision.

Joanna Cherry rose—

Michael Gove: No.

Emma Reynolds (Wolverhampton North East) (Lab): If the Government are serious about engaging with alternatives to the deal that we voted on last night and serious about listening, why will they not grant a series of indicative votes, as recommended by the Exiting the European Union Committee, on which I serve and which is chaired by my right hon. Friend the Member for Leeds Central (Hilary Benn), to determine the will of the House?

Michael Gove: The hon. Lady makes an important point. Depending on how the House votes today, we may have an opportunity to vote on that proposition tomorrow. It is important is that we find consensus as quickly as we possibly can.

Joanna Cherry: On a point of order, Mr Speaker. I think the Secretary of State has got confused between the ruling of the Court of Justice and the preliminary opinion of the advocate-general. It was the preliminary opinion of the advocate-general that suggested that once article 50 was revoked, it could not be implemented again, whereas the opinion of the Court of Justice does not say that. Given that it is a judgment of the highest court in Europe, how can I put the record straight? The Secretary of State seems to have misunderstood the judgment.

Mr Speaker: That attempted point of order suffered from the material disadvantage of not being a point of order. The hon. and learned Lady has made her point. Legal exegesis as between a court and an advocate-general is not a matter for the Chair. I would go so far as to say that it is well beyond my limited capabilities. I am grateful to the hon. and learned Lady for elevating me to a level of prowess that I cannot profess.

Michael Gove: That was revealing of the Scottish National party’s position: it wants to be in and then out, in the same way as it wants to be in the European Union but out of the common fisheries policy. We now know that the SNP is the hokey-cokey party—in, out, shake it all about.

Neil Gray: Will the Secretary of State give way?

Michael Gove: No. I think we have had more than enough from the collection of circus acts of the Scottish National party.

Stewart Hosie (Dundee East) (SNP): On a point of order, Mr Speaker.
Mr Speaker: The hon. Gentleman is a distinguished member of the House of Commons Commission, and I therefore hope that his point of order is authentic and genuine.

Stewart Hosie: It is as authentic as almost every else’s. Mr Speaker, the Secretary of State just said that we know what the SNP is, what it believes and what its positions are; how can he know that if he refuses to engage in debate, and instead simply behaves like a little primary school bully, refusing to take proper engagement and hiding behind the big boys who are sitting behind him?

Mr Speaker: Perhaps the Secretary of State is invested with psychic powers—I have no way of knowing—but I am bound to say to the hon. Gentleman that in my dealings with the Secretary of State, I have never regarded him in any way as a bully. He is sometimes insistent upon his point of view, but I must say that I have never found him remotely pressurising. Dealing with him is not difficult at all.

Michael Gove: Thank you very much for that generous encomium, Mr Speaker. I am always happy to debate with the SNP.

Joanna Cherry rose—

Neil Gray rose—

Patrick Grady (Glasgow North) (SNP) rose—

Michael Gove: What I am not happy to do is to allow the time of this House, when there are so many other serious speakers who want to make their points, to be absorbed by repetitious and self-serving chicanery from the representatives on the SNP Benches.

I wish to turn to one other proposition that has been put forward as an alternative, and that is the position of the official Opposition, which, while not shaped by an amendment today, is their policy, which is that we should be members of a customs union. What is striking about the position that they put forward for the customs union is that they say that, in that customs union, we should be able to offer businesses state aid, which we are not able to offer in the EU. Well, that would be illegal. They also say that we should have a voice in that customs union in the EU’s negotiation of trade deals. Well, no such voice for any member of the customs union who is not a member of the EU exists. They also say that we should have independent trade remedies separate from those that the EU provides.

Justine Greening (Putney) (Con): On a point of order, Mr Speaker.

Mr Speaker: I will take the point of order in a minute. I was very generous to the Secretary of State. We all enjoy his rhetorical flourishes and I will not repeat the precise words, but he used a little formulation a moment ago that was very, very borderline as far as the procedures of this House are concerned. I very gently say to him that what passes muster at the Oxford Union might not be acceptable in the Chamber of the House.

Justine Greening: My point of order very much follows on from that. This debate is about whether this House believes that we should leave with no deal, yet the Secretary of State has spent quite some time discussing anything apart from that. I just wondered whether we could get your advice, Mr Speaker, about when this debate is actually going to go back to the terms on the Order Paper.

Mr Speaker: Those addressing the House from the Treasury Bench get a degree of latitude, but I do note what the right hon. Lady says and I hope that contributions will focus on what the debate is supposed to be about, for if that were not to happen, there would have to be another debate on the matter in order to meet the terms of the commitment that has been given. That might be inconvenient for some people, but that debate on that matter will take place, and about that there need be no doubt on any Bench—Back or Front.

Michael Gove: Thank you very much, Mr Speaker. I hope that I was able to outline earlier some of the real difficulties in leaving without a deal on 29 March. It is perfectly open to Members to take different views on that matter.

Heidi Allen (South Cambridgeshire) (Ind): Will the right hon. Gentleman give way?

Michael Gove: No, no, no.

I hope that people recognise that I have tried to take as many interventions as possible, but we must now move on to hear from the principal Opposition spokesman and, of course, to make sure that as many Back Benchers as possible have their voices heard.

Heidi Allen rose—

Neil Gray rose—

Michael Gove: No! It is important that all of us in this House recognise that, as a result of the vote last night, there are no easy options, no attractive choices, left. I hope in the debate today and, inevitably, in the debate that follows tomorrow, we all take the responsibilities of representing our constituents as seriously as possible. We all need to recognise that leaving on 29 March without a deal would impose economic, political and constitutional challenges and risks for this country that I do not believe that we should undertake. I therefore think that it is important that we all work across this House, and across old divisions, to try to seek a consensus—a consensus that could unite all four nations of the United Kingdom and could unite all our citizens in making sure that we honour the referendum mandate and we leave the European Union in a way that is economically sensible and democratically legitimate. That is why I commend this motion to the House.

Several hon. Members rose—

Mr Speaker: Order. Just before I call the shadow Secretary of State, I have now to announce the results of today’s deferred Divisions. In respect of the question relating to environmental protection, the Ayes were 315 and the Noes were 235, so the Ayes have it. In respect of the question relating to immigration, the Ayes were 314 and the Noes were 276, so the Ayes have it.

[The Division list is published at the end of today’s debates.]
Keir Starmer (Holborn and St Pancras) (Lab): I welcome today’s debate. The Prime Minister is leaving; I know she wanted to open this debate and we understand why she cannot; I send our best wishes for her speedy recovery. I am sure that goes for the whole House.

If the Prime Minister had opened the debate, I think she would have engaged seriously with the points being made by others, rather than hurling easy insults and not engaging with the points. This is a serious debate about a very serious matter, and it needs to be conducted in the right way. The debate is long overdue. On this side of the House, we have never accepted that there should be a binary choice between the Prime Minister’s deal or no deal—“very bad” or “even worse”—is not a meaningful choice and would be a very sorry end to the negotiations.

Yesterday, the House overwhelmingly voted to reject the Prime Minister’s deal, which is the first of those options. Today, we have the chance to reject the second, and we should do so with as big a majority as possible. The mantra of “My deal or no deal” needs to be dead and buried tonight.

Angus Brendan MacNeil: Will the right hon. and learned Gentleman give way?

Keir Starmer: I will in just a moment. Labour has always opposed a no-deal outcome. We have repeatedly warned that it would be catastrophic for jobs, for the economy, for security, and for peace and prosperity in Northern Ireland, and I will come to those points later.

Mr John Baron (Basildon and Billericay) (Con): I thank the right hon. and learned Gentleman for giving way, but I implore him to use the language of moderation when talking about no deal. He will remember the dire economic warnings during the referendum campaign of, for example, 500,000 extra people unemployed by Christmas 2016. Those things did not come about. So bad were the predictions that the Bank of England had to publicly apologise afterwards. He should not rest his case on predictions. Economic reality is dictated by comparative advantage, such as lower tax rates and more flexible labour markets. That is why the economy is doing so well, despite the prospect of no deal.

Keir Starmer: Lots of things were said by both sides in the referendum that should never have been said, some of them by Members who have already addressed the House.

Karin Smyth (Bristol South) (Lab): One of the things that was said time after time was that there would be no consequences for peace on the island of Ireland. We have heard today from the Dispatch Box—the Secretary of State may want to come back on this—that a consequence of the Government not ruling out no deal tonight is, potentially, direct rule. That is a major shift in the Government’s position. Does my right hon. and learned Friend agree that those are not fears, but the actualities we are dealing with?

Keir Starmer: I will come to the position in Ireland, because it was and has been treated casually, as if it is all a technical question of a line in the road. Anyone who has spent any time in Ireland in the past two years will realise the impact that Brexit is having on the politics of Ireland, which go well beyond the technicalities of the customs union and the single market.
Frances O'Grady from the TUC said that a no-deal Brexit “would be a hammer blow to our manufacturing industries and the communities they support.”

A no-deal Brexit could be terminal for Britain’s manufacturing and the thousands of skilled jobs it provides. As the son of a toolmaker, I remember when manufacturing was in the doldrums, but now there has been a revival. Manufacturers operate a just-in-time regime that relies on open borders, and they do so successfully. No deal poses a huge risk to them.

Mr Mark Francois (Rayleigh and Wickford) (Con): The shadow Secretary of State has been talking about what may happen. It is very obvious to me, following his hon. Friends’ exchanges with the Secretary of State, that the Government are intent on bringing the withdrawal agreement back for yet another go. May I make a small prediction? They will go to the European Council on 20/21 March and plead for some additional concession, however small. They will come back to the UK; rerun Maastricht; declare game, set and match; and then try to persuade the House to vote for it. For 50 quid for Help for Heroes, I bet that the third meaningful vote will be on Tuesday 26 March. Will he take my bet?

Keir Starmer: I don’t gamble.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): Earlier the Secretary of State referred to the 140,000 or so companies that trade exclusively with Europe, only about 40,000 of which have registered and got their EORI numbers, which is necessary in order to do so. The business community has pointed out that there is no reason why HMRC could not give companies an automatic EORI number if they are VAT-registered, as most of them are. It is very worried that the Government are trying to shift the blame for a chaotic no-deal Brexit from their own lack of support and on to business.

Keir Starmer: I thank my hon. Friend for that intervention. That is a real cause for concern. In all my discussions with businesses in the past two years, but particularly in the past three to six months, I have detected that while some of the bigger businesses have had the resource to do some planning for no deal, most of the small and medium-sized businesses have not. They have said to me, “We simply do not have the resource to do it, and therefore we haven’t done it.” That is among the reasons why I have always said that a no-deal Brexit is not a viable option.

Susan Elan Jones (Clwyd South) (Lab): My right hon. and learned Friend has said that he is not a gambling man, but it seems that the Secretary of State for Wales might be, because he is refusing to rule out supporting no deal. If one considers Wales’s agriculture, manufacturing industry and so much more, that is absolute madness, in my view. Does the Secretary of State—not quite the Secretary of State yet, but the shadow Secretary of State—agree?

Keir Starmer: I do, and it is a real cause for concern.

Judith Cummins (Bradford South) (Lab): My constituency voted to leave. I am a democrat, and I respect the result of the referendum, but does my right hon. and learned Friend agree that a no-deal Brexit would not be in the interests of my constituents or this country?

Keir Starmer: I do not think that a no-deal Brexit would be in the interests of constituents anywhere in the United Kingdom.

Patricia Gibson (North Ayrshire and Arran) (SNP): Will the right hon. and learned Gentleman give way?

Several hon. Members rose—

Keir Starmer: I will give way in a moment, but I have given way a lot, and I need to make progress. I am aware that others want to contribute to the debate.

I was dealing with the impact on manufacturing. Some of the large manufacturers have told us what the impact of no deal will be on them. Ford was clear that it “would be catastrophic for the UK auto industry and Ford’s manufacturing operations in the country”.

Airbus used similar language, saying that it would be “absolutely catastrophic for us”. More recently, Honda said:

“If we end up with WTO tariffs, we’d have something like 10% of costs in addition on products shipped back into Europe”, which would impact its “productivity” and “competitiveness”. This is not exaggeration. These are companies speaking about their businesses. This will impact on their businesses, and real people’s livelihoods will be at stake.

We do not have to only take the word of businesses and the trade unions, though it is a powerful voice. We can also look at the Government Benches. The hon. Member for Richmond (Yorks) (Rishi Sunak), who I believe is still a Business Minister in the Government, said that no deal “would be completely disastrous for business in this country”—no doubt because, like me, he has been talking to those businesses. He then took a novel approach to collective responsibility by saying:

“I am very happy to be public about the dangers of no deal “and very happy if the Prime Minister decides I am not the right person to do the business industry job.”

He was backed up by the Business Secretary, who said “no deal is fully acknowledged—certainly by me and the industry—as being ruinous for our prospects”—[Official Report, 4 February 2019, Vol. 654, c. 68.]

The Government’s own figures show that no deal would mean a reduction in the economy of between 6.3% and 9% over 15 years, and every region would be poorer—Wales by 8.1%, Scotland by 8% and the north-east of England by 10.5%. Anybody who votes tonight to keep no deal on the table needs to explain to their constituents why they are taking that risk with jobs and our economy.

Crispin Blunt (Reigate) (Con): I think the right hon. and learned Gentleman has mistaken my hon. Friend the Member for Richmond (Yorks) with my hon. Friend the Member for Watford (Richard Harrington), the Under-Secretary of State for Business, Energy and Industrial Strategy. It is important to make that correction.

What businesses are saying to me is that their key enemy is uncertainty. If they do not have certainty over the future terms of trade, investment decisions will
continue to be postponed. There is certainty over those terms of trade if we leave the European Union on 29 March either with the Prime Minister’s agreement or moving to World Trade Organisation terms.

Keir Starmer: As for the anxiety of businesses over uncertainty, and their yearning for certainty and the impact it is having on their decision making and investment, that is absolutely true. It should be a cause of great concern to all of us. None of the businesses I have spoken to—I have spoken to thousands in the last two years—has suggested that the certainty they want is no deal. They all say to me that they do not want no deal, and they normally point out the consequences of no deal.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): My right hon. and learned Friend is making the point that the worst deal is no deal. He has talked about manufacturing, and this issue has been raised with me by GMB, Unite and other unions. Does he agree that the uncertainty over the trade agreements between other countries and with the EU, which we trade under and which account for about 12% of our imports and exports, is already causing great problems for manufacturing, imports and exports and jobs in our constituencies?

Keir Starmer: Absolutely. They have real concerns about that, and they raise them regularly.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I have great confidence in my right hon. and learned Friend, and he is making a very good speech. When this all started, those in my manufacturing sector were saying, “Surely, intelligent people on the Benches across the House could come to a solution.” They have now changed, and they are calling for me to push here for a second vote or a people’s vote.

Keir Starmer: I am grateful for that intervention, because it takes me to a point that was repeatedly made by the Secretary of State, which is that it is somehow somebody else’s fault that the deal is not going through and that the Government do not bear any responsibility for failing to bring the House with them.

Several hon. Members rose—

Keir Starmer: No. I want to make this point because it is important. The Government have failed to get the House behind their deal, and they cannot get away with simply saying, “That is somebody else’s fault. It’s not our responsibility. We’ve done nothing wrong.”

Several hon. Members rose—

Keir Starmer: No. I want to make this point because it is a really important point. The Prime Minister and the Government had a choice two years ago. They could have invited this House to express a view on the type of deal this House would accept, and they refused to do so—repeatedly refused to do so. Anybody in the Government must have been able to foresee the divisions on their own side. They must have been able to foresee that. In those circumstances, they would have been much wiser to seek the consensus two years ago that they may look for now. Having been blinkered, and having red lines that never came about, for the Government to come here now and say that it is other people’s fault for rejecting the very thing they said for two years that they would reject is not to take responsibility for their own actions.

Several hon. Members rose—

Keir Starmer: I am going to make some progress.

I have been concentrating on the economic issues, but there are wider issues in relation to no deal. There is Northern Ireland. The Secretary of State spoke about Northern Ireland, and we all know how serious the implications are for Northern Ireland. No deal is a risk to the Good Friday agreement. The Government’s own EU exit paper makes that clear.

Chris Philp (Croydon South) (Con): Will the right hon. and learned Gentleman give way?

Keir Starmer: No! [Interruption.] I did not mean that rudely; it is just that I do need to make some progress.

The “EU Exit” paper from the Government last year said that “WTO terms would not meet the Government’s commitments to ensure no hard border between Northern Ireland and Ireland.” A hard border cannot be allowed to happen, and I do not think this Prime Minister or the Government would countenance that happening.

On security and counter-terrorism, as hon. Members know, intelligence and evidence passes across EU borders in real time every day and it saves real lives. That can only happen subject to agreements with the EU27—that is the basis for passing such information and intelligence—but we also need agreements to decide to what use we can put that evidence and intelligence and, crucially, to plan joint operations. I know that because for five years, as the Director of Public Prosecutions, I was part of that exercise in Eurojust. I know how seriously the Prime Minister takes this because I worked with her when she was Home Secretary, and she knows full well how that such provisions save real lives. A no-deal puts that at risk. No responsible Government would take that risk, and if they did take such a risk, they would not remain in government for long.

Mr Bradshaw: Given what my right hon. and learned Friend said a moment or two ago, which was absolutely right, about the Government’s repeated failure to seek consensus to get us out of this Brexit mess, will he please reaffirm Labour’s firm commitment to our policy of supporting a public vote, with remain being an option on the ballot paper?

Keir Starmer: I will. Back in 2017, we made it clear that we would respect the outcome of the referendum, and we set out in our manifesto what we would seek to negotiate if we were elected into government, which was an agreement that would have the benefits of the customs union and the single market. However, in that manifesto, we also said as a party that we would reject the Government’s red lines, rip up the White Paper and reject no deal. We lost that election, and because we lost we voted to trigger article 50, notwithstanding how we had voted in the referendum, and we allowed the Prime Minister to start the negotiations. Consistent with our manifesto, we conditionally said what deal we would accept when it came back.
We have now got to a hopeless end, and it is a hopeless end. To lose by 230 votes eight weeks ago and then to lose by 149 votes is a hopeless end. The Government cannot just blame others for that; they need to look at themselves and ask why it happened. In those circumstances, both the things that we ruled out in our manifesto—the Prime Minister’s red lines and no-deal—are the only things on the table, which is why we support a public vote, to protect against those outcomes. I am proud that we are doing that at this stage in the exercise, and it is obvious why we need to do so.

Anna Soubry: All of us who believe in a people’s vote are grateful to my right hon. and learned Friend—he is my friend, in a legal sense—for what he has said. Were such an amendment to be tabled, would he and his party now support it and get a people’s vote up and running?

Keir Starmer: Two weeks ago on Monday, the Leader of the Opposition made it clear that we would support an amendment to that end or put one forward ourselves. Obviously, the timing depends on discussions across the House and with others, but that is the clear position that we have put down.

Several hon. Members rose—

Keir Starmer: I am aware that other Members wish to intervene. I am not being rude, but I really must press on.

Lady Hermon: Will the right hon. and learned Gentleman allow me to intervene?

Keir Starmer: I will give way to the hon. Lady, for obvious reasons.

Lady Hermon: That is very gracious of the right hon. and learned Gentleman, and no surprise; it is characteristic of him. He has been a great friend to Northern Ireland. He mentioned Northern Ireland earlier in his comments, but he did not spend enough time talking about his assessment of the constitutional risk faced by Northern Ireland if—heaven forbid—the United Kingdom were to leave the European Union without a deal. Will he reflect upon his assessment of that risk?

Keir Starmer: I am grateful for that opportunity to intervene. I am not being rude, but I really must press on.

Lady Hermon: Will the right hon. and learned Gentleman allow me to intervene?

Keir Starmer: I am grateful to the hon. Lady for the
time. The National Farmers Union has been clear—I think it set this out this morning—that the proposed tariff regime would be a disaster for UK agriculture, stating that “everything must be done to avoid a no-deal Brexit, and the catastrophic impact this could have on British farming.” I am not quoting the voices of politicians here; I am quoting the voices of those in the field in each of these areas.

Finally, as if the Transport Secretary has not struggled enough already, imagine how he would deal with a no-deal scenario, which would bring chaos to transport. Hauliers would face hours of delay as new checks would be put in place at borders, and family holidays could be jeopardised by a no-deal Brexit as British travel companies lose their current access and rights.

Several hon. Members rose—

Keir Starmer: I am going to make some progress. For all those reasons and more, Labour will act tonight and oppose no deal. We support amendment (a), tabled by the right hon. Member for Meriden (Dame Caroline Spelman) and my hon. Friend the Member for Birmingham, Erdington (Jack Dromey), because we believe that it is the cleanest and clearest way for the House to express its opposition to no deal.

We recognise, however, that simply opposing no deal is not the end of the story. It is necessary but it is not sufficient. The House needs to have a chance to debate the steps necessary to move forward, and I think there is growing consensus that that needs to happen. The Labour party supports a close economic relationship with the EU and, as I have just said, we also support a public vote.

Several hon. Members rose—

Keir Starmer: I give way to the former Attorney General, the right hon. and learned Member for Beaconsfield (Mr Grieve).

Mr Grieve: Does the right hon. and learned Gentleman agree that the difficulty with the Government’s motion is that it is in fact inaccurate? The fact is that the default position, indeed, applies only if we do not ratify or choose to revoke, which one could do either by our own motion or after a referendum, for example. That is why—he may agree with me—suspicions have been
raised in the House that the motion is slanted. That may be unintentional, but of course it is within the power of the Government potentially to remedy that with a manuscript amendment to their own motion before this debate is over.

Keir Starmer: I am grateful for the right hon. and learned Gentleman’s intervention and agree with his interpretation. I think it would be helpful to have the motion amended. One thing that has not helped is the House making a decision only to find weeks later that the decision we thought we had made is called into question. I invite clarity on that, so that we can express a clear view.

Dr Phillip Lee (Bracknell) (Con): Further to the intervention by my right hon. Friend the Member for Broxtowe (Anna Soubry), and with a view to trying to avoid the no deal that the majority of this House want to avoid, when the Government enter into discussions about the extension of article 50, the other side will want to seek a purpose. Does the right hon. and learned Gentleman agree that it would be helpful if this House expressed a view, subject to the Labour party’s public support for a public vote, in advance of the European Council on 21 March?

Keir Starmer: If the vote tonight is to reject no deal, and I think it will be, and the vote tomorrow is to seek an extension of article 50, and I think it will be, but it is only to seek an extension of article 50, the question of purpose will be absolutely central. That will be a test for the Prime Minister in the first instance, because she will have to make a decision whether that is the point at which she drops her red lines and her blinkers and opens up the debate to other options.

Several hon. Members rose—

Keir Starmer: I want to finish this point because it is very important. The Prime Minister needs to decide, if it goes that way tomorrow, whether she is a Prime Minister who is willing and able to do that and to embrace other options, or whether she will press on only with her own deal. If she presses on with her own deal, I think we will still have to go on and look at other options and get a common purpose. If the Prime Minister forces us down that road, she will be forcing us down the road where the majority will be forcing a view on the Executive, and there are constitutional implications for that.

I accept the force of the point. The test will be tomorrow night, if it gets that far, when we hear from the Prime Minister at the Dispatch Box as to what her attitude will be. If it changes from the attitude of the past two years, we might be able to proceed more quickly to find that common purpose. We need to find that purpose, we need to find a majority for it, and it needs to be a sustainable majority, not just for one night or one week. That is what we should have done two years ago.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I do not mean to pause the right hon. and learned Gentleman for too long, but my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) specifically asked my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs, who opened the debate, whether he would agree to revoke article 50. His answer was clear: it is not the Government’s policy to revoke. On the logic of voting to take no deal off the table and the right hon. and learned Gentleman’s policy of a referendum, if the other side—an EU country or countries or the Parliament—rejected a proposal to delay, would Labour’s policy, in extremis, then be to revoke article 50, in the sense of the question asked by my right hon. and learned Friend?

Keir Starmer: I believe in addressing each problem as it arises, but let me deal with the question of policy. The right hon. Gentleman makes it sound as if extension is a policy choice of the Labour party. It is not a policy choice of the Labour party. It is driven by necessity because of the situation we find ourselves in. We need to deal with no deal today, and with extension tomorrow.

Several hon. Members rose—

Keir Starmer: I am going to make some progress.

No deal should never have been an option. It is the worst possible outcome. Businesses know that, unions know that, and I suspect most of the Cabinet know that. It is extraordinary that the Government have acceded to a free vote on a matter of such importance today, and for them not to have a position on whether this country should exit the EU without a deal. It is the latest evidence of the Government not governing and that they cannot act in the national interest. I urge colleagues to support amendment (a). We can speak clearly and with one voice that this House will not accept leaving the EU without a deal, and we can bury that so deep that I hope it never resurfaces.

Mr Kenneth Clarke (Rushcliffe) (Con): It is almost three years since we had the referendum, and we have reached this extraordinary moment. Effectively, we are back to square one. There is absolutely no consensus within the Government, within the main Opposition party, within this Parliament or among the public on exactly what leave means. We are having to have a debate today on the question whether, after three years of futility, in 16 days’ time we just give up and leave and see what happens, although many of us know and fear the combination of things that are likely to happen if we do so.

This is bizarre because it is also still not totally clear how, if the House votes as I think it will by a large majority to rule out no deal tonight, we propose to guarantee that we deliver that conclusion. It sounds as though more attempts will be made to reach an agreement. I have voted for it twice, but the Government’s withdrawal agreement is dead in the water. Any kind of agreement must now find alternative routes.

We will get there somehow in 16 days. Tomorrow, we will probably vote for an extension, but we have to be clear: extension for how long, and extension what for? The whole thing is dependent on 27 other Governments, all of whom are fed up to the back teeth with the state of British politics, and with trying to negotiate with a British Government who cannot say what they want because they cannot even agree internally on what they want. We depend on the approval of those 27 countries to avoid this disaster, so as we debate no deal, we must consider further things.
Angus Brendan MacNeil: The Father of the House signed amendment (b) with me. Is not the reality of the situation that the only two choices in the hands of this Parliament are no deal—walking over the cliff—or revocation, a luxury that exists for only another 16 days because after 29 March it is gone too? The only certain choices are those two choices.

Mr Clarke: We have 16 days left. The hon. Gentleman and I have tabled an amendment that faces up to something that I think very few Members are facing up to. I have discovered in a fortnight that things change very rapidly—I did not anticipate 16 days ago that we would be in this debate—and anybody who forecasts with confidence the state of British politics in 14 or 16 days is being a little reckless. Unless somebody has an alternative, the only way of guaranteeing not leaving with no deal is to revoke article 50, as our amendment suggests.

We will have no other method to follow. I will not go back into the legalisms. I had this discussion with the Attorney General, who kindly sent me his opinion. He is a much superior lawyer to me—I am a very out-of-date lawyer—but I do not altogether agree with him. It is the advocate-general who has expressed doubt about whether we could be said to be acting in good faith if we revoked and then invoked again. I think that is very arguable. I think we would be acting in extremely good faith if we revoked and then invoked again. I think that is a much superior lawyer to me—I am a very out-of-date lawyer. I had this discussion with the Attorney General. He says I am wrong, but I think he is wrong.

Several hon. Members rose—

Mr Clarke: I really should get on. I am not a Front-Bench spokesperson, and lots of people want to speak. I am tempted to give way and debate—I would like to—but, knowing myself, I know I would take too long if I did.

I do not wish to intrude on tomorrow’s debate, but we need to agree as quickly as possible what we are now seeking and the reason for the delay that I think the majority of the House is going to seek. It is important that we do that. Not only is opinion polarised here—lots of factions are pursuing their own preferred ways—but the public are even more polarised than at the time of the referendum. They hold the House in near contempt for the confusion they see, and the sooner we decide what the majority here wish to pursue as an alternative to leaving without a deal, the better, and to do that we may need some time. I have been calling for indicative votes for a very long time, and the Government have been resisting and avoiding them. The only way to proceed now is to explore and demonstrate the view of the House.

I have a suggestion for what might placate the public, satisfy a lot of leavers and remainers and command majority support across the House. If I was outside speaking on a public platform to a less well-informed audience, I would suggest reverting to leaving the political European Union and staying in the common market, which nowadays means the customs union and the single market, or something very much like it. I think that quite a lot of the public thought that that was what they were voting for when they voted leave. If we put that proposition to the public now, it certainly would not be as polarising as some of the arguments we are having inside and outside this House, which are having such a dramatic and catastrophic effect on the nation’s political dialogue.

Chris Philp: The Father of the House is making the case for membership of the customs union and single market while being outside the EU. Isn’t the problem with that approach that we would have no decision-making rights over any trade deals that the customs union might agree or over single market regulations to which we might be subject?

Mr Clarke: I am being drawn outside this debate. The best deals with other countries are achieved through the EU—that is the basis on which British Government have proceeded for years—and it is a disaster that we are in danger in 16 days of falling out of some of the most favourable trade deals, which the British Government have played a part in negotiating. I think that if we insist on that proviso, and if we insist on tackling the problem of our no longer being directly part of a regulation-making power, we are powerful enough to be allowed more consultation than countries that are outside the EU and are part of, say, the European Free Trade Association or European economic area arrangements.

We have to tackle the problems that arise from the fact that we are giving in to the idea of leaving the European Union politically, and leaving its institutions.

I think that these problems are grossly exaggerated. I have never heard anyone argue against the EU trade deals that we have with other countries. The Japanese deal was a tremendous stride forward. It is the biggest free trade agreement in the world, and we are about to fall out of it after only a month or so. We talk about losing our powers, and about the threat posed to our sovereignty by the fact that we are not allowed to pass our own different laws on product quality, consumer protection, health and safety, animal welfare and the licensing of products, but I have yet to hear a Brexiteer advocate the reversal of any European regulation that we have passed so far. Members of the public tend to demand higher regulatory standards, and I am lobbied for new regulation more than I ever am for sweeping away what we have.

If the virtue of no deal is meant to be leaving to have a trade agreement with, say, the United States, I can tell the House that I have been involved in trade negotiations with the United States under President Obama, and it is protectionist. The Americans are not dying to open up any of their market to us; they will want us to open up their food market to them. We will not be making regulations here. The Americans will not let the House of Commons decide on animal welfare or food standards. Those are nothing to do with us. We made an agreement. The House of Representatives and the Senate, along with the powerful American food lobby, will decide what the welfare standards for animals and the standards for food should be. We will not get a trade deal with the United States unless we agree to that.

I am being drawn into the merits of the basic argument, but I think it should be underlined that we must look at realistic alternatives to no deal. No deal was not being advocated by anyone at the time of the referendum. I do not think that it was being advocated by more than a handful of people until a month or two ago. Most Brexiteers were not in favour of it. My right hon. Friend the Secretary of State is nodding. Even those who
Mr Clarke: I am going to be very brief—as brief as I can be. I have already taken longer than I intended.

The argument is that these matters were settled by the referendum, but one of the problems is that the debate at the time of the referendum does not resemble the debates that we keep having, with ever more frequency, in the House. That is not because we are out of touch with the real world. It is because the referendum was conducted in the most bizarre, broad-brush terms, with the leading figures on both sides using ridiculous or dishonest arguments in order to make their case, which had nothing whatever to do with the merits or otherwise of being in the European Union.

Remainers, I am afraid—the key remainers, David Cameron and George Osborne—decided to raise all those fears of immediate catastrophe, which did not actually materialise. That has led people now to say that every future warning from every major business lobby in the country, from the Treasury, from the Government and from everyone else is to be ignored. That is a classic case of crying wolf: one day the wolf actually arrives, and we cannot conduct the government of this country on the basis that we ignore every expert piece of opinion we have, which most of us in fact agree with because we think their warnings are correct.

The referendum gets invoked in all our other debates, too. When I ask my constituents who are leaders—most of them, I am glad to say, voted remain—it is clear that the idea that they were expressing a view on the Irish border and the problems of the Good Friday agreement when they voted to leave, or that most of them were expressing opinion on the single market or the customs union, is absolute nonsense. Indeed when I talk to members of the public now—who are all expressing anger about the state of affairs we are in—they are still not lobbying me about the Irish border and the single market and all the rest of it. We are having to be engaged in this because our duty is governance; our duty is the medium and longer term better governance of this country, and we have to address the real world of a globalised economy and today’s systems of regulation and the international order in which we have to earn our living against a background of bewildering technological change.

All the arguments about the damage to business and the threat to Ireland, including its constitutional position, and so on have already been addressed by others and I have agreed with every word that has been said. However, I want briefly to give my reaction to that handful—I think it is no more—of Members who seem to think now that no deal is positively desirable and that it is an objective we should have sought from the first. They make it sound very respectable by describing it as “WTO rules”, but I strongly suspect that many who argue that point had scarcely heard of the WTO at the time of the referendum, and I do not think most of them understand what WTO rules actually comprise. I will not go into too much detail, not least because I have not refreshed my own memory too greatly, but there is no developed country in the world that seeks to trade in today’s globalised economy only on WTO rules. They are a fall-back that cover all that international trade that is not governed by recognised free trade agreements. They are designed to ensure that there is no discrimination among countries with which we do not have an agreement. That is why they require a schedule of tariffs, to be accepted by the WTO, and then those tariffs to be imposed on all those countries with which there is no agreement. That means the EU is obliged by WTO rules, now much loved by Brexiteers, to impose the same tariffs on us that it imposes on other third party countries, and we are obliged to impose the same schedule of tariffs on the EU and all other countries with which we do not have a deal.

There are WTO rules that do not allow countries to abdicate a thing like the Irish border. We cannot say we are not going to put any border posts in, so we are going to have organised smuggling become the major industry of the island because we have no idea how we are going to enforce it all. Not only would the Republic be under great pressure from the rest of the EU, but WTO rules would require us to co-operate with policing our border, collecting tariffs, regulatory checks, customs checks and all the rest.

My main worry, however, is not entirely about these short-term consequences, catastrophic though they would be for some sections of our economy including agriculture and the motor industry. My main worry is that, whatever happens in the global economy, the effect of leaving with no deal in the medium and long term and on the comparative economic strength of this country will be that we and the next generation will be made poorer than we would otherwise be. That will be the result if we cannot move away from this no deal nonsense, and I hope a big majority settles that tonight.

Finally, I just want to be totally clear what the Government’s intentions and motives now are. I hope I have been reassured that, if we pass this motion tonight, the Government will in all circumstances take whatever steps it is eventually necessary to take in 16 days’ time to avoid our leaving with no deal. I do not want them to come back in a fortnight’s time saying to the House, “It’s your fault, because you will not vote for the Prime Minister’s withdrawal agreement, so sadly we are going to have to leave with no deal.” We are ruling this out. That really means having indicative votes to give us some idea of what the British are going to negotiate over the next two or three years. Failing that, it means revoking article 50. Speaking as someone who is a diehard European—

Mr Grieve rose—

Mr Clarke: My right hon. and learned Friend and I do not agree on referendums, but we agree on practically everything else. As he is a close political ally and a good friend of mine, I shall give way to him.

Mr Grieve: In the spirit of trying to encourage the Government to be clear with the House, does my right hon. and learned Friend agree that the difficulty with the Government’s motion is that the revocation route is not acknowledged? The Government may not want it, and of course there are different ways of reaching
it—one is through a referendum; another is through a revocation by this House alone—but the difficulty with the Government’s motion as tabled is that it pretends that that route does not exist. It seems to emphasise a binary choice. Does he therefore agree that getting clarity on that, and possibly a correction, would be immeasurably helpful? Otherwise, it gives the impression that the Government are trying to pull the wool over our eyes.

Mr Clarke: I agree with my right hon. and learned Friend entirely. I have no idea why the Government thought it necessary to put the second half of the motion on the Order Paper. I have been reassured, however, so let me try to reassure him on this. When my right hon. Friend the Secretary of State opened the debate, he referred several times to revocation as the alternative—he is now nodding in the affirmative—and I think that if forced to do so, he would revoke. I take comfort from remembering the Prime Minister occasionally saying—normally to the right-wing nationalist members of my party—that if they were not careful, the alternative to her deal would be no Brexit, which amounts to the same thing. I would prefer the wording on the Order Paper to make it perfectly clear that we are ruling out no deal, but I take it that we have been given a guarantee that if no one can think of any better and more sensible way of resolving things, we are going to revoke article 50 and start all over again, because as I said when I began, we have got absolutely nowhere after three years of effort since the vote was announced.

4.47 pm

Stephen Gethins (North East Fife) (SNP): It is always a privilege to follow the Father of the House, the right hon. and learned Member for Rushcliffe (Mr Clarke). I also join the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) in wishing the Prime Minister a speedy recovery. We entirely understand why she is not here for the debate, and, fair play to her, she came along and did Prime Minister’s questions as well as spending time at the Dispatch Box yesterday. It was good to note that the Secretary of State for Environment, Food and Rural Affairs said so many kind words about her, but then again, the Tories are often kind about those who used to lead them.

What a situation to be in—debating a no-deal exit. Next week, we will be 1,000 days on from the EU referendum. Today, we are 993 days on from it and, as the right hon. and learned Member for Rushcliffe rightly pointed out, 16 days away from exit day. It is a shame that the International Trade Secretary has left the Chamber, because Vote Leave backers told us that this would be the easiest deal in the world and that we had nothing to worry about. Well, like much else from those who backed leave, those promises were not kept. It is good that the DEFRA Secretary is in his place, because he must take a huge degree of responsibility for the mess that we are in today. Not only has he had the 1,000 days since the referendum; he has had his entire political life to plan for this, yet 16 days out, we are planning for the worst kind of exit—the kind that we were told would never happen because this would be the easiest deal in history.
The DEFRA Secretary also said that the House has been good at saying no. I want to remind him and other Members about something to do with taking responsibility. After the vote, the Scottish Government took the responsible step and put together a group of experts—the SNP still thinks that it is worth listening to experts from time to time—including diplomats, academics, colleagues from other political parties with something to say and a former European Court of Justice judge, to consider the ways forward, and they came up with a compromise deal two and a half years ago. Did the Government respond to that deal? Nothing of the sort. It was the most thought-out plan for this mess and certainly a lot more than we have had so far. No wonder, then, that we are talking about no deal. The House should reflect on that and think about the economic disaster and the social impact on the future opportunities of our young people. Almost 1,000 days on, we are still discussing a no-deal scenario that should have been taken off the table the day after the referendum.

Caroline Lucas (Brighton, Pavilion) (Green): The hon. Gentleman is making a powerful case. Does he agree that to be prepared to deliberately and willingly inflict no deal on the people of this country, given all the hardship and chaos that it would cause, is really the action of a rogue state? It is bewildering that some Conservative Members still think that Brussels will be intimidated by the sight of us putting a gun to our own head. That strategy is not effective.

Stephen Gethins: As usual, the hon. Lady makes an excellent point. Hers is one of the few sane voices that we have heard throughout the debate, given her interventions and the way in which she stands up for her constituents and others in the United Kingdom.

I noted the other night, with regard to the no-deal situation that we are in, that one Conservative MP—in fact, the longest-serving Conservative MP in the House—described the “headbanger” wing of the Conservative party. I am not sure what the names of the other wings are, but I was taken with that: the party’s members are talking about a headbanger wing, which must be a sizeable proportion of the party. While we are talking about no deal, I note the words of the Dutch Prime Minister, who is alleged to have said that a decision to vote for no deal was “like the Titanic voting for the iceberg to get out of the way”.

The Chancellor seems to get this, and in his spring statement today, he talked about a smooth and orderly transition that would be threatened by no deal. He knows that it would threaten jobs and wages, yet we still debate it and we still have not ruled it out.

I am not sure which wing the Secretary of State for Scotland belongs to, whether the headbanger wing or some other wing, but he claimed the other week—I am sorry that he is not in the Chamber—that the SNP wanted no deal. I do not have his experience, but I remind him that the SNP was the first to come up with a compromise, as I have outlined; we were the first to ask for an extension; and last week, we even tabled a simple parliamentary motion on ruling out no deal. I know that the Tories are trying to turn democracy on its head and claim that defeat is in fact victory, as we have just heard from the DEFRA Secretary, but that is surely a step too far. We wanted to rule out a no deal, and he could easily have voted for our simple motion.

Let me remind the DEFRA Secretary—I hate to break it to him—that Tories lost the last election in Scotland, again. The SNP won the last election in Scotland, again. Guess what? Unlike the Tory party, we kept the majority of our seats, so if he wants to talk about democracy and winning, he is welcome to take some lessons from us. On negotiating tactics, if we are in a situation of no deal and hearing what the Chancellor said today, it as if the Prime Minister has shot herself in one foot, then wants to shoot herself in the other foot, just to show everyone how terribly serious we are.

Today’s trade tariffs will hit our industries, not least the food and drink industry on which jobs in my constituency and others rely and for which the DEFRA Secretary has responsibility. [Interruption.] The Trade Secretary is back. He promised that the UK would “replicate the 40 EU free trade agreements that exist before we leave the EU so we’ve got no disruption of trade”.

Secretary of State, how is that going? Not going well? No, it is not going well, is it? This is not just a political problem for the Conservative party, as Ministers seem to suggest—it is a problem for public services; it is a problem for jobs; and it is a problem if we want to look forward to the future. It is not just a Tory civil war that is being waged among Tories—it is a problem for us all.

Anna Soubry: Can I take the hon. Gentleman back a few sentences? He discussed the general election. I do not want to delve into the success of the SNP or whatever, because he made an important point. In the 2017 general election, the Government lost their majority. Does he agree that, on that basis, they also lost any mandate for a hard, no-deal Brexit?

Stephen Gethins: I hope that the right hon. Lady does not mind my saying that she and I will clash every now and again. She said the other week that there are times I might regret her sitting behind me, and she may well be right, but she makes a powerful point, one that she made on the night of the election as well. This Government lost a majority and lost support, yet they want to do untold damage. It is no wonder the DEFRA Secretary is walking away now. They want to do untold damage to jobs and the economy, and he cannot even sit here and listen. The Scottish Government have looked into this—

Chris Philp rose—

Stephen Gethins: This will be good. Let us hear it then. If you can defend why you lost your majority and still pursue this nonsense hard-deal Brexit—

Mr Speaker: I did not lose my majority. Mine went to a record level of 25,725, albeit with no main party opponent.

Chris Philp: The Conservative party’s share of the vote went up considerably and the Scottish National party lost a third of its seats at the last election. I wanted to raise a more serious point. The hon. Gentleman and the shadow Secretary of State have drawn attention to some of the dangers and risks of a no-deal Brexit. It is not the Government’s desire to see a no-deal Brexit, and it is not mine either. But by ruling out a no-deal exit entirely, people are, by definition, deciding either never to leave or to accept terms no matter how bad. Which of those two is the hon. Gentleman advocating?
Stephen Gethins: I thought that would be good. I wish I had my democracy for dummies book here. In terms of the vote, the SNP won, the Tories lost. Let us just nail that straightaway. In terms of no-deal, the SNP tabled a motion last week that was voted on, and Members across this House voted for it. It sought to take a no-deal exit off the table in any circumstances. The hon. Gentleman could have voted for that, but did he? No chance. So he could have done it and he did not. On no deal, the Scottish Government have had the courage of their convictions and published their analysis. What we have seen from that is the devastation that the Chancellor has warned of. The hit would be the equivalent of more than £1,500 for every man, woman and child in Scotland; a drop in Scottish exports of up to 20%; a hit in migration and a hit to our EU nationals as well; opportunities gone for young people, through the lack of freedom of movement and Erasmus gone; and the UK being pushed into recession again.

Wera Hobhouse (Bath) (LD): Given that nearly 50% of the people across the UK voted to stay in the EU, that most businesses, if we asked them, would prefer to stay in the EU and that the Secretary of State today evoked the prosperity of this country as a member of the European Union, does the hon. Gentleman not believe it is absolutely unacceptable that staying in the EU is the best deal? The best deal is the one we currently have as a member of the European Union.

Stephen Gethins: The hon. Lady makes a good point. Staying in the EU is the best deal. The best deal is the one we currently have as a member of the European Union.

On public services, this Government are spending £4.2 billion on preparation for a no-deal exit, which we could have taken off the table 1,000 days ago. That is £4.2 billion that is not going into hard-pressed public services. It is £4.2 billion that is going into Government mess-ups—ferry contracts that we do not need. Public services will be further hit by a no-deal Brexit and overall by Brexit. This will hit the most vulnerable people in society. It will hit our public services, which have already been dealt a blow by a decade of austerity from parties of every colour in this House.

Crispin Blunt rose—

Stephen Gethins: Before I conclude, I will give way one final time, to the hon. Gentleman, because I respect him.

Crispin Blunt: Having said that this should have been taken off the table 1,000 days ago, perhaps the hon. Gentleman could explain why he put his name to a conclusion of the Foreign Affairs Committee report published two years and a day ago, which said:

“Making an equivalent mistake”—

and not preparing for no deal—

“would constitute a serious dereliction of duty by the present Administration.”

Stephen Gethins: Just how much could we have saved had we taken that off the table; the Government had not taken the responsibility of taking no deal off the table as they should have done. If the hon. Gentleman wants to refer to that report, I should point out that it was also the report that said that, yes, a no-deal exit would be bad for our European partners but it would be worse for the UK. That is something he put his name to, as did other Brexiteer colleagues from across the House. This said that they would be prepared to hit the UK economy—they would be prepared for that hit—and he signed up to that very report. I know what was in that report.

It is strange that all we hear about now is not the benefits of Brexit; rather, we are limited to Ministers telling us that it will not be that bad. I heard one of the increasingly poor excuses last night, which was that we are in a Parliament of remainers. I am a remainer whose constituency and nation voted to remain, and it certainly does not feel like a Parliament of remainers to me. The extremists will never be happy.

This is about damage limitation. The Brexiteers, including the Secretary of State for International Trade and the Secretary of State for Environment, Food and Rural Affairs, have blown it. I will not vote to make my constituents poorer and less well off because of their mistakes. Let me remind them that it is through the single market that we are wealthier, through its rules in areas such as workers’ rights and parental rights that we are fairer, through joint action on climate change that we are greener and through work with the European Medicines Agency, sadly departed, and air-quality agreements that we are healthier.

The impact is being felt now. Even yesterday, a report showed that £1.2 trillion—an eye-watering sum—had been relocated from the UK, mainly to areas like Dublin. It is no wonder that similar-sized independent and sovereign states such as Denmark, Ireland and Finland see their futures as part of the European Union. I hope that the right hon. Member for Meriden (Dame Caroline Spelman) will press her amendment to a vote tonight. That is important because we need to have no deal taken off the table, given the untold damage that it will do to public services and to our democracy. We have two different views. One is of a state being like our neighbours, and being joined, pooling our sovereignty and working together as an independent sovereign state. The other is of a UK that is isolationist, poorer, more remote and going backwards. Nothing emphasises more than the fact that the Government have not taken no deal off the table. Let us push the amendment and take no deal off the table tonight.

Several hon. Members rose—

Mr Speaker: Order. We have just over an hour and a half and around 35 people want to speak, so there will with immediate effect, I am afraid, be a five-minute limit on Back-Bench speeches.

5.7 pm

Dame Caroline Spelman (Meriden) (Con): Last night, I voted in support of the Prime Minister’s deal to deliver Brexit. The deal would mean the UK would leave in an orderly fashion, honouring the result of the referendum. It was described as “good enough” by local businesses and would help us to move forward, so I was really disappointed that not enough colleagues supported it. I am no fan of delay, because time costs business money and that costs jobs. People really expect better of Parliament. Many people will be listening to us this afternoon, and I think of those who will hear us trying to rehash the referendum arguments or start up the blame game. None of it is helpful. They want us to put the national interest first. We must honour the referendum
result, but to do so without a deal in place would be, as the Archbishop of Canterbury said, a moral and political failure.

A constituent who lives in Chelmsley Wood, a large council estate in my constituency, wrote to me yesterday. This is what he said:

“Tonight I am in disbelief how 391 MPs have a complete disregard towards the will of the British people and over 17.4 million votes in 2016...I wish you could read this email in parliament. I have some strong points as a citizen of this country, the public ‘17.4 million’ we are nobodies, we do not count, we are just a tax code number, we do not count, we do not have any rights in our democracy and our democracy in this country is now proven to be dead.”

These are his words.

“There is constant talk of a 2nd referendum...or no Brexit at all...In 2016 I and all my family voted in the referendum. We were promised this was a once in a lifetime opportunity and more importantly our vote mattered. The UK had the biggest turn out in history with over 17.4 million giving the instruction to leave the EU...Mrs Spelman I can tell you this (and wish you could read it to all MPs). I’m done with voting. As are my family and in conversation on social media tonight many of my friends are done with voting too.”

This constituent has never contacted me before. I do not agree with everything that he has said, but, my goodness, those words did resonate. I may not agree with him, but I do believe that if this House cannot back a deal that takes us out of the EU, we will be letting millions of ordinary people down. Quite frankly, we do not deserve their votes if we do that.

The House knows that I do not support the UK leaving without a deal in place. It would be disastrous for the economy, especially in my region. The manufacturing industry employs very many people in the west midlands and has given many young people that start of a well-paid skilled job. We are already losing jobs in my region, in part through Brexit. Now, more so than ever before, we face the real possibility that we might leave without a deal by accident. If that comes to pass, we will all bear some responsibility.

The Secretary of State for the Environment did set out clearly what the consequences are of leaving without a deal and it was good to hear that from him. The stark reality of this is revealed by the Government proposals on temporary tariffs if we leave without a deal. Already the automotive sector is telling me that this regime would thoroughly undermine manufacturing in the UK. It said that the proposed rates are

“damaging, divisive and add extra complexity.”

Of these proposed tariffs, the automotive trade body, the Society of Motor Manufacturers and Traders, said that the move does not resolve the devastating effect of a no-deal Brexit on the automotive industry. No duty-based measures could come close to compensating for the disruption, the cost and the job losses.

This House has demonstrated clearly that there is a majority against leaving without a deal. The Government accepted that and said that they cannot take us out of the EU without a deal without the explicit consent of Parliament. I am really pleased that the Prime Minister has brought forward a motion to rule out leaving without a deal on 29 March.

Heidi Allen: Will the right hon. Lady give way?

Dame Caroline Spelman: I cannot give way because of the time limit.

The opportunity afforded by the Government motion of obtaining a really large majority in this House against a no-deal Brexit is greater than that afforded by my amendment, which was carried on 29 January. I really appreciate the offers of support from other parties, but I will be withdrawing my amendment. We cannot just be against something; we must say what we are in favour of. I hope that the result of tonight’s vote on the Government motion will reassure my constituent that we have heard him and that we are capable of working together to deliver his hopes for our nation.

Anna Soubry: On a point of order, Mr Speaker.

Mr Speaker: I will come to the right hon. Lady’s point of order in a minute.

May I gently say to the right hon. Member for Meriden (Dame Caroline Spelman) that she cannot withdraw her amendment? Her amendment has not yet been moved. Her amendment is, frankly, in the hands of the House of Commons. If she puts forward an amendment and then chooses not to move it, that is for her judgment and people will make their own assessment of that. It is perfectly possible for other signatories to it who do stick with the wish to persist with it to do so.

I come now to the point of order of the right hon. Member for Broxtowe (Anna Soubry).

Anna Soubry indicated dissent.

Mr Speaker: No? I have treated of the point that was concerning the right hon. Lady.

Anna Soubry indicated assent.

Mr Speaker: I am very glad to hear it.

5.13 pm

Hilary Benn (Leeds Central) (Lab): Yesterday, the House rejected the Prime Minister’s deal for the second time. Today, we must reject leaving with no deal, and tomorrow, assuming that we vote that way tonight, we will have to ask the European Union for an extension to article 50.

Today is the moment when two and a half years of repetition of that nonsensical slogan “No deal is better than a bad deal” will finally be defeated in its fight against reality. It was always a slogan; it was never a policy. That is why the Prime Minister will have to vote against her own slogan when she comes to the Division Lobby tonight.

The arguments for rejecting no deal are really very simple: it would inflict the greatest damage on our economy; it is strongly opposed by businesses and trade unions; and it would mean a huge step into the unknown, the chaotic and the potentially dangerous.

Crispin Blunt rose—

Hilary Benn: I will give way once.

Crispin Blunt: Perhaps the right hon. Gentleman can explain why five of his remainer colleagues serving on the Foreign Affairs Committee signed up to this conclusion two years ago:

"It is possible to envisage scenarios in which ‘no deal’ might be better than a bad deal, as the Government has suggested; such as, for example, if the eventual proposed agreement only involves
payment of a large sum to the EU in settlement of UK liabilities, with no provisions for any preferential trade arrangements or transitional arrangements towards a mutually beneficial future relationship.”

Hilary Benn: All I can say to the hon. Gentleman is that I cannot speak for those colleagues. My view has consistently been clear that no deal cannot be a policy for this country. By the way, no deal is not what those who campaigned for leave in the referendum ever argued for, so I do not quite understand why someone should now be arguing for it when they did not argue for it then. No one who has spoken so far—I am not talking about intervening—has stood up and argued why no deal would be a good idea. It is not surprising why they have not. In responding to the schedules that have been published, Carolyn Fairbairn said this morning:

“This tells us everything that is wrong with a no-deal scenario…This is no way to run a country.”

The Society of Motor Manufacturers and Traders said:

“No-deal would be catastrophic for the automotive industry. It would end frictionless trade, add billions to the cost of manufacturing and cost jobs.”

We know why.

Mr Baron rose—

Hilary Benn: I will not give way, because time is so short. We know that if there is any disruption to the lorries that keep those car factories going every single day, it will affect the production line. The car industry has had enough bad news in the past two months without it being added to by people standing up saying, “No deal is a jolly good idea.”

A professor from one of our major institutions of higher education, whom I happened to bump into on the underground this morning, said to me that no deal would be “catastrophic” for the institution, its research funding and its ability to recruit staff. The truth is that these conversations are repeated in thousands of workplaces up and down the country, in thousands of sectors of the economy. That is why the twelfth report of the Brexit Select Committee said explicitly that leaving with no deal “cannot constitute the policy of any responsible Government.”

If Members want to read the argument, they can go and look at that report, but I draw attention to the problem faced by a company that makes signs and exports them to Europe to be fitted by its workers. I received the answer:

“No deal would be catastrophic for the automotive industry. It would end frictionless trade, add billions to the cost of manufacturing and cost jobs.”

We know why.

5.19 pm

Damian Green (Ashford) (Con): Amendment (f) stands in my name and the names of an eclectic and wide-ranging group of right hon. and hon. Friends from three separate parties. Many of us have perhaps not found ourselves signing amendments together much in the past. The purpose of the amendment is manifold, but one of its purposes is to avoid what may face us at the end of this month—a cliff-edge, no-deal Brexit for which it is clear that the country as a whole and, in particular, many of our major industries are not prepared, as the right hon. Member for Leeds Central (Hilary Benn) has just repeated.

I am conscious that some who will support this amendment are sanguine about an immediate no-deal Brexit, so I should set out my own position. I think that no deal on 29 March would be a disaster for the economy of the country, a particular threat to manufacturing industry, and, in practical terms, a particular threat to the day-to-day lives of my constituents and everyone else in east Kent. That is why I oppose it.

Andrew Percy (Brigg and Goole) (Con): I have the utmost respect for my right hon. Friend, but I will be opposing his amendment. Is it not somewhat strange that the very people who voted last night to kill Brexit for 29 March this year are now signed up to voting, and will vote this evening, to delay Brexit? This will only be the first delay, of course, because there will potentially be others in future. We are in a very strange place at the moment.

Damas Green: The one point in that intervention I agreed with is that we are in a very strange place at the moment. I think the whole House can agree with that.

Lady Hermon rose—

Sir Bernard Jenkin (Harwich and North Essex) (Con): Will my right hon. Friend give way?

Damian Green: I will allow one more intervention—the hon. Lady.

Lady Hermon: I am most grateful to the right hon. Gentleman for allowing me to intervene. I would like him to explain in some detail whether or not the proposals that he is asking the House to vote on tonight protect the Good Friday/Belfast agreement in all its parts, and particularly the consent principle, which is guaranteed in the withdrawal agreement—the Prime Minister’s Brexit deal—on page 307.
Damian Green: That is an extremely valid point. I believe that they do. I will come on to what is actually in the amendment shortly, if I may.

As I hope I have made clear, I am as keen as anyone to reject an immediate no deal. I will support the Government’s motion this evening. Indeed, this amendment is deliberately designed not to replace the Government’s motion, as many amendments do, but to act in addition to it. But this House should not deceive itself. Voting against no deal does not mean that a deal will magically emerge. This House has to agree a deal, and that deal needs to be acceptable to the EU. We can pass motions ruling out no deal until we are blue in the face, but it will make no difference unless there are options that this House will support. That is a piece of realism that the House has not yet fully addressed. I voted for the deal last night, and indeed in January, and I am happy to assure the Government that I will do so again if they wish to try one more time.

More broadly, I campaigned for remain, but I respect the result of the referendum. I therefore draw the conclusion that I should vote for a deal that delivers Brexit. My principal aim in all this, and the aim of those of us who support this amendment, is to make sure that Brexit is as smooth as possible for the citizens and businesses of this country. This seems to me to be an honourable aim whatever view you took during the referendum. It is a view you can hold if you believe that Brexit is the best opportunity Britain has had for generations, or if you believe that it is a mistake whose damage has to be mitigated. From both those viewpoints, you can arrive at the same practical conclusion.

That practical conclusion is what lies behind amendment (f). It has four separate parts. I was grateful that the Prime Minister accepted at least two of them in full earlier today at Prime Minister’s questions.

The first one that the Prime Minister accepted, and which the Government have already implemented, is the publication of the tariff schedules that we will need. I make no comment on the individual merits of each schedule—those are clearly a matter for legitimate debate—but the need for information as early as possible is paramount, and I am glad that the Government have taken that step, which is urgent in the amendment. The second one is unilaterally guaranteeing the rights of EU citizens resident here. That has been a desire of Members on both sides of the House since the referendum, and I am glad that the Government are on board with that.

The third key element of the amendment is that the Government should seek an extension of article 50 until 22 May—the latest date possible to avoid European elections, the prospect of which brings out the Brenda from Bristol in all of us. That would be a useful delay, and it would give business more time to prepare for the new tariff regime.

The fourth and largest part of the proposal is to offer money and standstill agreements in a range of areas to the EU, in return for a period between now and December 2021 in which we could negotiate the future relationship. In other words, it provides a gentle glide path to that new relationship, instead of the cliff edge that might otherwise threaten us. The future relationship is, of course, much more important than the withdrawal agreement, which this House keeps turning down. It will decide our future prosperity and security. This amendment focuses on that long-term goal, given the obvious difficulties of the short-term goal of a withdrawal agreement.

I know the objections; I have heard them. The first is that Monsieur Barnier has already said that he will not have it. It seems to me that if we do not proceed on a path just because Michel Barnier has said he will not have it, we will never get anywhere in these negotiations. The second is that this is a managed no deal. As I say, I would much prefer a deal, but if we cannot sign one, it is better to have a plan B that avoids chaos and gives us years to craft a proper trade deal as part of a future relationship.

I urge colleagues on all sides, whatever their views on wider European issues, to look favourably on this amendment. We live in a free vote world these days, so if necessary, they should ignore their Whips— they can be nice to them tomorrow. We need ways out of this impasse. This is one.

5.27 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): We have only two weeks to go, and businesses do not know whether they need to pay tariffs. We do not know whether public services will face shortages, and families do not know whether their food bills are about to go up. Nobody can plan. As the British Retail Consortium said today, there are ships already on their way to our great trading nation that do not know what kind of customs paperwork they will face by the time they arrive on our shores.

Police officers who are midway through important investigations to stop serious criminals and organised gangs operating across borders have no idea whether the European arrest warrants they have out on those criminals are about to ripped up, which would mean they had to start again. Border officials who rely on European criminal databases to screen, with the flick of a passport, for sex offenders, child traffickers or organised criminals do not know whether those databases will be denied to them.

We should be standing up for British manufacturing and ensuring that it has a level playing field to compete in the world. Instead, no deal would be a hammer blow to the heart of our manufacturing base. In my constituency, we have manufacturers such as Haribo, which depends on ingredients from abroad and does not know what delays it will face; and Burberry, which does not know whether its goods will face tariffs as a result of no deal. Are we really going to say to small businesses that depend on imports that their livelihoods could be at stake because this House is prepared to accept no deal in just two weeks’ time? Think of the florist who gets up early in the morning to collect a delivery, before any of us are even awake, who does not know whether they will be able to get their supplies and whether they will be able to trade. That is why we have a responsibility to say that we will not accept no deal on 29 March.

The Government have tried repeatedly to get their deal through, and they have failed, so we have to face up to what the default position should now be. The Environment Secretary said very clearly in his answer to me that, if we do not have a deal in place, the vote tonight will mean that the default position is no longer leaving the European Union with no deal on 29 March. I would really appreciate it if the International Trade
Secretary could confirm that when he speaks tonight, because there have been different and confused interpretations, and it is really important to be clear.

The reason why we asked for and sought these debates was to be clear. We have a responsibility now—two weeks before Brexit day—to be clear about the default position. The Government have maintained for all this time that the default position is no deal, but that is not on any more. We have to decide now and vote tonight to change the default position: to say that we will no longer have no deal as the default position because it is too irresponsible. Tomorrow, we will take decisions on the way forward.

Heidi Allen: For clarification and for the benefit of many of us in the House who want to support amendment (a)—the right hon. Lady is one of the lead names on that amendment—will she be pushing it to a vote this evening?

Yvette Cooper: I have listened to the hon. Lady, and I have to say that I still support that amendment, which I think is the right amendment. I think we should hear the views of the House and the view of the International Trade Secretary, but my personal view is that, if that amendment is pushed to a vote, I will certainly vote for it. The International Trade Secretary needs to make this clear. We do not want any fudging about this, because it is really important. We are today ruling out no deal on 29 March. That has to be the purpose of our vote, with support for it from all parts of this House.

We will then need to move to the issue of what happens tomorrow on the extension of article 50. That has to be an extension for a purpose. It cannot simply be for more of the same, with the Prime Minister going back to Brussels, saying the same things about changing the backstop and having the same discussions we have already had many times before. We cannot just have the same meaningful vote on the same things when they have been rejected, so it has to be for something different. I would say to the Government that I think they should now put forward a timetable and a process to make some proper decisions on what the future partnership will look like. We still have no idea whether this is going to be Norway or Canada, or nearly Norway or close to Canada. We have no idea, and the Government have never come forward with that so that we can have proper debates and proper clarification.

Two big failings underlie what the Government have done: they have never sought consensus—the Prime Minister has never sought consensus and never sought to build agreement—and the Prime Minister has never sought clarity. She has deliberately sought a political declaration which simply fudges the future and gives us no clarity. We need clarity and we need consensus. That is why we should have a series of indicative votes. The Government should themselves put forward their own negotiating mandate for the future partnership and the future relationship, which we can then again have votes on and amend. That would actually give this House the chance to make some decisions about how we get clarity on the way forward, and also about how we get consensus on the way forward.

Whatever our different views about what the right position should be, I hope that this whole House can come together to rule out no deal. The Government’s basic responsibility is to keep this country safe, to make sure people can afford their food bills and to make sure that those who are sick can get their medicines. All of those are put at risk if there is no deal, and we should reject it tonight.

Several hon. Members rose—

Mr Speaker: Order. On account of the level of interest in the debate and my desire to accommodate it as best I can, the time limit on Back-Bench speeches will have to be reduced to four minutes with immediate effect.

5.33 pm

George Eustice ( Camborne and Redruth) (Con): I resigned from the Government two weeks ago over the issues that we will be debating in the days ahead. Since Parliament has now taken direct control of events and decisions in this negotiation, I wanted to be free to participate in that debate and to make the case publicly on the Back Benches that I have made privately within the Government over the past year.

I fear that Parliament has set us on a dangerous course. We are in real danger, today, of signalling to the European Union and others that we are too scared to leave without a deal and, tomorrow, of ordering the Prime Minister to go on her hands and knees, and cap in hand, to Brussels—

Heidi Allen: Will the hon. Gentleman give way?

George Eustice: No, I will not give way.

We may be ordering the Prime Minister to go cap in hand to the European Union to beg for an extension to article 50, and we do not know what counter-offer it may make. It may demand that that extension must be for two years, and it may demand a large financial charge for that extension. It may even say that it will not give an extension, but that it is open to us to revoke article 50. Members in this House may face a very difficult, very uncomfortable decision in just a couple of weeks’ time.

I believe that we must be willing, if necessary, to take our freedom first and talk afterwards. We know that the European Union—I worked closely in a lot of the preparations for no deal—is already seeking what is, in effect, an informal nine-month understanding.

There have been a number of points over the past two years when I think the Government could have reappraised their approach to the negotiations. Personally, it became clear to me a year ago, at the point at which the implementation period was agreed, that our negotiations were getting into a little bit of trouble, and that we were in danger of drifting along a path of least resistance, only to find that we had an agreement that Parliament would not accept. At about that time, something else interesting happened.

Lady Hermon: I am extremely and sincerely grateful to the hon. Gentleman for giving way. Can I take it that he has made a point of speaking to the Chief Constable of the Police Service of Northern Ireland, who has warned consistently about the dangers of no deal, of a hard Brexit and of a hard border on the island of Ireland?
George Eustice: I have not spoken to the Chief Constable, but I have been involved in a lot of other negotiations on the DEFRA front. On 22 March last year, when I was visiting Oslo for some fisheries negotiations, our then ambassador to Norway told me that she had had a busy week, because she had been placed on standby by the Foreign Office to deliver a letter by hand to the Norwegian Government giving 12 months’ notice of our intention to quit the EEA. In the end she was stood down, because of the transition agreement, and this country took a conscious decision not to give notice of an intention to quit the EEA.

That made me curious, because up until that point, and indeed since, the Government have always maintained that when we leave the EU our agreement under the EEA will automatically fall away. If that were true, and if it were the only possible interpretation of the EEA treaty, why was our ambassador armed with that letter to deliver to the Norwegian Government? After much probing, I established that there is indeed more than one interpretation that could be adopted, and the Foreign Office was concerned that, in the absence of giving that notice, we could be subject to challenge under the Vienna convention.

For me, that opened the prospect of a different approach: relying on our existing EEA membership, asserting our rights under that treaty, and simply applying to join the EFTA pillar of the EEA agreement. That arrangement means we would have had no customs union; control of our fisheries and agriculture policy; an independent trade policy; no need for an implementation period; no need for a backstop; and no need to worry about whether we have a codicil or a protocol, since we would be able to quit at any time, with 12 months’ notice in writing.

I have tremendous respect for my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) and was initially very encouraged when he picked up that idea and ran with it. However, as hon. Members who know him will know, he also has a tendency to overcomplicate things, so a simple and clean EEA model that could have given us an easy pathway out of this became Norway-plus, then the customs union 2.0, and then a backstop was added as well. The result is that it has alienated many Members on the Government side of the House who might otherwise have supported it.

In conclusion, my view is that, first, we need to unhitch the customs union and the backstop from any proposal based on our existing EEA membership. That might require us to be ready to leave without an agreement. Secondly, we can dynamically align our regulations over the next nine months. Finally, we can have the dynamic alignment as a bridge to a new arrangement in which we apply to join the EFTA pillar.

Wera Hobhouse (Bath) (LD): As we are moving dangerously closer to Brexit day, but with no deal yet agreed, it is finally time to bust the myth of “the will of the people.” Opinion polls tell us that there is now a majority in the country in favour of staying in the EU. However, the Prime Minister and her Government insist on Brexit because they say it is the will of the people. I recently asked the Prime Minister how many of the 17.4 million people who voted to leave in 2016 voted for her deal and how many voted for no deal. She could not answer the question.

Yesterday only 242 Members voted for the Prime Minister’s deal. Today a different and probably rather smaller number will vote to leave the European Union without a deal. According to the Prime Minister’s use of language, both votes deliver the will of the people. The Brexit camp cannot agree what the will of the people is.

It is alarming that Members on the Conservative Benches have given up the argument that leaving the EU is good for the country. The only reason they put forward is that we have to respect the will of the people. Surely that means that they should support every Brexit vote, but they do not do so, and the reason for that is that they are reading into the referendum result their own opinion about Brexit, which has nothing to do with the will of the people. The will of the people is a fig leaf for Members in this House to pursue their own Brexit agenda. We need to see the mantra of the will of the people for what it is: a false argument. It is fake.

There is now a majority in the country for staying in the EU. I am on their side, along with my Liberal Democrat colleagues, the Scottish National party, Plaid Cymru, the Green party and the Independent Group. We are united in our view that our future is in the European Union. We stand for peace, collaboration and solving problems together, including the big issue of climate change. Although we represent at least 50% of the people of this country, our side of the argument has been completely sidelined in the past two and a half years. It is now time for Parliament seriously to consider the possibility of staying in the European Union.

In January the Prime Minister’s deal was voted down by 230 votes. Yesterday almost the same deal was voted down by 149 votes. At least 40 Members have changed their minds within two months, not because the deal has essentially changed but because it has been clarified, amplified and explained in more detail. The 2016 referendum took place more than two and a half years ago. Many things about the EU and our membership have been clarified, amplified and explained. The people’s vote coalition on our Benches understands that in a democracy people can change their minds and have a right to do so, just like MPs in this House.

On the false pretence that it is the will of the people, let the Conservative party and the Labour party stand for Brexit. We are standing up for the UK remaining a member of the European Union and for the right of people in this country to have a final say and to change their mind if they so wish.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): Clearly time is short, so I do not plan to take any interventions unless someone objects to anything important I have to say.

May I start by telling my hon. Friend the Member for Camborne and Redruth (George Eustice) how much I appreciate the time and service he gave? It is a great pity that he is no longer in post, for reasons he has made clear.

I say to my right hon. Friend the Secretary of State for International Trade, who is sitting on the Front Bench, that I clearly cannot support the idea of taking no deal off the table, because I have always believed that
ultimately that is not up to us, unless, as my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) has said, we are prepared somehow to revoke. If we are not prepared to revoke, we will put ourselves in the hands of the EU, which may decide that it does not want us to extend. Where would that leave us? It would leave us having to leave without the withdrawal agreement. The idea of no deal is a bit of a misnomer, because in actual fact a whole series of things are taking place right now in the EU and even here that amount to deals, arrangements and agreements. I will not go through the list, because time is very short.

Mr Steve Baker (Wycombe) (Con): Will my right hon. Friend give way?

Mr Duncan Smith: I was not planning to give way, because others want to speak, but I will give way briefly to my hon. Friend.

Mr Baker: During the course of the debate I have received a message from David Campbell Bannerman MEP, who says that the European Parliament in Strasbourg has today voted through no-deal measures on social security, road freight connectivity, basic air connectivity, the fishing fund, fishing vessels authorisation, railway safety and connectivity, and, on road haulage cabotage, the right for UK hauliers to operate within certain territory—and on it goes. Is it not the case that the Malthouse compromise—plan B—is emerging through the fact that both sides are taking sensible contingencies in their mutual interests?

Mr Duncan Smith: I agree completely with my hon. Friend. That is my point on the concept of no deal versus managed exit. That is how I would refer to the process: we do it either by a completely upfront withdrawal agreement, or by a series of agreements. My point is that it is about managing the process of leaving.

That is why I put my name to amendment (f), which was tabled by my right hon. Friend the Member for Ashford (Damian Green). I fully agree that it is not perfect but it seeks to find a way in which hon. Members with completely different views can come together, recognising that the people voted to leave and that our job is to deliver that. Is there a way to deliver it if there is not the chance of an agreement?

Lady Hermon: Will the right hon. Gentleman give way?

Mr Duncan Smith: Forgive me, but I will not give way. I am sure the hon. Lady will ask the same question. The answer is that I have not spoken to the Chief Constable of Northern Ireland, but I take very serious consideration of that issue.

I do not believe that the Government’s deal is dead. What made it almost impossible for some of us to vote for was the Attorney General’s paragraph 19, which seemed to contradict the Deputy Prime Minister’s comments the night before. That is why the Malthouse compromise has gone forward. It covers both categories—making the deal, or being unable to make the deal—and that will allow us to reach an agreement.

The key is finding a way to replace the backstop as it exists now with alternative arrangements, which are listed in amendment (f)—I will not go through them now.

My right hon. Friend for Ashford is correct to say that we have essentially asked for four elements, behind which lie a great deal more detail that has been discussed in a series of meetings with my right hon. Friends on the Treasury Bench. We reached what I thought was a pretty good agreement. I credit the Prime Minister and others for having bound in those alternative arrangements. They were not bound in absolutely but they did make big progress in the deal she laid on the table, which will help enormously, because if we replace the backstop with the Malthouse alternatives, we get rid of the risk of the backstop being an imprisonment or an entrapment. It would become customs arrangements that allow all sides, including Dover and Calais, to trade successfully without too many problems. That is really the point.

I know that some of my colleagues are concerned—rightly—about extending for the sake of it. I am not in favour of that. In any case, I believe that will be rejected by the European Union because there needs to be a purpose. The point of the extension we propose is to meet the practicalities of getting the arrangements in place ready for the process of managed withdrawal without a withdrawal agreement. I would not vote for an extension with no purpose because all we will do is kick the can do the road, as the Prime Minister has said, ending up with exactly the same decisions to make only a few months later.

I recommend the Malthouse process because it allows us to manage the process of leaving carefully with practical solutions, as my right hon. Friend the Member for Ashford laid out. It allows us a period of time in which to create that. I recommend it to my hon. and right hon. Friends and Opposition Members. If we come together and vote for amendment (f), we offer two things: the opportunity to get an arrangement that allows us to leave with a withdrawal agreement or, in the event of not having such an agreement, we can manage the process of leaving in a way that takes away the fear of having no deal.

5.48 pm

Jess Phillips (Birmingham, Yardley) (Lab): This is the first time I have spoken in any of the Brexit debates, although I have a way of making my opinion well known to the public elsewhere. I am really sick of the way the Government have gone about this. They are now saying, “It is my way or the highway.” The highway is rocky and bad. They are asking hon. Members to walk down a road that has no surface, and we cannot see the end of it. They use the cover-all of saying, “We care about the national interest because we have got this really bad plan and you are not walking down it.”—as if we do not all care about the national interest.

Conservative Members do not own the national interest. It is not the same as nationalism. We all care about the national interest very deeply. I do not know how the Secretary of State for Environment, Food and Rural Affairs could stand in front of us today and tell us how our food prices would go up, and how it would be awful for agriculture, and then not move every fibre of his being to end it.

The right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) talked about revoking, but let us be serious. If we cared less about being elected and more about the national interest, we would be
having a deeply serious conversation about making this stop and talking about the things that people where I live talk about. Others have touched on the will of the people. We in this House are terrified of the people in this country. Why are we so terrified of them? People in this place say: “17.4 million think this because I think this and I am going to lay my opinion on to them”. We have nothing to be scared of because we have a responsibility to inspire people out there and to lead them somewhere. What has been missing from the very beginning of this horrid and torrid affair in British politics has been any semblance of the leadership and courage needed to take the country somewhere.

The reasons people voted leave are plentiful, and I will not pretend they all agree with me, but I am not scared of the people who voted leave in my area. I believe in parliamentary democracy, and if they do not like what I say, they can get rid of me. I am not frightened of that prospect. I only wish the Prime Minister had not been frightened of the people sitting behind her. She is certainly terrified of the people in the country. In the event of a no deal, people where I live will face not only the same levels of poverty and the same unstable jobs market, but much, much worse: they will be unable to afford food, which they can precious little afford now, and they will look up and say, “I thought there was going to be a golden era”, and then they will be angry. That is what people in here should be scared of. We should not be scared of the country.

Sir Nicholas Soames (Mid Sussex) (Con): The hon. Lady is making a powerful speech, but, having studied this matter carefully, like she has, I take the view that the Prime Minister is respectful of those people, not frightened of them.

Jess Phillips: The right hon. Gentleman knows the Prime Minister considerably better than I do. If she had ever tried to talk to me about any of this, or anyone else with a seat like mine, perhaps we could have had a much better conversation in here. I do not know her, but to me she looks like a rabbit in the headlights. She looks unwilling to state the real facts and to say that this is really bad for the country. We hear it in briefings and in bars in Brussels instead of directly from a woman who should have the courage to say that she is terrified of all the things outlined by my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper). She should have the courage to say, “I’m terrified of the implications for security, for food prices and for trade, and you know what? You might not like it, and I might lose my role as the Prime Minister, but I am going to do what is best for you”. That is what courage and leadership are.

I respect deeply the people where I live, but I notice how selective the ERG are when it comes to caring about their needs: they want them when they back up their idea of northern town leave voters, but not so much when they need to give them welfare.

5.53 pm

John Redwood (Wokingham) (Con): Some 17.4 million people voted to leave. They were told by both the Government and the remain campaign that that meant leaving the customs union and the single market. They were told that many things would be damaging or wrong if we left. There was a series of very bad short-term forecasts for the first year after the vote, and the public said to the experts, “We don’t believe you”, and they were right about the short-term forecasts: jobs figures went up, not down; growth went up—there was no recession; and house prices performed reasonably well. This was a specific forecast for the year after the vote and before we could conceivably have left.

Patricia Gibson rose—

John Redwood: I give way.

Mr Speaker: Order. Any interventions from now on are perfectly legitimate, but if Members intervene, they will be preventing others from speaking. I just want them to know that.

Patricia Gibson: Will the right hon. Gentleman explain how anyone can trust this Government? We were long told it was the Prime Minister’s deal or no deal, but that is clearly not the case because the House could revoke article 50 if it so chose.

John Redwood: I do not agree. I think that that is exactly where we are: either we leave with the withdrawal agreement, or we leave without the withdrawal agreement. That is what the House voted for when it voted to send the article 50 letter, and that is what the House voted for when it enacted the withdrawal Act.

I am not here to recreate the arguments of the referendum. The public are heartily sick of Parliament’s going over and over the same arguments in which we have engaged for three or four years now, in the run-up to the referendum and subsequently. They expect us to be purposeful, serious and sensible, and to sort out the issues and problems arising from the decision to leave the European Union. That is exactly what we should be doing, and I come here in that spirit. I understand that remain voters have real concerns, although I think that some of them are exaggerated. It is up to us, working with the Government, to show that all of them can be managed and that there are many upsides, to which we are looking forward and which leave voters clearly had in their minds.

I want to reassure the House. Calling certain views certain names is not helpful to a grown-up debate. It is not a no-deal exit that we are talking about; it is a many-deals exit. As we have just heard from my hon. Friend the Member for Wycombe (Mr Baker), a series of measures have been enacted recently in the European Parliament. On both sides of the channel, serious work is being done to ensure that lorries can move and planes can fly. Goods will move across borders, and there will be an understanding about what happens in relation to customs and other checks. The drugs will come in, and the food will come in.

I think it is quite wrong to scaremonger and frighten people by pretending that none of that work has taken place—that German pharmaceutical companies will refuse to send their goods any more, or that the workers at Dover will get in the way and block them from coming in. It is not going to happen. We have heard very good news from Calais and Dover about all the work that has been done at both ports to make things work.

So let us come together and be practical, and let us understand that certainly all Conservative and Labour MPs were elected to this 2017 Parliament to get Brexit
through. We all stood on national manifestos that said we would do that. The public cannot believe that so many Labour Members in particular are now saying, “We did not really mean it; we do not care about that; we want to stop it; we want to delay it; we want to redefine it in a way that means it is no longer Brexit.”

Brexit means taking control of our own money and then being able to spend it on our priorities, and the sooner we do that, the sooner we will have the boost to our economy which taking that measure would bring about. It means having tariffs that make sense for British industry, and for importers who might like some tariffs to be removed. I am very glad that my right hon. Friend the Secretary of State has slashed tariffs from a load of imported goods that do not involve our competing actively in the United Kingdom. That will be better news for all the consumers who will not have to pay those tariffs any more once we have our own tariff schedule.

I have a big idea for the Government. I entirely understand that very many people in this Parliament want a bigger deal, or more deals, than what is currently on the table. My idea is that, even at this late stage, the Government should offer the European Union a comprehensive free trade agreement based on the best of EU-Canada and EU-Japan, perhaps involving more services, because we already have alignment with services. If the EU would agree just to talk about that—as I suspect it would—we could leave on 29 March without having to impose any new tariffs or non-tariff barriers on each other, and proceed, under GATT 24, to negotiate a free trade agreement. That, I should have thought, would unite a lot of moderate remain voters with most leave voters, and I strongly recommend it to the Government. Parliament must allow us to leave on 29 March, otherwise it will be the people against the Parliament.

5.58 pm

Hywel Williams (Arfon) (PC): I think that I have heard only one Member utter that profoundly silly slogan, “No deal, no problem”, although I did notice some rather prosperous-looking people outside the Palace this afternoon brandishing posters to that effect. The rest of us, even the most sanguine adherents to no deal, concede that there would be some economic pain—“in the short term”, some say. I would say that there would be no pain for the comfortably set up. It is the squeezed majority who would feel the pain, and no deal would be particularly damaging to Wales. My party will vote tonight to take no deal off the table, and, in our opinion, it would be best to do so permanently.

Amendment (c), which stands in my name and those of my hon. Friends, seeks to extend article 50, and it seeks a referendum.

I want to refer to some of the problems we foresee for my country if we follow the no-deal course. It would of course endanger public services and put people’s health at risk. According to Welsh Government analysis a no-deal Brexit would wipe £5 billion off the Welsh economy, and bring fewer jobs and lower wages. Some 60% of Wales’s exports go to the EU; in that respect, we stand out among the countries of these islands in that we have an exporting economy.

With the economy in decline under no deal, public services would be endangered in Wales. The number of EEA nationals in the social care workforce in Wales has grown by over 50% since 2011; without a deal, EU citizens’ rights to work here will be in question, at best, putting further unwarranted pressure on the NHS and the social care sector.

On health, people in the UK rely heavily on medicines imported from the EU; for instance 99% of the insulin used in the UK is imported, largely from the EU. The British Medical Association has estimated that no deal could lead to delays of between 12 and 24 months for life-saving drugs.

One concern that I have raised in the House—I did so last week—is the effect on agriculture. NFU Cymru president John Davies said this afternoon:

“There can be no doubt that a ‘no deal Brexit’ would be incredibly damaging to the Welsh agricultural sector and that eventuality should be avoided at all costs.”

In that respect, he agrees entirely with Glyn Roberts, president of the Farmers Union of Wales. We have two farming unions in Wales, and on this they agree.

The Secretary of State for Wales puts great store by saying he is the voice of Wales in Westminster, and he has the opportunity tonight, given that there is apparently a free vote, to stop playing games and come out strongly against the calamity of no deal.

6.2 pm

Mr Dominic Grieve (Beaconsfield) (Con): I cannot agree with my right hon. Friend the Member for Wokingham (John Redwood) that a no-deal Brexit is somehow eminently liveable with; it plainly is not. From looking at my own constituency, talking to the pharmaceutical companies that are there and looking at the costs already incurred by them to try to face up to the prospect of no deal and the risks they run if no deal goes ahead, it seems plain to me that no deal would be very damaging to this country indeed: damaging in the short term because of the chaos that will accompany it, and damaging in the medium to long term because I believe we will be seriously economically disadvantaged by it.

I find it genuinely very troubling that as we come closer to the crunch there seem to be more and more people who may previously have advocated a deal but, not seeing that there is a deal around, suddenly decide that no deal is the option because they cannot get what they want or the form of deal they might desire. It is an extraordinary form of frenzy: they smash up the china first, and when they are not satisfied with the china they have smashed, they decide to smash some more. That is what we are facing, and it is my duty to do everything I possibly can to prevent it, and I will continue to do that for as long as the opportunities for doing it present themselves.

Sir William Cash (Stone) (Con): My right hon. and learned Friend talks about smashing up the law; does he not accept that section 1 of the European Union (Withdrawal) Act 2018 makes it abundantly and expressly clear that we will repeal the European Communities Act 1972 on exit day?

Mr Grieve: It may do, but it lies within our capacity to change it, and we will have to change it; indeed, it is inherent that it will be changed in the next fortnight, and I will move on to that in a moment.
I do not want to dwell on the risks of no deal in practice because I do not wish to repeat what others have said perfectly eloquently. So then we turn to this process, and I simply point out that it is very unfortunate that instead of what I understood yesterday would be a clear opportunity for this House to express itself against the principle of no deal and make clear that we do not want it before moving on tomorrow to discuss what we might do to prevent it, which is a real issue, the Government have tabled a motion that gives the distinct impression that, like children, we will be offered the same pudding, if not eaten at lunchtime, at tea time, supper time and now for breakfast, when it is perfectly clear that this House has rejected this pudding in its totality.

As a consequence, something that might bring us together in reasoned debate has started to be undermined by a suspicion that the Government are interested only in forcing a binary choice between no deal and accepting their agreement. Listening to the Secretary of State at the Dispatch Box earlier, I began to realise that perhaps that was not the case, but then why was the motion ever tabled in this fashion? I cannot understand that. In fact, the amendment tabled by my right hon. Friend the Member for Preston (Sir Peter Mandelson) (in a similar fashion to Dame Caroline Spelman (Dame Caroline Spelman) was correct in trying to identify and deal with that mischief.

The Government have a point, however. I agreed with a lot of what the hon. Member for Birmingham, Yardley (Jess Phillips) said, and there is an issue here. This House has lived under the protection of our party system for a long time. I am now beginning to see a distinction on my Benches, and actually on the other Benches, between those of us who have in a sense exposed ourselves and as a consequence get a huge amount of threats, flak and invective, and those of my colleagues—I do not include the Prime Minister in this, because she has many a burden—who are hiding behind the party system to avoid making the difficult choices. We cannot go on doing this. The party system might restore itself—I rather hope that it does—but as things stand at the moment, it is blown to pieces.

We have to make the decisions. Are we going to find a motion to accept the Prime Minister’s deal being offered up again? I do not want that, because I think that it is a poor deal, despite her best efforts. Are we going to find some other deal? Or are we going to revoke? Revocation is not something that I would wish to do without going back to the public, because in the light of the referendum, that would be a rather draconian and dangerous step. However, we will have to address that question because, otherwise, we will go round in circles and the Minister is right to say that we will eventually run out of time. We will simply have pushed back the cliff edge. We will have to resolve this, but at the moment, the Government are not helping by tabling motions of this tendentious character. I really urge my colleagues on the Front Bench to face up to their responsibility and to ensure, first, that we get some clarity from them tonight, and secondly, that we can take this debate forward.

6.7 pm

Caroline Lucas (Brighton, Pavilion) (Green): It is always a great pleasure to follow the right hon. and learned Member for Beaconsfield (Mr Grieve), who speaks with such wisdom on this issue. If the social and economic catastrophe that is no deal were being caused by some kind of natural disaster, there would be a collective outpouring of grief and concern. They would be a huge amounts of Government action to try to mitigate it, and there would no doubt be offers of international aid as well. The fact that this catastrophe is being so actively, willingly and even, by some, enthusiastically chosen is the height of masochistic self-indulgence. Doubtless psychologists will spend many years analysing exactly why this psychosis came to infect so many members of our ruling class at this time and exactly how we ended up with this concept of masochism as revolt.

The desire to create such chaos, and the exhilaration that comes from it, is perhaps understandable in those who will not be affected by the results—those who can move the investments they might be lucky enough to have to Ireland, to take a random example—but this is certainly going to hurt our constituents, who are in many cases already struggling to get by. It is even more shocking that this is being deliberately embraced at a time when we know of the illegalities associated with the leave campaign and the evidence of Russian interference. I was looking at Twitter a few moments ago. As we are here debating no deal, people like Aaron Banks—the biggest donor to the leave campaign; the biggest donor is in British history—is busy going round the European Governments and lobbying them to block any UK request for an extension of article 50. So let us be clear that we are being played for fools here and that we will be responsible for this if we do not wake up and notice it. And the Secretary of State for Environment, Food and Rural Affairs has some gall to stand at the Dispatch Box as though he is completely independent of all this and as though he is not complicit in it and was not an architect of it. That is the height of absolute shamelessness.

We have heard so much about the economic costs of a no-deal Brexit, and the effect on constituents in Brighton will be no exception. I have been lobbied by so many individuals, families, businesses and universities. The University of Sussex, where one in four staff is an EU citizen, is already having problems with recruitment and retention, research grants and so on, and the same goes for both big and small companies.

This is about much more than the economy, however. I worry that a no-deal Brexit would make it harder even to begin to address some of many reasons why people voted to leave in the first place. Of course, people chose to vote to leave for many different reasons, but a good many of them were voting to say that the status quo is intolerable, that the inequality in this country is grotesque and that they want their communities to have a say in the future. The idea that any or all that will be easier to address if we leave with no deal is fanciful and irresponsible.

We need an honest conversation with the people of this country. We need to level with them. We need a new social contract, better jobs, higher-quality public services and investment in the green economy. We need people of all backgrounds and communities to be treated with respect and given the opportunity and the power to thrive. We need genuinely to give back control to people. We need to put young people at the heart of all this. We need that kind of future. We need a green new deal, not the Prime Minister’s failed deal or, worse still, no deal.

6.11 pm

Andrew Bridgen (North West Leicestershire) (Con): When this House voted overwhelmingly to invoke article 50, we knew that the default position was that we would the leave European Union on 29 March with no deal.
My right hon. Friend the Secretary of State for Environment, Food and Rural Affairs opened this debate with his usual enthusiastic and energetic manner, but his words will have struck horror into the hearts of the 17.4 million people who voted to leave and Conservative activists and members across the country. Our manifesto said that no deal is better than a bad deal, and the Prime Minister has said at the Dispatch Box on over 100 occasions that we are leaving the European Union on 29 March with or without a deal. Where does that leave our democracy or belief in politics?

My right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) spoke at length, as he is wont to do as Father of the House, and I respect him for his consistent opinion on the European Union. He mentioned that the referendum was three years ago, which seems a long time, but he led the remain campaign in the east midlands while I led the leave campaign. I remember well that we debated, we were on television, we were on the radio and we went out to hustings, but when the votes came in at the end of the day the result was 59% to 41% in favour of leaving the European Union. He is right that his seat voted to remain, but it was one of few in the east midlands to do so, and I am disappointed, as will be the people of the east midlands, that he is treating that democratic decision so badly that he would invite us to revoke article 50 and go against the will of the British people, to whom this House decided we should leave the European Union.

Mr Kenneth Clarke: As my hon. Friend knows, I never said that I would change my lifelong opinions on the strength of one opinion poll. If I fight an election and urge the case for a Conservative Government, but the Labour party wins and takes office, does my hon. Friend think that I should then attend this House as an Opposition Member supporting the Government’s policies because they had just won a democratic mandate for them? That is not how we do politics in this country. It would be an absurd way to proceed.

Andrew Bridgen: My right hon. and learned Friend makes his points in favour of the European Union, as he has done consistently throughout his career, but the answer is that the people of the east midlands voted to leave the European Union, and I would have hoped that he respected that.

We have heard nothing about the Government’s preparations for no deal, which have been played down. Some 9,000 civil servants are working on no-deal preparations, and the Treasury has allocated £4.2 billion of taxpayers’ money to prepare for no deal. The preparations are moving forward. Business has been told that we are leaving and to prepare for no deal on 29 March. We have seen on the news that the Government have reserved warehouse space for extra stock. All that cost has been incurred by our country.

If we leave on 29 March—business does not like uncertainty, we know that—we end the uncertainty if we leave with no deal. We have already heard that is not no deal—it is a managed no deal. We have a huge trade deficit with the European Union—£67 billion. We can offer it GATT 24, with tariff-free and quota-free trade the moment we leave, which it would be advised to accept, given that it trades with us so much.

The European Union is on the verge of a recession. Germany has no growth and has only stopped quantitative easing for three months, since November, and it has slipped into recession. The European Union has started printing money again to support the euro. Now is the time, when we still have economic growth—it needs our markets—to push for more concessions. It is not the time to take no deal off the table; it is the time to keep it there as a threat to bring the European Union to heel. When we get to the compression point, it cannot be this Parliament or this country that blinks first. I urge all colleagues to keep no deal on the table. It is our only insurance for getting out of the European Union.

6.15 pm

Anna Soubry (Broxtowe) (Ind): I have to say that it is a real pleasure to follow the hon. Member for North West Leicestershire (Andrew Bridgen). With every word he says, I remind myself exactly why I took the decision to leave the Conservative party. The state of the Conservative party is best embodied by the hon. Gentleman. If you do not sign in blood in favour of Brexit there will be no place for you in that party any longer. That is the reality of the Conservative party now that we have had the referendum, and we have a Government who are taking us through, and forcing on this country, Brexit. The hon. Gentleman is making a positive case, as a member of the Conservative party, which has always prided itself on being the party of business, for no deal in the face of the Brexit Government’s impartial impact assessments, which show conclusively that it would, in the words of the Business Secretary, who might know what he is talking about, be ruinous for this country.

I know whom I would rather listen to—the Business Secretary, not the hon. Member for North West Leicestershire, who has probably not even seen those impact assessments. Even if he has, and has read them—perhaps even understood them—he would reject them as some remain conspiracy, because they do not fit his perfect ideology. I gently say to him that the day may yet dawn when the good people of North West Leicestershire face the reality of Brexit—God help us if they ever face the reality of a hard Brexit—and lose their jobs and see the future of their children and grandchildren reduced because of his words and his actions. I hope that they will seek to put the blame where it absolutely lies—with him and all those who have led this country to make the biggest mistake we have ever made in our history, by voting to leave the European Union. I will not be part of that.

The hon. Member for Birmingham, Yardley (Jess Phillips)—unfortunately, she is no longer in the Chamber—spoke wisely. I do not fear my electorate. Good Lord, I was elected with a majority of 389, so I can look fear in the face—I understand these things. I also know that people respect you if you are honest with them, if you fight for them, and if you tell it to them as it is. They do not thank you for spin, and they do not thank you for false promises that you cannot deliver.

Mr Speaker, in case you do not know what is going on, it is fascinating. The right hon. and learned Member for Beaconsfield (Mr Grieve) identified the fact that the motion is flawed. It does not do what the Government has started promised, and does not enable us to vote to take no deal off the table—that awful irresponsibility. The right hon. Member for Meriden (Dame Caroline Spelman) tabled
an amendment, very wisely, that does the job and gives the House that opportunity. The Prime Minister stood at the Dispatch Box and promised a free vote. That is not occurring. There will be no free vote, and now the right hon. Member for Meriden has been persuaded not to press her amendment. I hope it will be pushed and I hope people will show the courage that so many right hon. and hon. Members have done—Members such as the hon. Member for East Surrey (Mr Gyimah), who had the courage to resign on a point of principle in order to do the right thing by his constituents and by his country. There is, however, a free vote on another Mickey Mouse amendment which undermines everything the Government stand for.

6.20 pm

Antoinette Sandbach (Eddsbury) (Con): It is always a pleasure to follow my right hon. Friend the Member for Broxtowe (Anna Soubry), who rightly points out that when you are honest with your constituents and tell them how it is, they respect you for it. My constituents have seen that we have discussed the economic consequences of a no-deal Brexit time and again. I am disappointed, but not surprised, that some of my colleagues have chosen the irresponsible course. Given a choice between compromise and chaos, they chose chaos.

We all know the facts. No deal could tip us back into recession, and will cost the north-west jobs and cripple our exports. It would undermine the difficult decisions this Government have had to make to strengthen the economy over the past decade. It is time for this House to state clearly that no deal is the most catastrophic of all possible outcomes. No deal is a threat to our economy, and a sign to any future trade partners of how unwilling we are to compromise.

Dr Wollaston: Does the hon. Lady also feel that hon. Members should read the letter that they have all received today from Professor Andrew Goddard, the president of the Royal College of Physicians, setting out his stark warning for the health of our patients and the NHS in the event of a no-deal Brexit?

Antoinette Sandbach: I do. I also think that constituents ought to remember that a no deal is a threat to the promises made during the referendum. Vote Leave said: “Taking back control is a careful change, not a sudden stop—we will negotiate the terms of a new deal before we start any legal process”.

Well, we know how far that has got. No deal is the most sudden stop anyone can envisage. However, it is not just the letter of the promises that will be broken, but the spirit of them, too. For months, you could not watch TV or listen to the radio without hearing the refrain “Vote Leave, Take Back Control”. Let us look at how no deal would take back control. It would mean our farmers would be reliant on the EU to list UK products of animal origin as meeting its import requirements for its countries. It would mean our pleading with the EU to issue an adequacy decision regarding our data protection rules. It would mean years and years of negotiations and trade-offs in order to rebuild a trading relationship that would be a mere shadow of what the Prime Minister’s deal offered. And all because a few of my colleagues failed to realise that simply walking away does not cause the EU to cease to exist, nor does it mean that its influence will cease. None of this is the control that was promised.

No deal cuts off the control we had within the EU, which we had a say in the making of laws. It cuts off the control the deal gave us by destroying any good will and willingness to negotiate that the EU had left in its negotiations with us. No deal condemns us to economic turmoil and, what is more, it does so by betraying the promise of the leave campaign. I have often been told to “respect the referendum result”. I did that: I voted for that deal twice. Today, I lay that same challenge at the feet of those on my side of the House who think no deal is worth it. It is not what you promised, it is not what 17.4 million people voted for and it is not what is best for the country.

6.24 pm

Catherine West (Hornsey and Wood Green) (Lab): The responsibility of any Government is to protect its citizens against threats to society, whether they concern national security, the health of the economy or community cohesion. In 2008, the then Government were quick to respond to the global financial crisis that sadly plunged so many into despair. A decade on, many on the Government Benches actually advocate a no-deal Brexit that I believe would make people even more despairing—a destination that, according to the Bank of England, could plunge us into a situation far worse than the 2008 crash.

It is unusual for the Confederation of British Industry and the Trades Union Congress to speak with one voice, but they are both against a no-deal Brexit. This time it is far worse than 2008, because the Government would be consciously and deliberately inflicting the outcome on the UK economy and, by extension, on our communities. It is truly shocking that the Chancellor claimed merely a few hours ago that the Government’s approach to Brexit was pro-business. So many of their statements appear to be the opposite.

My right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) has detailed the devastating impact that a no-deal scenario would have across sectors, from transport to medicines to public finances. My hon. Friend the Member for Birmingham, Erdington (Jack Dromey) and the right hon. Member for Meriden (Dame Caroline Spelman) made clear the impact that no deal would have on the manufacturing sector in both the excellent meetings they held in the House.

I wish briefly to mention small businesses, because they are affected too. A woman in my constituency runs a fashion business. Let us not forget that fashion accounts for £35 billion, while fishing accounts for £1.8 billion—just a small comparison. She wrote to me:

“Dear Catherine…I thought I would share with you another email that I received…from a client in Denmark—who no longer wishes to trade with us…it’s self explanatory.”

The email she shared reads:

“Dear Sandra

Thanks for your email.

With England leaving eu we have decided to focus on distributors from eu to avoid issues at the border.”

It was from Martin in Denmark. Up and down the country, small businesses are coping with this, day in, day out.
We have seen companies, trade unions, charities, the NHS and watchdogs all coalesce around the view that a no-deal Brexit will inflict chronic economic hardship on us all. Not only that, but it will fray even further the delicate fabric that holds us all together. The tone of the national debate has plummeted since Brexit became the national conversation around dinner tables. That is why I am proud to have co-signed amendment (a), and I am still keen to move it unless others can persuade me otherwise. I recognise that many Members on the Government Benches are not actively advocating a no-deal outcome, but with days to go before we crash out, we must all recognise that declining to vote for amendment (a), or at least to take it seriously, will make us complicit should such an outcome occur.

We have 373 hours left until the UK leaves the EU. I hope all Members will reflect on the specific ways in which a no-deal scenario will impact on households, businesses, schools and workplaces, and recognise that damage. I hope that with that knowledge they will vote to avert this chaos.

Mr Sam Gyimah (East Surrey) (Con): This is one of the most important debates in the Brexit process, because we will decide whether, in just over two weeks, we will leave the EU with some deal, do something else, or rupture a 45-year relationship that permeates every aspect of life in this country. In that context, we clearly have a responsibility to the 17.4 million people who voted leave, but we—by which I mean not only Parliament but the Government—also have a duty to the 66 million citizens in this country and their safety and livelihoods. Every decision we take in the context of leaving with no deal has to take that into account.

Some people have talked about leaving with no deal as if it would be some kind of inconvenience—as if there would be a little bit of disruption like when your BT internet goes down for a few hours. Others have gone to the other extreme and said that it would not be unlike Dunkirk. Well, nobody said during the referendum campaign, “Vote leave and you’ll have to invoke the spirit of Dunkirk.” That is an incredibly low bar to set for the success of this project.

Andrew Bridgen: When we joined the European Union, food prices went up 10% and we severed trading links with historical allies such as Australia and New Zealand. Did anyone ever say that we crashed into the European Union?

Mr Gyimah: What I am talking about is a rupture after 45 years. Many people cite our manifesto, which says that we will leave the single market, the customs union and be outside the jurisdiction of the European Court of Justice as a justification for such a move, but that same manifesto also says that we will leave with “clarity” and “certainty”. There is no way in the world that leaving without a deal provides clarity and certainty over our future relations. All the challenges that we have with the Prime Minister’s deal—the fact that there is no vision, that there is no clarity, that our bargaining position is weakened, and that we would have to go cap in hand to the EU—will apply even more in the case of a no deal, because we will be a distressed negotiator.

There are those who say that leaving means that we do not need any deals. That is not true at all. What happens is that on day one after we leave, we will not have a deal but we will rapidly have to negotiate a whole set of deals. We will have to rely on the kindness of strangers in order to be able to do so.

Should we have no deal on the table just for negotiating purposes? The EU knows that for a country that has been able to sign on to the PM’s deal where we leave our voice, our vote and our veto in return for best endeavours, we are not serious about no deal. It is not a credible negotiating position.

When we say that the WTO is better for us, we also then say that we want to negotiate other trade deals. Why leave the preferential position to go out and try to negotiate something better in terms of no deal? It just does not make sense, and it is not credible either. This idea keeps rearing its head in different ways—a managed no deal or a WTO Brexit. These are all rebrands of the same idea, and they mean that we are leaving without any arrangements—we are setting sail without knowing where we are going. I am willing to entertain the prospect that it could work—perhaps 20, 30 or 50 years down the line, as my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) has suggested. In the meantime, what would we have done to people’s lives in this country? What about manufacturing, or the farmers in my constituency who came to me and said, “If no deal goes ahead, we are completely wiped out”?

So much of this is about trade, about tariffs and about borders, but it is easy to forget about the people we are here to represent. If we leave on 29 March without a deal, we will be on a war footing when there is no external threat. We will have a massive civil contingency. The Prime Minister will stand in front of Downing Street on Independence Day having to say to the country, “Do not worry, we will manage all the traffic jams. Do not worry, we will make sure you get your medicine. I have now sent the Trade Minister to go and negotiate all those many deals. Do not worry, everything will be alright.” She will have to do that because, of all the negotiable options available, the Government have chosen the one that causes the most disruption to people’s lives. In what sense and in what world will that be a victory for this country? In what sense and in what world can we say to those who voted leave, “This is the vision that was given to you during the referendum campaign”? There is no way in the world that that is right.

Owen Smith (Pontypridd) (Lab): It is a great pleasure to follow the hon. Member for East Surrey (Mr Gyimah) who spoke just as eloquently as his fellow Surrey MP on the Front Bench but rather more truthfully about the perils that Brexit—a no-deal Brexit or any other sort of Brexit—poses to our country.

In the 10 years since I have been an MP, we have lived through some extraordinary political moments—things that have seemed entirely impossible have come to pass. But even in this surreal age, it does seem to me that today’s debate, low key though it has been in many measures, is a particularly extraordinary surreal moment. We are debating here in the British Parliament the prospect of voting, or not voting, for a policy that the British Government have declared will cut 10% out of our GDP—out of our economy—over the next 15 years.
It will reduce the size of our economy by £200 billion over the next 15 years. It is utterly inconceivable that, in this era or in any other era, anybody sensible could possibly vote for a policy that will cut more than twice what we spend on the NHS each year out of our economy.

In an era where we have schools closing on Friday afternoons because they cannot afford to stay open, where it feels like teenagers are being stabbed almost weekly on our streets because of a dearth of police officers, and where the head of the NHS is telling the Government they need to de-privatise the NHS and invest in it, it is entirely inconceivable that this Parliament or any Parliament could vote to do such damage to our public services and our people. I do not think there is any prospect of this House, save for a few on the Government Benches, voting for that outcome. I do not think there was ever any prospect of no deal really being pursued by the Government. It has been a blackmail negotiating tactic by Government Front Benchers to hold all our feet to the flames to try to ram through a Brexit deal.

We all know that any version of Brexit will diminish our economy. Any version of Brexit is a jobs-eating Brexit. Even the version advocated by the Government Front Benchers will by their own admission cut not £200 billion, but between £40 billion and £60 billion from our GDP. That is why we must obviously vote against no deal tonight and obviously vote in favour of an extension to article 50 tomorrow, but we must be honest with the people of this country. I say this to those on my Front Bench as much I do to those on the Government Front Bench: we must be honest that Brexit in any regard will damage the livelihoods and opportunities of our constituents. We in the Labour party should be opposing it for that reason, if for no other.

My hon. Friend the Member for Birmingham, Yardley (Jess Phillips) spoke courageously and eloquently this evening. She is absolutely right: we should not be frightened of speaking truth not only to power, but to our constituents. If that means my party wishes to deselect me or my constituents wish not to vote for me in the next election, then so be it, but I will know that my conscience is clear—I did not vote for triggering article 50, I will not vote for a Tory Brexit and I will not vote for a Labour jobs-first Brexit. I will vote tonight to do the country a service and stop a no-deal Brexit at all costs.

6.37 pm

Mr John Baron (Basildon and Billericay) (Con): I refer Members to my business interests as listed in the Register of Members’ Financial Interests.

Very briefly, I encourage a note of moderation when talking about no deal. Many of us, if not all of us, prefer a good deal to no deal—that is one of the key logics of leaving the European Union—but I suggest that WTO rules are not the so-called disaster that everyone is suggesting. We have to look at economic reality. We trade profitably with the rest of the world outside the EU on largely WTO, no-deal terms. What people can forget is that investment is about comparative advantage and the extent that a country’s corporation tax rates are lower and its labour markets are flexible, how good its top universities are and its financial expertise. In aggregate, those things are more important than WTO tariffs. If proof were needed, we have only to look at how well the country is doing economically in the face of so-called concern that we could be leaving the EU on no-deal terms. Investment decisions over recent years have been made in the full knowledge that we could be leaving on no-deal terms.

Andrew Bridgen: Does my hon. Friend agree that the truth is that many of those in this Chamber who wish to take no deal off the table want to stop Brexit, but have not got the guts to admit it to the electorate, because they know that two thirds of our constituencies voted to leave the European Union?

Mr Baron: Unfortunately, there is an element of truth to that, but I would not want to label everyone as being in that camp. Many Members have quoted predictions about the future, but I suggest that we have to keep the argument and the debate grounded in reality.

People need to remember that there were many predictions of economic woe and gloom should we vote to leave the EU in 2016. They came from the Bank of England, the IMF, businesses, and the various sector organisations and public organisations. Some of the predictions suggested 500,000 or 700,000 extra unemployed by December 2016. What happened? Actually, we created jobs, and economic growth did well. We now, today, have a record low unemployment rate that is half the EU average, record manufacturing output, and record inward investment. So we need to be careful of predictions, as Mark Carney, the Governor of the Bank of England, recognised. The Bank of England had to apologise publicly for getting it so wrong, as did so many others.

We have been told by our own Government that the preparations for no deal are in full swing. On 12 February, I asked the Prime Minister whether the Government are ready, saying: “can she reassure the House that should we leave on 29 March on no-deal WTO terms, we are sufficiently prepared?”—[Official Report, 12 February 2019; Vol. 654, c. 752.]

Her response was just three words: “We are indeed.” So the preparations have been made, and I think we should take some comfort from that.

Ruling out no deal makes a bad deal more likely. There needs to be an element of moderation across the House when describing no deal. The economic reality is at variance with the various doomster forecasts that were proved so wrong back in 2016, and we should take note of that fact.

6.41 pm

Matthew Pennycook (Greenwich and Woolwich) (Lab): It is a pleasure to wind up this debate for the Opposition. It has been a good debate. It was opened by the Environment Secretary, who made a powerful case for why a no-deal Brexit should be opposed, and by my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), who, as always, rose to the occasion with his usual rigour and honesty. We have had passionate contributions from, among others, my right hon. Friends the Members for Leeds Central (Hilary Benn) and for Normanton, Pontefract and Castleford (Yvette Cooper), the right hon. and learned Member for Rushcliffe (Mr Clarke) and for Beaconsfield (Mr Grieve), my hon. Friend the Member for Birmingham, Yardley (Jess Phillips), the hon. Member for East Surrey
I will not give way, because I

Matthew Pennycook: I shall do my best, Mr Speaker.

There is no such thing as a managed no deal, despite the protestations of the more cavalier Members on the Government Benches. It is a myth, and that is why the idea of no deal as an act of national liberation is so misleading. Not only would the Government in all likelihood lose control of events in a no-deal scenario, but they would inevitably end up supplicating before the EU. The Government’s own technical notices make clear that in a no-deal scenario, agreement is required from Brussels in a swathe of areas.

If anyone thinks that, amid the acrimony that would exist following a no-deal exit, the EU would ride to the rescue and agree to a raft of reciprocal mini-deals in all the essential areas required, a waiver of the Union’s rules or a standstill transition period without a withdrawal agreement, as amendment (f) suggests, they should remind themselves of the Commission’s plans for a no-deal exit. Those plans make it absolutely clear that the EU will agree to co-operative measures only where strictly necessary and where it is in their own interests. The plans make clear that those measures could not replicate the benefits of membership of the Union and state plainly that they could be revoked at any time.

Chris Philip: Will the hon. Gentleman give way?

Matthew Pennycook: I will not give way, because I want to ensure that the Secretary of State for International Trade has sufficient time.

It is yet another example of the misplaced confidence that has defined the approach of hard-liners on the Government Benches. Just like the notion of a cost-free, no-deal exit, it is a fantasy. That is why so many Government Members, including many members of the
Cabinet, whether they said so publicly or not, know that a no-deal exit is not a viable option and that it must be ruled out.

This House has already made its intentions clear in relation to a no-deal exit on two separate occasions. I agree with the comments made in all quarters today that the way the Government have framed their motion is disappointing. At worst, it is contradictory. At best, it is ambiguous, and as the right hon. and learned Member for Beaconsfield said, it certainly raises suspicions.

It is of course a statement of fact that the current legal default remains that the UK leaves the EU on 29 March, and if we rule out a no-deal exit tonight, we will of course have to amend the European Union (Withdrawal) Act accordingly, just as we would have had to amend it if the Government’s deal had passed yesterday. We will have to agree to an extension of the article 50 process so that an alternative way forward can be found. Both are a given.

However, the only question before us this evening is: does this House, in principle, definitely rule out a no-deal exit under any circumstances? No other question needs to be determined today, and that is why our preference is to support amendment (a).

There are only 16 days left now until 29 March. The possibility of a no-deal exit, whether by accident or design, is still very real, as the Father of the House made clear in his contribution. It is time we made a no-deal Brexit an impossibility, and this could be our last chance to do so. That is why I urge right hon. and hon. Members from across the House to decisively rule out a no-deal Brexit this evening, so that tomorrow we can turn our attention as a House to shaping what the country needs to be determined today, and that is why our preference is to support amendment (a).

The alternative is to revoke article 50 and have no Brexit at all, with unavoidable and unforeseeable consequences. This motion focuses on the date of 29 March. At that point, we either have to leave with a deal, in line with article 50, or leave with no deal, for which the risks have been set out. If we choose neither of these, then we have to have an extension of article 50 either to make administrative changes for a deal that may already have been negotiated, or simply to have an extension when we do not know what the point of it will necessarily be. Let me say, on this extension, first, it is not in our gift unilaterally to grant such an extension; secondly, it requires unanimity among all 27 other European countries and, thirdly, we cannot know what price might be extracted from the United Kingdom for that extension. It is not an easy option for the House or the country to take.

What are the alternatives to the Government’s policy? We were told at the outset of the debate by the shadow Brexit Secretary, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), that Labour had repeatedly warned us about x, y and z. Nothing could be further from the truth. We have had nothing but inconsistency from the Labour Front Bench. The Labour leader did not want another referendum; now he does want another referendum, despite the fact that the shadow Foreign Secretary, the right hon. Member for Islington South and Finsbury (Emily Thornberry), says it is telling Labour voters they are stupid. The shadow Brexit Secretary wants a referendum, but will not put down an amendment to say that it can happen. Labour said that it wanted to end free movement of people; now it wants to be part of the single market all over again. It said it wanted an independent trade policy, but what it has is simply legally impossible, because the European Union rules do not allow a third country to have an influence on EU trade policy.

I accept that many of those who seek a delay to Brexit have a range of motives, and I think an ounce of civility would sometimes do well in some of our proceedings. I accept that some seek a delay out of a genuine fear of what no deal might produce and want more preparations to be undertaken. However, there are also some in this House— we know it to be true—who seek to defy and reverse the result of the referendum itself. We in this House need to understand the democratic disaster that would await us if we took that course.

Many of us have made a number of compromises to be able to support the Prime Minister’s agreement—I pay tribute to the Prime Minister for her tenacity and simple good manners in the way in which she has dealt with the House—but if we are to leave the European Union in line with the instruction, it is a menu with limited options. We either leave with a deal, and the only deal available is the Prime Minister’s deal at the present time, or we leave with no deal, with unavoidable consequences.

Dr Fox: I am not giving way.

The alternative is to revoke article 50 and have no Brexit at all, with unavoidable and unforeseeable consequences. For much of this debate I did not recognise the country being described as the country I live in—a country that many seem to be describing as isolated, inept and intimidated by its own future. I believe in the future of this country. We are not passengers in our own destiny; we are able to control our own future. This is a country with exports at record levels; a country where last year, when global foreign direct investment fell by 40%, foreign direct investment went up by 20%; a country with employment at an all-time high; a country where...
that has had more consecutive quarters of growth than any other G7 country; and a country that is producing these results under good Conservative management.

Neither did I understand the picture painted of the preparations already made for no deal, because we and the civil service have spent a great deal of time on the mitigations.

Mr Kenneth Clarke rose—

Dr Fox: Pharmaceutical companies are ensuring—[Interruption.] I am not taking interventions. Pharmaceutical companies are ensuring adequate stocks and increased air freight capacity. We have set out our new tariff policies for day one, liberalising our economy so that 87% of imports will be tariff-free, and setting up a trade remedies authority to protect our steel and ceramics industries. The EU has also made its own preparations.

Mr Clarke rose—

Dr Fox: The Father of the House already had more time to make his contribution than I have had today.

I want to answer the very direct question I was asked by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper): is the result of this vote that the default position is that we will not leave the EU on 29 March without a withdrawal agreement? That is the result of the motion we are debating tonight. But I have to say to the right hon. Lady that the only way to take no deal off the table in the longer term is to have a negotiated deal, unless we were to revoke article 50.

Mr Speaker: Order. The amendment must be moved formally. [Interruption.] Order. Do not tell me it is not moved. I know perfectly well what I am doing. The amendment is in the ownership of the House. The right hon. Member for Meriden (Dame Caroline Spelman), who has since advised me that she does not wish to move her amendment. I thank her for her courtesy in telling me and the House. However, I am advised that her co-signatory—it is in the ownership of the House—the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) does wish to move the amendment.

Yvette Cooper: I welcome the Secretary of State's assurances, but—

Mr Speaker: Order. The amendment must be moved formally.

[Dr Fox]

Dr Fox: For me, what we are engaged in is the most important democratic debate in this country's history. The British people have given our Parliament a clear instruction. It is time for us to determine who is the boss.

Mr Speaker: Under the Order of the House of today, I must now put the Question necessary to dispose of proceedings on the motion. We begin with amendment (a), in the name of the right hon. Member for Meriden (Dame Caroline Spelman), who has since advised me and, equally—or more importantly—the House that she does not wish to move her amendment. I thank her for her courtesy in telling me and the House. However, I am advised that her co-signatory—it is in the ownership of the House—the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) does wish to move the amendment.

7 pm

The Speaker put the Questions necessary for the disposal of business to be concluded at that time (Order, this day).

Amendment proposed: (a) Line 1, leave out from “House” to end and add “rejects the United Kingdom leaving the European Union without a Withdrawal Agreement and a Framework for the Future Relationship.”—[Yvette Cooper.]

The House divided: Ayes 312, Noes 308.

Division No. 357

[7 pm]

AYES
Abbott, rh Ms Diane  
Abrahams, Debbie  
Ali, Rushanara  
Allen, Heidi  
Allin-Khan, Dr Rosena  
Amesbury, Mike  
Antoniacci, Tonia  
Ashworth, Jonathan  
Austin, Ian  
Bailey, Mr Adrian  
Bardell, Hannah  
Bebb, Guto  
Beckett, rh Margaret  
Benn, rh Hilary  
Berger, Luciana (Proxy vote cast by Chris Leslie)  
Betts, Mr Clive  
Black, Mhairi  
Blackford, rh Ian  
Blackman, Kirsty  
Blackman-Woods, Dr Roberta  
Blomfield, Paul  
Braun, Brian  
Braun, Tom  
Brogan, 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 Sir Alan  
Carden, Dan  
Carmichael, rh Mr Alistair  
Champion, Sarah  
Chapman, Douglas

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 Sir Alan  
Carden, Dan  
Carmichael, rh Mr Alistair  
Champion, Sarah  
Chapman, Douglas

Wera Hobhouse: On a point of order, Mr Speaker.

Mr Speaker: Order. I fear that it is more a point of frustration. No impropriety—[Interruption.] Order. I accept that the hon. Lady might be irritated, but the right hon. Gentleman is not giving way and now is not a time for points of order. If she wants to make a point of order later, I will take it.

Dr Fox: [Interruption.]

Mr Speaker: I welcome the Secretary of State's assurances, but—

Mr Speaker: Order. The amendment must be moved formally.

[Dr Fox]

Dr Fox: For me, what we are engaged in is the most important democratic debate in this country's history. The British people have given our Parliament a clear instruction. It is time for us to determine who is the boss.

Mr Speaker: Under the Order of the House of today, I must now put the Question necessary to dispose of proceedings on the motion. We begin with amendment (a), in the name of the right hon. Member for Meriden (Dame Caroline Spelman), who has since advised me and, equally—or more importantly—the House that she does not wish to move her amendment. I thank her for her courtesy in telling me and the House. However, I am advised that her co-signatory—it is in the ownership of the House—the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) does wish to move the amendment.

Yvette Cooper: I welcome the Secretary of State's assurances, but—

Mr Speaker: Order. The amendment must be moved formally. [Interruption.] Order. Do not tell me it is not moved. I know perfectly well what I am doing. The amendment is in the ownership of the House. The right hon. Member for Meriden has decided, perfectly properly, that she does not wish to move it; another Member who signed it does. It really is a very simple point for an experienced parliamentarian.

7 pm

The Speaker put the Questions necessary for the disposal of business to be concluded at that time (Order, this day). Amendment proposed: (a) Line 1, leave out from “House” to end and add “rejects the United Kingdom leaving the European Union without a Withdrawal Agreement and a Framework for the Future Relationship.”—[Yvette Cooper.]

The House divided: Ayes 312, Noes 308.

Division No. 357

[7 pm]
UK’s Withdrawal from the European Union

13 MARCH 2019

UK’s Withdrawal from the European Union

Chapman, Jenny
Cherry, Joanna
Clarke, rh Mr Kenneth
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Corbyn, rh Yvette
Corbyn, rh Jeremy
Cowen, Ronnie
Coyne, Neil
Crausby, Sir David
Crawley, Angela
Creeagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Anne
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anne
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrell, Paul
Farron, Tim
Fellows, Marion
Field, rh Frank
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Gillon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Margaret
Grieve, rh Mr Dominic
Griffith, Nia
Grogan, John
Gyimah, Mr Sam
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hawes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendy, Drew
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollett, Karen
Hosie, Gerald
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, Barbora
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Lee, Dr Phillip
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Rhian
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly (Proxy vote cast by Mark Tami)
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Connor
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
Morris, Graham
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
O’Mara, Jared
Onasanya, Fiona
Onn, Melanie
Onurwah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Picock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Sandbach, Antoinette
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip (Proxy vote cast by Vicky Foxcroft)
Slaughter, Andy
Smeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Soubry, rh Anna
Spellar, rh John
Spelman, rh Dame Caroline
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul
Swinson, Jo
Tami, rh Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twig, Derek
Twig, Stephen
Twist, Liz
Umunna, Chuka
Vaizey, rh Mr Edward
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:

Nick Smith and Bambos Charalambous

NOES

Aldous, Peter
Allan, Lucy
Amess, Sir David
### Question accordingly agreed to.

Amendment proposed: (f), at end, add:

“; notes the steps taken by the Government, the EU and its Member States to minimise any disruption that may occur should the UK leave the EU without an agreed Withdrawal Agreement and proposes that the Government should build on this work as follows:

1. That the Government should publish the UK’s Day One Tariff Schedules immediately;

2. To allow businesses to prepare for the operation of those tariffs, that the Government should seek an extension of the Article 50 process to 10.59pm on 22 May 2019, at which point the UK would leave the EU;

3. Thereafter, in a spirit of co-operation and in order to begin discussions on the Future Relationship, the Government should offer a further set of mutual standstill agreements with the EU and Member States for an agreed period ending no later than 30 December 2021, during which period the UK would pay an agreed sum equivalent to its net EU contributions and satisfy its other public international law obligations; and

4. The Government should unilaterally guarantee the rights of EU citizens resident in the UK.” — [Damian Green.]  

### The House divided: Ayes 164, Noes 374.

#### Division No. 358 [7.17 pm]

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<td>Baker, Mr Steve</td>
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<td>Campbell, Mr Gregory</td>
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<td>Wheeler, Mrs Heather</td>
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<td>Whittingdale, rh Mr John</td>
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#### Tellers for the Ayes:
- Bill Wiggin and Mr Marcus Fysh

#### Tellers for the Noes:
- Jeremy Quin and Mr Alister Jack

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4. The Government should unilaterally guarantee the rights of EU citizens resident in the UK without an agreed Withdrawal Agreement; and

The NOES shall also declare:
UK’s Withdrawal from the European Union

13 MARCH 2019

UK’s Withdrawal from the European Union

Buck, Ms Karen
Burden, Richard
Burton, Richard
Burt, rh Alistair
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Caddbury, Ruth
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Cartwright, James
Chalk, Alex
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Churchill, Jo
Clark, rh Greg
Clarke, rh Mr Kenneth
Chwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julian
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crabb, rh Stephen
Craig, Sir David
Crawley, Angela
Daly, Janet
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De cordova, Marsha
De Piero, Gloria
Debonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Djankoj, rh Mr Jonathan
Dockerty-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen
Downey, Peter
Doyle-Price, Jackie
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
EFFord, Clive
Elliott, Julie
Elman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Field, rh Frank
Field, rh Mark
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Ford, Vicky
Fostad, Leif
Foxvargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gale, rh Sir Roger
Gapes, Mike
Gardiner, Barry
Gauke, rh Mr David
George, Ruth
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Gibb, rh Nick
Gibson, Patricia
Gill, Preet Kaur
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Greening, rh Justine
Greenwood, Lilian
Greenhill, Margaret
Grieve, rh Mr Dominic
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Haigh, Louise
Hall, Luke
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harrington, Richard
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Healey, rh John
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Hodge, rh Dame Margaret
Hodgson, rh Mrs Sharon
Holburn, Kate
Hollobone, Mr Philip
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Howarth, rh Mr George
Howell, John
Huddleston, Nigel
Huq, Dr Rupa
Husain, Jamil
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Johnson, Diana
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Jones, Helen
Jones, rh Mr Kevan
Jones, Mr Marcus
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Khan, Afzal
Kilien, Ged
Kinnock, Stephen
Kyle, Peter
Laid, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, rh Chris
Lee, Karen
Lee, rh Dr Philip
Leslie, Mr Chris
Lettin, rh Sir Oliver
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, rh Mr Ivan
Lidington, rh Mr David
Linden, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly (Proxy vote cast by Mark Tami)
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Mak, Alan
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Masterton, Paul
Mattheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
Mclnnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorran, Anna
Mearns, Ian
Mercer, Johnny
Merriman, Huw
Milliband, rh Edward
Milton, rh Anne
Monaghan, Carol
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Moore, Damien
Moran, Layla
Morden, Jessica
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Morris, Grahame
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Perkins, Toby
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Powell, Lucy
Prentis, Victoria
Pritchard, Mark
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Elle
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Ross, Douglas (Proxy vote cast by Tracey Crouch)
Rowley, Danielle
Ruan, Chris
Rudd, rh Amber
Russell-Moyle, Lloyd
Ryan, rh Joan
Sandbach, Antoinette
Saville Roberts, Liz
Shah, Naz
Sharer, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip (Proxy vote cast by Vicky Foxcroft)
Slaughter, Andy
Smee, Ruth
Smith, Angela
Smith, Cat
Smith, Chloe
Smith, Eleanor
Smith, Jeff
Smith, Laura
UK’s Withdrawal from the European Union

**13 MARCH 2019**

**UK’s Withdrawal from the European Union**

**Main Question:**

The House divided: Ayes 321, Noes 278.

**Division No. 359**

**[7.33 pm]**

**AYES**

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**Tellers for the Noes:**

Mr Peter Bone and Steve Double

**NAYS**

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Tellers for the Ayes:

Nick Smith and
Bambos Charalambous

Slaughter, Andy  Brady, Sir Graham
Smeeth, Ruth  Braverman, Suella
Smith, Angela  Breton, Jack
Smith, Cat  Bridgen, Andrew
Smith, Eleanor  Brine, Steve
Smith, Jeff  Brokenshire, rh James
Smith, Laura  Bruce, Fiona
Smith, Owen  Burghart, Alex
Snell, Karin  Burns, Conor
Snell, Gareth  Cairns, rh Alun
Soames, rh Sir Nicholas  Campbell, Mr Gregory
Sobel, Alex  Cartilage, James
Soubry, rh Anna  Cash, Sir William
Spellar, rh John  Caulfield, Maria
Starmer, rh Keir  Chalk, Alex
Stephens, Chris  Chishti, Rehan
Stevens, Jo  Chope, Sir Christopher
Stone, Jamie  Churchill, Jo
Streeting, Wes  Clark, Colin
Sweeney, Mr Paul  Clarke, Mr Simon
Swinson, Jo  Cleverly, James
Tami, rh Mark  Clifton-Brown, Sir Geoffrey
Thelwiss, Alison  Coffey, Dr Thérèse
Thomas, Gareth  Collins, Damian
Thomas-Symonds, Nick  Courts, Robert
Thomberney, rh Emily  Cox, rh Mr Geoffrey
Timms, rh Stephen  Crouch, Tracey
Trickett, Jon  Davies, Chris
Turley, Anna  Davies, David T. C.
Turner, Karl  Davies, Glyn
Twigg, Derek  Davies, Mims
Twigg, Stephen  Davies, Philip
Twist, Liz  Davis, rh Mr David
Urmston, Chuka  Dinenage, Caroline
Vaz, rh Mr Edward  Docherty, Leo
Vaz, rh Keith  Dodds, rh Nigel
Vaz, Valérie  Donaldson, rh Sir Jeffrey M.
Walker, Thelma  Donelan, Michelle
Watson, Tom  Dorries, Ms Nadine
West, Catherine  Double, Steve
Western, Matt  Dowden, Oliver
Whitehead, Dr Alan  Doyle-Price, Jackie
Whitfield, Martin  Drax, Richard
Whitford, Dr Philippa  Duddridge, James
Williams, Hywel  Duguid, David
Williams, Dr Paul  Duncan, rh Sir Alan
Williamson, Chris  Duncannon, Smith, rh Mr Iain
Wilson,Phil  Dunne, rh Mr Philip
Wishart, Pete  Ellis, Michael
Wollaston, Dr Sarah  Ephicke, Charlie
Woodcock, John  Eustice, George
Yasin, Mohammad  Evans, Mr Nigel
Zeichner, Daniel  Evennett, rh Sir David

UK's Withdrawal from the European Union

13 MARCH 2019

UK's Withdrawal from the European Union

NOES

Adams, Nigel  Barclay, rh Stephen
Afriyie, Adam  Baron, Mr John
Aldous, Peter  Bellingham, Sir Henry
Allan, Lucy  Beresford, Sir Paul
Amess, Sir David  Berry, Jake
Andrew, Stuart  Blackman, Bob
Argar, Edward  Blunt, Crispin
Atkins, Victoria  Bone, Mr Peter
Bacon, Mr Richard  Bottomley, Sir Peter
Badenoch, Mrs Kemi  Bowie, Andrew
Baker, Mr Steve  Bradley, Ben
Baldwin, Harriett  Bradley, rh Karen
Grant, Bill  Grant, Mrs Helen
Gray, James  Grayling, rh Chris
Green, Chris  Griffiths, Andrew
Hair, Kirstene  Halfon, rh Robert
Hall, Luke  Hammond, rh Mr Philip
Hancock, rh Matt  Hands, rh Greg
Harper, rh Mr Mark  Harris, Rebecca
Harrison, Trudy  Hart, Simon
Hayes, rh Sir John  Heappey, James
Heaton-Harris, Chris  Henderson, Gordon
Heburn, Mr Stephen  Herbert, rh Nick
Heron, Lady  Hinds, rh Damian
Hoey, Kate  Honourable, George
Hollinrake, Kevin  Hollobone, Mr Philip
Holloway, Adam  Howell, John
Hughes, Eddie  Hunt, rh Mr Jeremy
Hurd, rh Mr Nick  Javid, rh Sajid
Jayawardena, Mr Ranil  Jenkin, Sir Bernard
Jenkyns, Andrea  Jenrick, Robert
Johnson, rh Boris  Johnson, rh Dr Caroline
Johnson, Gareth  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  Leigh, rh Sir Edward
Lewer, Andrew  Lewis, rh Brandon
Lewis, rh Dr Julian  Liddell-Grainger, Mr Ian
Lidington, rh Mr David  Little Pengelly, Emma
Lopez, Julia  Lopresti, Jack
Lord, Mr Jonathan  Loughton, Tim
Mackinlay, Craig  Maclean, Rachel
Main, Mrs Anne  Mak, Alan
Malthouse, Kit  Mann, Scott
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 María
Milling, Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Nokes, rh Caroline
Norman, Jesse
O’Brien, Neil
Oxford, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, Chris
Pincher, rh Christopher
Poultter, Dr Dan
Pow, Rebecca
Prisk, rh Mark
Pritchard, Mark
Pursgrove, Tom
Quince, Will
Raab, rh Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas (Proxy vote cast by Tracey Crouch)
Rowley, Lee
Rutley, David
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, Royston
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Mr Shashi
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, rh Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheelbar, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

**Tellers for the Noes:**

| Jeremy Quin and  |
| Mr Alister Jack |

**Mr Speaker:** Order. The House must calm itself. We have a long time to go—both today and on subsequent days. Keep calm.

**The Prime Minister:** This is about the choices that this House faces. The legal default in UK and EU law remains that the UK will leave the EU without a deal unless something else is agreed. The onus is now on every one of us in this House to find out what that is. The options before us are the same as they always have been: we could leave with the deal that this Government have negotiated over the past two years; we could leave with the deal that we have negotiated but subject to a second referendum, but that would risk no Brexit at all—damaging the fragile trust between the British public and the Members of this House; we could seek to negotiate a different deal, but the EU has been clear that the deal on the table is indeed the only deal available. [Interruption.]

**Mr Speaker:** Order. The great likelihood—I await further comment, but I think that I can say this without fear of contradiction—is that there will be further opportunities for these matters to be debated, but in the immediate term, please, let us have some courtesy. There will be further debate on these matters, of that I think we can be sure.

**The Prime Minister:** I confirmed last night that if the House declined to approve leaving without a deal on 29 March 2019, the Government would bring forward a motion on whether the House supports seeking to agree an extension to article 50 with the EU, which is the logical consequence of the votes over the past two days in this House. The Leader of the House will shortly make an emergency business statement confirming the change to tomorrow’s business. The motion we will table will set out the fundamental choice facing this House. If the House finds a way in the coming days to support a deal, it would allow the Government to seek a short, limited technical extension to article 50 to provide time to pass the necessary legislation and to ratify the agreement we have reached with the EU.

Let me be clear: such a short technical extension is likely to be on offer only if we have a deal in place. Therefore, the House must understand and accept that if it is not willing to support a deal in the coming days and as it is not willing to support leaving without a deal on 29 March, it is suggesting that there will need to be a much longer extension to article 50. Such an extension would undoubtedly require the United Kingdom to hold European Parliament elections in May 2019. I do not think that that would be the right outcome, but the House needs to face up to the consequences of the decisions that it has taken.

**Mr Speaker:** I thank the Prime Minister for what she has said.

**Jeremy Corbyn** (Islington North) (Lab): On a point of order, Mr Speaker. Tonight this House has once again definitively ruled out no deal. The Prime Minister said that the choice was between her deal and no deal. In the past 24 hours, Parliament has decisively rejected both her deal and no deal. While an extension of article 50 without a clear objective lies solely and squarely at the Prime Minister’s door. However, extending article 50 without a clear objective is not a solution. Parliament must now take back control of the situation.
In the days that follow, myself, the shadow Brexit Secretary and others will have meetings with Members across the House to find a compromise solution that can command support in the House. That means doing what the Prime Minister failed to do two years ago: searching for a consensus on the way forward. Labour has set out a credible alternative plan. Members across the House are coming forward with proposals. Whether that is a permanent customs union, a public vote, Norway-plus or other ideas, let us as a House of Commons work to find a solution to deal with the crisis facing this country and the deep concerns that many people have for their livelihoods, their lives, their future, their jobs, their communities and their factories. It is up to us as the House of Commons to look for and find a solution to their concerns. That is what we were elected to do.

Ian Blackford (Ross, Skye and Lochaber) (SNP): On a point of order, Mr Speaker. Let us be in no doubt that we are in a constitutional crisis of the making of the Prime Minister, who has run down the Brexit clock. What we see from the Prime Minister is a denial of the facts. She has faced two enormous defeats on her meaningful vote. Her deal is dead, and I am delighted that we have tonight given a very clear expression that under no circumstances and no time limit does this House want no deal.

The Prime Minister should have come to the Dispatch Box this evening with a degree of humility, accepting that she has failed and immediately putting in place the legislation to withdraw from legislation the threat of us leaving the European Union on 29 March. Why has she not done that? What this House needs to do tomorrow is take control of the process. We do not need a time-limited extension to article 50; it must be open-ended. I for one welcome elections to the European Parliament, if they are to take place.

We now must move on and have a meaningful debate about a people’s vote. If necessary, we have to look at the revocation of article 50. I say once again to the Prime Minister that Scotland will not be dragged out of the European Union against its will. Everything that has gone on in this House is a determination that the European Union against its will. That means doing what the Prime Minister failed to do two years ago: a point of order, Mr Speaker. Let us be in no doubt that MPs in this House are incapable of finding something that is a permanent customs union, a public vote, Norway-plus or other ideas, let us as a House of Commons work to find a solution to deal with the crisis facing this country and the deep concerns that many people have for their livelihoods, their lives, their future, their jobs, their communities and their factories. It is up to us as the House of Commons to look for and find a solution to their concerns. That is what we were elected to do.

Mr Speaker: If the right hon. Gentleman will forgive me—to be honest, even if he will not—I prefer to hear the remaining points of order and then to invite the Leader of the House to deliver the supplementary or emergency business statement. We will see what is intended to take place tomorrow. We may well learn tomorrow of what is intended to take place in subsequent days. There has been a clear expression of will by the House. I rather imagine there will be conversations among colleagues.

Ultimately, the House can debate what the House wants to debate. We will see what it wants to debate and what shape events take in the days to come. I do not want to express myself more forcefully than that—I do not think that would be right—but the right hon. Gentleman need be in no doubt that the matters will be fully debated. Members will have the opportunity to put their point of view. In all likelihood, many propositions will come to be tested.

Mr Jacob Rees-Mogg (North East Somerset) (Con): On a point of order, Mr Speaker. I wonder whether you might be in a position to confirm that, as a matter of constitutional fact, a motion of this House, though important, cannot override statute law.

Mr Speaker: A motion of the House does not override statute law—that is true. If Members who have supported a motion want to ensure its ultimate success, further steps are required. I think that Members who have keenly attended to these matters in recent weeks are aware of that, and they know that there are opportunities available to them if they wish to take those opportunities.

Hilary Benn: On a point of order, Mr Speaker. Notwithstanding what the Prime Minister has just told the House, the time has come for two things to take place. The first is for the Government to respect the democratic instruction of the House of Commons. The second, since the Prime Minister says we have to be in favour of something—and I agree with her—is for the Government to facilitate the House of Commons having the chance to vote on a series of indicative propositions so that we can attempt to see whether we can find a way forward. If I may say so, Mr Speaker, I very much welcome what you said a moment ago about your willingness to ensure that the House of Commons gets the opportunity to debate that which it wishes to debate.

Mr Speaker: I am grateful to the right hon. Gentleman. I stand by that: I think it is what any self-respecting Speaker should say and mean.

Caroline Lucas: On a point of order, Mr Speaker. I do wonder how the Prime Minister has the brass neck to come to this Chamber and to say that we should be worried about losing fragile trust when she herself is responsible for losing the trust both of this Parliament and of the country. She has just whipped her Members to vote against the deal that yesterday she stood at that Dispatch Box and promised would be a free vote. We urgently need an extension of article 50, and it needs not to be time-limited, because we need the time that is necessary in order to resolve this by going back to the country. If the last few weeks have proved anything, it is that MPs in this House are incapable of finding something they agree on, and it needs to go back to the people as soon as possible in a people’s vote.

Mr Speaker: Let me say to the hon. Lady, who was attempting, I thought, to raise a point of order, that we will have to wait for the business statement by the Leader of the House. But unless I have a problem with my short-term memory—and I do not think I do—my clear recollection is that the Government indicated that if the House voted to demonstrate its opposition to exit from the European Union without a deal in the vote, or votes, today, there would be an opportunity on Thursday for there to be a vote, or possibly a number of votes, on an idea, or ideas, of article 50 extension. So I keenly anticipate that the hon. Lady will be in her place not
just for the business statement but tomorrow for such important proceedings as we can expect to take place.

Mr Kenneth Clarke: On a point of order, Mr Speaker. When the arrangements for this week were announced, my understanding was that the Government were saying that if they lost the vote on their preferred deal, there would then be two days in which the House would be given the opportunity to express its clear opinion on no deal, and if that was clear, another day to say whether an extension was desired by the House, with the plain implication that the Government were going to accept the decision of the House and act on it. Indeed, we understand that a free vote was extended to Ministers so that the proper expression of opinion could be given.

As soon as the House expressed its opinion on no deal, the Government attempted to quash it and voted against it, putting a three-line Whip on the people they had previously given a free vote to, with a complete lack of success—the majority soared. If this evening the Prime Minister or another Minister will not accept that this is not just another motion, as if it was a women’s institute debate that expressed an opinion—in [Interruption.] I have higher regard for women’s institutes’ opinions than the Government have for the opinions of this House.

Can we have an assurance from somebody that tomorrow’s debate is actually intended to set policy and is not a mere expression of opinion? That is my serious point, but no doubt I will be deluged with protests from women’s institutes around the country about the unfortunate example I chose. I repeat my complete respect for the opinion of all women’s institutes.

Mr Speaker: I am grateful to the hon. Lady. My understanding, for what it is worth, is the same as his. That was the clear commitment. I am sure that that is what was intended. That was what was promised. I have every expectation that the Leader of the House will reiterate today what has been said in recent days. It would be very strange if that were not the case. I have no reason to believe that the Government have suddenly shifted from the position they have taken in recent days. We will have to wait to see, but I have no reason to believe that at all.

Ms Angela Eagle: On a point of order, Mr Speaker. The House has spoken, and the will of the House is clear, but the Government have given no indication so far that they are going to facilitate the will of the House becoming a reality by amending statute. If anything, the Prime Minister gave the opposite impression in her rather churlish response to tonight’s events. If the Government decide not to facilitate our changing the statute to prevent us from leaving without a deal on 29 March, in clear contravention of the expressed will of the House, what can you do to facilitate this Parliament in ensuring that the Government do not get their way?

Mr Speaker: I am grateful to the hon. Lady. My understanding is that the Government have tabled their motion for tomorrow, and it might help colleagues if they obtained copies of it. I do not think it is for me now to read out the Government’s motion for tomorrow.

[Hon. Members: “Go on!”] Very well. As I understand it, the Government—I thank them for this—have tabled a motion in the name of the Prime Minister which reads:

“That this House:

1. notes that if the House has not passed a resolution approving the negotiated withdrawal agreement and the framework for the future relationship for the purposes of section 13(1)(b) of the European Union (Withdrawal) Act 2018 by 20 March 2019 then the Government will seek to agree with the European Union a one-off extension of the period specified in Article 50(3) for a period ending on 30 June 2019 for the purpose of passing the necessary EU exit legislation; and

2. agrees that if the House has passed a resolution approving the negotiated withdrawal agreement and the framework for the future relationship for the purposes of section 13(1)(b) of the European Union (Withdrawal) Act 2018 by 20 March 2019 then it is highly likely that the European Council at its meeting the following day would require a clear purpose for any extension, not least to determine its length, and any extension beyond 30 June 2019 would require the United Kingdom to hold European Parliament elections in May 2019."

That is the Government’s motion for tomorrow. That motion, of course, is amendable. If colleagues on either side of the House wish to submit amendments to that motion, they will have an opportunity to do so. I am speaking off the top of my head, but the same logic will apply in respect of that motion as has applied over the previous two days—namely, that any amendments to it tabled before the rise of the House tonight will appear on the Order Paper tomorrow. However, if manuscript amendments are tabled after the rise of the House, but before 10.30 am tomorrow, they will be accepted for consideration by the Chair—by me.

I would very politely suggest to the hon. Member for Wakefield (Mary Creagh) that, although I will take one further point of order, if necessary—[Interruption.] Well, I would very politely suggest that, very soon, we ought at least to hear the business statement by the Leader of the House. I will take one or two very brief—

Mr Pat McFadden (Wolverhampton South East) (Lab) rose—

Mr Speaker: Oh, very well—very briefly. [Interruption.] May I politely suggest that it might be advisable—

Mr Bob Seely (Isle of Wight) (Con) rose—

Mr Speaker: I will take one who has signalled to me, the hon. Member for Wakefield, and then let us hear the statement by the Leader of the House. If there are then further points of order, I can take them afterwards.

Mary Creagh (Wakefield) (Lab): On a point of order, Mr Speaker. I am grateful, but the motion you have read out at speed indicates that the Government are clearly making this House a prisoner of their deal. It is saying that we have to agree the deal by 20 March, and if we do that we will get the extension that this House is clearly going to be voting for tomorrow. When will the Government allow this House to express any alternatives to the deal that the Prime Minister, despite having been defeated twice, is still trying to railroad through this place?
Mr Speaker: That would be one of the merits of hearing about the business for next week, and there is also merit in colleagues conferring with each other, as—not surprisingly, and with frequency—they do.

Anna Soubry: On a point of order, Mr Speaker. It is a constitutional crisis—[Interruption.] I am sorry if it bores people on that side of the House who have just voted as Conservatives for a no-deal Brexit. In any event, there is a real concern that time and again this House speaks and we vote, as you have seen this evening, and the response at the Dispatch Box is, in effect, for what we pass to be utterly dismissed. As a House, we seek your guidance as to how we can actually have a genuine impact on the way this Brexit is now conducted and it has got to stop. Do we need now to enact statute?

Mr Speaker: That would be one of the merits of hearing about the business for next week, and there is also merit in colleagues conferring with each other, as—not surprisingly, and with frequency—they do.

Mr McFadden: On a point of order, Mr Speaker. When the Prime Minister spoke at the Dispatch Box a couple of weeks ago to set out the arrangements for this week, she said that if the House voted down her proposed deal there would then be a vote on no deal. That has happened today. She said that if the House voted against leaving on a no-deal basis, we would then have an opportunity to vote to ask the Government to seek an extension to article 50. She did not say that was conditional on passing her deal between this week and the application for the extension. The motion that the Government have now tabled is a breach of the letter and the spirit of the assurances that were given at that Dispatch Box a couple of weeks ago. This is an attempt to stitch up the decision tomorrow, and the House should not stand for it. We should have a clean vote on instructing the Government to apply for an extension to article 50 without having to approve her deal beforehand.

Mr Speaker: I understand what the right hon. Gentleman is saying, but the Government’s position is not a matter for me. I say as a matter of pride that I have never been a member of a Government; that has never been part of my ambition. I must say that it is a lot easier to be Speaker than to be a Minister. My responsibility is to consider amendments if they are tabled. If Members want to table amendments to the Government’s motion, they may do so. I rather imagine, from what the right hon. Gentleman has said, that he will want to do so.

Edward Miliband (Doncaster North) (Lab): Further to that point of order, Mr Speaker. I want to echo what my right hon. Friend the Member for Wolverhampton South East (Mr McFadden) has just said. Members across the House heard the Prime Minister say unconditionally that these days would be about a vote on whether we would accept no deal and then a vote on an extension, not a conditional vote. She is sitting on the Front Bench shaking her head. Perhaps she could now, through you, Mr Speaker, explain why what you have just read out is not a conditional vote, because it sure sounds like one to us.

Mr Speaker: Okay. No, the Prime Minister is not seeking to raise a point of order at this stage.

Ian Mearns (Gateshead) (Lab): On a point of order, Mr Speaker—and I think this might actually be a point of order. I am seeking some clarification, because you said that manuscript amendments could be tabled until 10.30 tomorrow morning. Well, the business begins at 9.30, so there might be some disparity there.

Mr Speaker: Perhaps I can help the hon. Gentleman. I appreciate that he was listening attentively. There is no contradiction or tension whatever. He correctly surmises that tomorrow the House, as on every sitting Thursday, will meet at 9.30. However—I say this as much for the benefit of people listening to our proceedings as for the benefit of Members—Question Time is at 9.30, and at 10.30 we would ordinarily either have urgent questions or move straight to the business statement from the Leader of the House. I appreciate the hon. Gentleman’s concern not just for colleagues but for me, but I am perfectly sanguine about a deadline of 10.30 for the submission of manuscript amendments, and I am comfortable that I will be able to make judgments in
time for the start of the debate, and for the debate to take place on an informed basis. There is no problem there.

Neil Gray: On a point of order, Mr Speaker—and thank you for your forbearance. The House has spoken, and it has spoken very clearly. It has asked to rule out no deal at any time. You said in response to the hon. Members for North East Somerset (Mr Rees-Mogg) and for Wallasey (Ms Eagle) that opportunities would be open for Opposition Members to ensure that the will of the House was followed through. However, given that the Government are in charge of the Order Paper, would you not expect them to be coming forward with the necessary legislation to ensure that no deal is ruled out at any time?

Mr Speaker: I am not sure that it is really for me to say that I expect one particular course of action or another. I feel, now that I have been around a little while, sometimes predictable things have happened and sometimes some very unpredictable and even, in some cases, rather curious things have happened, so I have got used to a range of possibilities and I do not think I would say that I expect this or expect that. What I do expect, not specifically of the Government, is that if Members feel strongly dissatisfied with what is on offer to them, they will communicate with each other and they will come forward, seek professional advice, seek my own and attempt to ensure that what they wish to be debated as elected Members of the legislature is indeed debated and, of course, by definition not just debated but voted upon by the House.

Mr Peter Bone (Wellingborough) (Con): On a point of order, Mr Speaker. Following on from what you have just said, is it not a fact that if the moaning Minnies attacking the Government really had any guts they would table a motion of no confidence in the Government? That is how it is done traditionally, not through back-door means.

Mr Speaker: That is perfectly legitimate. The hon. Gentleman expresses his point of view with his characteristic force. It is open to people to table motions of no confidence—of course it is. That is a perfectly proper course of action and it can happen, and does, from time to time.

If there are no further points of order, we come to the emergency business statement by the Leader of the House.

Business of the House

8.21 pm

The Leader of the House of Commons (Andrea Leadsom): Mr Speaker, in the light of tonight’s decision, I should like to inform the House that tomorrow’s business will now be a debate on a motion relating to an extension of article 50. On Friday 15 March, the House will consider private Members’ Bills.

I shall announce next week’s business tomorrow in the usual way.

Valerie Vaz (Walsall South) (Lab): Yet again the House has been given an emergency motion, and yet again we have only just had sight of it—a colleague has managed to get us copies of it. This is no way to run a Government and no way to run a country. We now have a situation where the Government are voting against their own motions, which is a terrible state of affairs. The Government are staggering from week to week, day to day, and motion to motion. The country deserves better.

Mr Speaker: I call the Leader of the House.

Andrea Leadsom indicated dissent.

Mr Speaker: The Leader of the House does not wish to comment. Fair enough. It is a business statement, so she can respond if she wishes but she does not wish to do so.

Pete Wishart (Perth and North Perthshire) (SNP): It is no wonder that the Leader of the House chose not to respond, because that was a pathetic statement, given tonight’s events and the chaotic cluelessness at the heart of Government. The public must be watching this place and wondering what on earth is going on. The Prime Minister gave a petulant and unsatisfactory response to the preceding events. This Government are still determined to flog a dead deal, but at some point they are going to have to accept that the game is over.

We have just got sight of tomorrow’s motion and it seems to me that it is readily amendable. All we need to get rid of is the first two parts and we will get to what this House really wants and requires, which is an indefinite extension of article 50 until we get the issue resolved. The will of the House has to be respected in these matters.

I have seen the provisional business for next week and there is nothing in it—nothing at all—so the Government could table a motion that reflects the wish of this House to legislate to take no deal off the table. Is that in the thinking of the Leader of the House, and does she intend to do it? That is what this House expects, and it is now what this country expects.

Andrea Leadsom: As the hon. Gentleman will know, the Prime Minister set out some time ago that should the House reject the withdrawal agreement and future declaration, there would be a discussion for the House to decide whether it wished to take leaving the EU without a deal off the table, and then, should the House make that decision, there would be a further discussion on whether the House wishes to seek an extension to article 50. That is the motion we will discuss tomorrow.
As my right hon. Friend the Prime Minister has just said, tomorrow’s motion will set out the fundamental choices facing the House. If the House finds a way in the coming days to support a deal, that will allow the Government to seek a short, limited, technical extension to article 50 till 30 June 2019, to provide time to pass the necessary legislation and ratify the agreement we have reached with the EU. If the House does not find the way to support a deal in the coming days, and is not willing to support leaving without a deal on 29 March, it is highly likely that the EU will require a clear purpose for any extension, not least to determine its length, and that any extension beyond 30 June 2019 would require the United Kingdom to hold European Parliament elections in May. I hope that that answers the hon. Gentleman’s question.

Chris Bryant (Rhondda) (Lab): The motion, which we now know will be debated tomorrow—doubtless it will be subject to amendments—says that the House has to agree a motion “approving the negotiated withdrawal agreement and the framework” by “20 March”. Does that mean that the Government intend to bring forward the same motion that we have dismissed in this Session on Monday or Tuesday next week? If so, I gently suggest to the Leader of the House that that flouts all the conventions that have operated in this House since the 16th century. It has always been held that, if a motion has been dismissed in one Session of Parliament, it cannot be brought again. Clerks regularly refuse to accept ten-minute rule Bills and private Members’ Bills that have been disposed of in the Session. Will we have that motion on Monday or Tuesday? If so, does the Leader of the House confidently expect Mr Speaker to refuse to allow it?

Andrea Leadsom: The hon. Gentleman will be aware that the House has just voted twice on the amendment in the name of my right hon. Friend the Member for Meriden (Dame Caroline Spelman) among others. That vote was on the same amendment.

Ms Angela Eagle (Wallasey) (Lab): It appears to me that the Leader of the House is merely organising meaningful vote No. 3 on exactly the same deal in complete contravention of the will of the House expressed in two defeats of the Government motion. Instead of attempting to play this ridiculous game of chicken with the future of our country, and attempting to tear up all the conventions of this House, showing nothing but contempt for how it has made its decisions, should she not facilitate the decisions of the House by moving an amendment—a statutory instrument—that will take the date of our leaving the European Union of 29 March 2019 out of the statute? Is that not her job?

Andrea Leadsom: The hon. Lady will be aware that tomorrow’s motion is amendable. It is for the House to decide whether it wants to put forward amendments and vote on them. As my right hon. Friend the Prime Minister has said, if the House votes for an extension, she will seek to agree it with the EU and will bring forward the necessary legislation to change the exit date commensurate with that extension.

Kirsty Blackman (Aberdeen North) (SNP): Does the programme motion tomorrow mean that the votes will be at the moment of interruption, or will they be at some other time?

Andrea Leadsom: The programme motion sets out that the vote will be at the moment of interruption, but it is subject to the agreement of the House.

Maria Eagle (Garston and Halewood) (Lab): Will the Leader of the House undertake this evening to use her best endeavours to ensure that, at the end of this process, the Government facilitate and enact the will of the House by bringing forward and making time for statutory changes, instead of simply offering more motions that do not have the operative Executive impact for which this House has voted?

Andrea Leadsom: The Prime Minister and I have both said that if the House votes for an extension, we will seek to agree that extension approved by the House with the EU and bring forward the necessary legislation to change the exit date commensurate with that extension. As has been said several times, it is not within the Government’s gift to insist on an extension. That will be a matter for agreement with the EU and will potentially be subject to conditions imposed by it, and the hon. Lady will be aware that it will require unanimous agreement by all 27 members of the EU. I can reassure her, however, that the decision would come back to the House finally and would need to be approved by Parliament.

Clive Efford (Eltham) (Lab): It was only a little while ago that the Government were attacking the Leader of the Opposition for not agreeing to meet the Prime Minister. If were are trying to fulfil the will of the House, surely the Government should be reaching out to all sections of the House to find a way through. Where in this timetable is there a facility for those sorts of discussions to take place?

Andrea Leadsom: The hon. Gentleman will be aware that the Prime Minister has sought to reach out to Members across the House. The Leader of the Opposition was willing to meet once only and that was very late on in the discussions, but the Prime Minister and Ministers, including the Secretary of State for Exiting the European Union, have sought the views of Members across the House and will continue to do so.

Vernon Coaker (Gedling) (Lab): As the right hon. Lady knows, the Leader of the House has a hugely important constitutional role—to be the voice of Parliament to Government. The Government seem to be ignoring a vote after vote in this Chamber, as we heard from the Prime Minister earlier this evening. The Leader of the House has announced that tomorrow we are to have an amendable motion on extending article 50. If the House passes those amendments, takes out the conditionality that the Government have put into it, it appears from the last two or three votes that they will just ignore that. How can we have confidence in the motions we discuss and pass and confidence in the Leader of the House, who has demonstrated in other areas that she can speak up for Parliament? She should be roaring to the Executive that the expressed will of Parliament is being ignored. What is she going to do about that?
Andrea Leadsom: I take very seriously my role as Parliament’s voice in Government and at all times I seek to ensure that the views across the House are heard in the Government very clearly. I will always stand up for Parliament in that way. As I have always said, the Government take very seriously views expressed by this House. The Prime Minister has been clear that if the House votes for an extension, the Government will seek to agree that extension with the EU and will bring forward the necessary legislation to change the exit date commensurate with that extension.

Stewart McDonald (Glasgow South) (SNP): This need not be the Schleswig-Holstein question all over again, but it does risk driving us all a bit mad. Now that the House has ruled out no deal, is not the only thing now entirely within the House’s gift—as opposed to relying on members state of the EU—the revocation of article 50?

Andrea Leadsom: The hon. Gentleman will be fully aware that the revocation of article 50 would mean not leaving the EU and so would put us in direct contravention of the will of the people expressed in the referendum, and the Government will not be doing that.

Mr Speaker: Order. I simply say to colleagues that I think it is clear that whatever the House decides, it will not be a state secret. It will become public. It will be known. The message will be communicated. In fairness, I think the Leader of the House has acknowledged that whatever the House decides, it will be communicated to the European Union. That will happen, and the wording of what has been decided will be absolutely crystal clear. The will of the House will be forwarded to the European Union, whatever that will be.

David Linden (Glasgow East) (SNP): Given that we have seen plenty of briefings indicating that meaningful vote No. 3 will take place at some point next week, and given that the pound appears to be going tonto just about every day, can the Leader of the House tell us when meaningful vote No. 3 will be, so that the markets can be prepared for the same nonsense again next week?

Andrea Leadsom: What I can say to the hon. Gentleman is that I will announce next week’s business tomorrow. What I can say to the hon. Gentleman is that it will be—

Andrea Leadsom: The hon. Gentleman is simply wrong. The Prime Minister set out, in response to the strong desire of this House, a trajectory towards a second meaningful vote, and if that was not passed towards giving the House the opportunity to take leaving without a withdrawal agreement off the table, and if that was passed giving the House an opportunity to ask for an extension to article 50. The Prime Minister has been clear that she will comply with the House’s request, and all I am pointing out is two things. One is that it will be
[Andrea Leadsom]
a request—the Government cannot insist on it—and, secondly, the motion tomorrow will be amendable. So if
the hon. Gentleman wants to put forward an alternative proposal that he believes will carry the House then of
course, by definition in an amendable motion, he is able to do so.

Mr Steve Baker (Wycombe) (Con): Since the last vote I
have taken the opportunity to canvass the external Brexit campaign groups to find out their opinion as to
whether, in the light of all this, we were right to vote
down the deal, and I can tell the Government that
unanimously so far the opinion is that the deal was so
rotten that we were absolutely right to vote it down and
that come what may we should continue to do so. And I
tell the Government now that when meaningful vote
No. 3 comes back I will see to it that we honour—
what we owe to them: to keep voting this
down however many times it is brought back, whatever
pressure we are put under, and come what may. Please
don’t do it: go back to the EU and say, “It won’t pass.”

Andrea Leadsom: My hon. Friend and I clearly have a
different perspective on this. In my opinion the Prime
Minister’s proposal delivers on the will of the people as
expressed in the referendum. It means we are leaving
the single market and the customs union; we are taking
back control of our money, our laws and our borders;
we are getting out of the common agricultural policy
and the common fisheries policy; and, importantly,
we will have the opportunity to write free trade deals with
other nations around the world. But important too is
the fact that the Prime Minister’s deal respects the views
of so many who did not want to leave the European
Union, because it ensures that we will continue to have
a close and collaborative relationship with our EU
friends and neighbours. So in my opinion it is the best
combination to deliver on the will of the referendum.

Mr Marcus Fysh (Yeovil) (Con): On a point of order,
Mr Speaker.

Mr Speaker: If the hon. Gentleman does not mind—and
I am always interested to hear his views—I would prefer
to conclude the exchanges on the emergency business
statement and if he is still keen to raise his point of
order then I shall be happy to hear him.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP):
When we were in talks with the Prime Minister before—
probably a month or six weeks ago—she was absolutely
adamant that it was no deal, her deal or revocation.
Now the Government have pivoted to extension. So
why is there this change of position? Why did they not
stick to no deal, her deal or revocation? Her deal is dead
so it is now between no deal or revocation.

Andrea Leadsom: Actually what the Prime Minister
was saying was that she was concerned that the House
was not giving due consideration to her negotiated
proposal, and what she was pointing out to the House is
that the Government are determined to fulfil on the will
of the people expressed at the referendum and that the
alternative to either a negotiated deal such as her deal
or not fulfilling on the will of the people was to leave
the EU without a deal, which nobody believes would be
in the best interests of the country.

Sir Christopher Chope (Christchurch) (Con): My right
hon. Friend has said that we would need to have a clear
purpose in order to extend article 50, particularly if that
was for a short period of time. Can any right hon.
Friend tell the House whether she believes that a change
of chief negotiator will amount to such a clear purpose?

Andrea Leadsom: My hon. Friend gives me the
opportunity to pay tribute to the excellent work of the
civil service, who have spent the last two and a half
years above and beyond the call of duty—so many of
them focused on delivering on the referendum. That is
something to be proud of.

Sandy Martin (Ipswich) (Lab): Does the Leader of
the House not recognise that the Prime Minister will
not be able to pass a deal simply with the support of the
Members sitting behind her—and if she had not fully
recognised that until this evening surely she does now?
If there is to be any deal that we can take to the
European Parliament, European Commission and
European Council in order to secure any sort of
deal other than a no-deal Brexit, she is going to have to
negotiate a deal with Members on the Opposition side
of the House—not just to talk to Members on the
Opposition Benches, but negotiate a deal with them.

Andrea Leadsom: My right hon. Friend has indeed
reached out to Members across the House, and the hon.
Gentleman knows that full well.

Peter Grant (Glenrothes) (SNP): Once again the
Government are happy to use the most arcane and
incomprehensible procedures when it suits them in order
to frustrate the will of the House, and also to ignore
them when it suits them to do so. The hon. Member for
Rhondda (Chris Bryant), who is no longer in his place,
has pointed out that the Government seem determined
to cast aside the time-honoured tradition that if you put
forward a motion and lose it once, it is gone. Also, if the
Government have already decided, as they clearly have,
when the crucial third vote will be held, surely it is
another time-honoured tradition to have the courtesy
to give the House such information now, rather than
keep it for some other time. Will the Leader of the
House give a commitment that when the meaningful
vote is brought back and the discredited deal is rejected
yet again, every member of the Government will honour
the time-honoured tradition of three strikes and they
are out?

Andrea Leadsom: I find it a bit odd that the hon.
Gentleman is suggesting that we are using arcane procedures
when we are actually using common procedures and motions
of the House that are by no means arcane. We are
merely fulfilling the commitment that the Prime Minister
gave to ensure that the House could vote on whether it
wished to take no deal off the table and then vote on
whether it wished to request an extension to article 50
from the European Union.

Mr Marcus Fysh (Yeovil) (Con): Can the Leader of
the House tell us whether there will be time to debate
one quite interesting aspect of the withdrawal agreement?
It really is an encroachment of much of what is wrong
with the Government’s attitude to the House. It involves
the backstop proposals for how the technicalities of
customs will work at the border. They are silent on VAT
and they will require the EU’s permission to be workable and compliant with the EU customs code. They will also require the EU to agree on what the law on our borders will be. This goes against the statement that the Government keep making that we will have control of our money, borders and laws through the withdrawal agreement. How can we identify this and explain it more fully than the Government have done to date?

Andrea Leadsom: I am sure that there will be Ministers from the Department for Exiting the European Union on the Front Bench tomorrow. That might be an appropriate time for my hon. Friend to raise his specific questions.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I am a new MP and I have lost my circus programme, so can the Leader of the house tell me what time close of play will be tomorrow? Or will there be an extension?

Andrea Leadsom: The motion that has been laid suggests that the House will carry on its debate until 5 pm, but that is a matter for the House to agree.

Mr Speaker: In other words, it is an amendable motion.

Alison Thewliss (Glasgow Central) (SNP): I would like to ask the Leader of the House whether it is still a convention that if a Government Minister breaks a three-line Whip, they are expected to resign.

Andrea Leadsom: Whipping is a matter for each Chief Whip. I am pleased to say that it is not a matter for me.

Alan Brown (Kilmarnock and Loudoun) (SNP): Given that Parliament has rejected leaving the EU in a no-deal scenario, the Leader of the House has outlined that tomorrow we will debate extending article 50. She has also told us tonight that the Government cannot go back to the EU to ask for that extension of article 50 unless a proper deal has been agreed in Parliament. What is she doing to bring forward the mechanisms for Parliament to decide what they want to take back to the EU for the purposes of extending article 50, instead of this nonsense of another meaningful vote on a deal that we have already rejected twice?

Andrea Leadsom: I think perhaps the hon. Gentleman has misunderstood. The Prime Minister was making the point that the Prime Minister was making is that we cannot insist on that extension. However, the fact is that that would only be a request. The Government are not able to insist upon it because it requires the agreement of all 27 EU members. So we can request the extension on behalf the House, and will certainly do so, and if the EU agrees to such an extension, the Government will bring forward legislation. The point that the Prime Minister was making is that we cannot insist on that extension.

Neil Gray (Airdrie and Shotts) (SNP): After Aberdeen’s brilliant result against Rangers last night, it was probably only right to give Kilmarnock a wee win.

Last night, the Prime Minister and the Leader of the House both gave a commitment that if this House backed no deal as a way forward, that would become Government policy. The extension of that principle and that logic, which is important after what the hon. Member for Wycombe (Mr Baker) said, means that the Government should now adopt no “no deal” as their policy, so why is the first item of business tomorrow not a statutory instrument removing from legislation the exit day of 29 March?

Andrea Leadsom: The Prime Minister committed to allowing the House to decide whether it wanted to decline to leave the European Union without a deal, and the House made that decision. The Prime Minister also said that she would give the House the opportunity to decide to extend article 50, with a clear commitment to making that request should the House decide to agree to it. The hon. Gentleman will appreciate that the only way to avoid the legal default, which is still that the United Kingdom leaves the European Union on 29 March with or without a deal, is to put in place an alternative deal or, indeed, to extend article 50. I have merely stated the fact that that in itself requires the agreement of the all other 27 EU member states.

Business of the House

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (FOOD)

That the draft Veterinary Medicines and Animals and Animal Products (Examination of Residues and Maximum Residue Limits) (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 10 January, be approved. (Andrew Griffiths.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (CONSUMER PROTECTION)

That the draft Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 7 February, be approved. (Andrew Griffiths.)

The Deputy Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 20 March (Standing Order No. 41A).

Madam Deputy Speaker (Dame Rosie Winterton):

With the leave of the House, we shall take motions 6 to 8 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (CONSUMER PROTECTION)

That the draft Detergents (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 14 February, be approved.

That the draft Detergents (Safeguarding) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 10 January, be approved. (Andrew Griffiths.)

Question agreed to.

EXITING THE EUROPEAN UNION (FINANCIAL SERVICES)

That the draft Uncertificated Securities (Amendment and EU Exit) Regulations 2019, which were laid before this House on 17 January, be approved. (Andrew Griffiths.)

Question agreed to.
PETITION
Closure of Middleton Crown Post Office

8.52 pm

Liz McInnes (Heywood and Middleton) (Lab): I rise to present a petition signed by 1,183 residents of Heywood and Middleton. The Post Office recently announced a plan to close 74 Crown post offices, including the Middleton post office in my constituency, and to franchise the services to branches of WHSmith. That will put jobs at risk, affect quality of service and accessibility, and have a negative effect on Middleton town centre. In addition, there is uncertainty about the future of WHSmith itself, which has recently announced the closure of some of its high street stores. It is a huge risk to relocate post office services into a business that is closing stores and may lose more.

The petition states:

The petitioners therefore request that the House of Commons urges the Government and Post Office Ltd to keep Middleton Crown Post Office open at its current location.

Following is the full text of the petition:

[The petition of Heywood and Middleton, which has recently announced the closure of some of its high street stores. It is a huge risk to relocate post office services into a business that is closing stores and may lose more.]

The petitioners therefore request that the House of Commons urges the Government and Post Office Ltd to keep Middleton Crown Post Office open at its current location.

And the petitioners remain, etc.]

[Petition P002438]

8.54 pm

Justin Madders (Ellesmere Port and Neston) (Lab): We have had another momentous debate and series of votes affecting the nation’s future, but our role can also involve raising individual cases of injustice, so I am grateful for the opportunity to recall an issue that has affected one of my constituents. His experiences may well have affected others, which is why I want to bring it to the attention of the House. I hope that by debating it we can not only find a solution for my constituent by giving the Government an opportunity to do the right thing but also ensure that this situation does not happen again. I hope that by setting out the history of my constituent’s complaint lessons will be learned.

Those who serve our country make many sacrifices defending our interests, and they rightly deserve our respect, support and fair treatment both during and after their service. I want to take this opportunity to thank all our armed forces personnel, past and present, who represent our country across the world and stand ready to defend our country day and night. It saddens me that I have to bring this debate today to highlight a case in which a former serviceman has not, I believe, been treated fairly or with the respect that he deserves.

My constituent, David Cottrell, who lives in Neston, served in the Army, in the Cheshire, then Mercian, Regiment, for a period of 22 years, from 1987 until 2009, during which time he saw active service in both Northern Ireland and Iraq. As a result of his service, he was left with a number of serious and long-term medical conditions and was awarded a war pension at 50% and a lower standard of occupation allowance in 2012. He suffers from a number of conditions, including post-traumatic stress disorder, which causes him to suffer disturbed sleep, anxiety and flashbacks. He also suffers from polyarthralgia—aches and pains in his joints—and a number of medical conditions affecting his back that cause him severe difficulty in standing, walking, using the stairs, sitting and bending. It also causes him difficulty in using his wrists to lift and carry everyday objects.

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I thank the hon. Gentleman for his intervention. In these times of uncertainty, we can rely on the certainty that he will intervene in the Adjournment debate. The point that he made is absolutely pertinent to my constituent’s experiences. As the debate develops, I will show that he has experienced a convoluted appeals process, which only exacerbated his general condition.

As Members will know, the war pension scheme is run by Veterans UK to provide benefits for people with disablement caused or made worse by service in the armed forces. There is no list of prescribed diseases;
claims can be made for any medical condition that is suffered provided that there is a causal link between the condition and military service. Rates for a war disablement pension depend on the degree of disability suffered, which is assessed on a percentage basis akin to the industrial injuries scheme.

A range of allowances and supplements may be granted depending on an individual’s circumstances, including for employability, mobility, constant attendance or severe disablement. As of 31 March 2018, there were 101,630 disablement pensioners and 15,854 war widows in receipt of a war pension, and in the year 2017-18, £517 million was paid out. With that amount of money at stake, it goes without saying that the process for assessment must be robust.

War pension claims are made to Veterans UK. If individuals are unhappy with the outcome they can request a review of their war pension decision, and they can also make an appeal to an independent tribunal.

Dr David Drew (Stroud) (Lab/Co-op): My hon. Friend may be aware of the ongoing issue affecting those who allege that because of taking Lariam when they were in the forces, they have been completely disabled in later life. The way in which that has been dealt with is Kafkaesque. That affects many veterans, so does he agree that that needs to be sorted out as a matter of urgency?

Justin Madders: My hon. Friend is absolutely right. There are many scandals that are not going to go away and will not be resolved until truth and justice are delivered, so I support his call entirely.

I would like to discuss the review and appeals process, because it has utterly failed to assist my constituent to receive the war pension to which he is entitled.

Bob Stewart (Beckenham) (Con): This soldier was in my regiment and I suspect in my battalion. May I ask whether his constituent has consulted my regiment and I suspect in my battalion. May I ask receive the war pension to which he is entitled. because it has utterly failed to assist my constituent to and will not be resolved until truth and justice are can also make an appeal to an independent tribunal. request a review of their war pension decision, and they at stake, it goes without saying that the process for assessment must be robust.

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informs me that the chief medical officer of Veterans UK reviewed the complaint and concluded that Dr Nightingale’s assessment was incorrect as it only referred to him being unable to work for the next 12 months. Rather incredulously, he also said that the report should not be trusted due to the close relationship Mr Cottrell would have with Dr Nightingale as his GP. Given that Dr Nightingale assessed Mr Cottrell via the occupational health department of his employer and was not his GP, this demonstrates clearly that her report was not properly considered, understood or possibly even read at all.

In fact, the contents of Dr Nightingale’s report are really the nub of the issue, as it has since transpired that the paperwork shows that the decision on Mr Cottrell’s claim was made three days before the medical report from Dr Nightingale was received by the assessors. The report was recorded as being received by the department on 14 July, although for some reason the recorded date is 15 July, but, crucially, the decision on Mr Cottrell’s claim was made on 11 July. This is a basic error—it is factually indisputable—but since that point, the whole process has been characterised by a total failure to acknowledge that mistake and act accordingly.

An example of that failure is that the records reveal that when the assessing doctor was informed that Dr Nightingale’s report had been received late and was asked whether that would have altered his decision, the assessing doctor did not actually look at it again, because the response was in fact from a different colleague, who said that the assessing doctor was not available, but that in the new doctor’s opinion the original decision remained appropriate. It seems to me to be wholly inadequate to have one professional trying in effect to second-guess what another professional might have said. It should have been sent back to the original doctor to do the whole thing again. Had that happened, I very much doubt that we would be here today.

Following that decision, Mr Cottrell proceeded with the internal complaints procedure of Veterans UK, while also appealing the decision at tribunal. His case was eventually heard in February 2015, and the tribunal was unsuccessful. Worryingly, papers from the tribunal demonstrate that half Dr Nightingale’s report was omitted from the appeal pack. So, for a second time, the full evidence was not considered. Following that, Mr Cottrell was told that only procedural issues could be dealt with via the remaining complaints procedure.

Mr Cottrell informs me that because of the controversy over Dr Nightingale’s report, he decided to write to her in September 2015 about the interpretation that the department had made of her report regarding the period for which he was unfit for work. Dr Nightingale responded by stating that in her professional opinion, as had been detailed in the report previously, Mr Cottrell was permanently unable to work. That letter was then sent to the MOD.

In the meantime, Mr Cottrell made a new deterioration claim for extra allowances for his war pension, and Dr Nightingale’s letter was added to the new claim file, rather than being considered as part of the ongoing dispute regarding the 2014 Atos assessment. This review resulted in an increase in Mr Cottrell’s war pension from 50% to 70% in August 2015, and he got unemployability supplement in November 2015. Indeed, on 26 November 2016, Mr Cottrell received a letter from Veterans UK saying that he was entitled to unemployability supplement “because we think you are unable to work”.

Curiously, this decision did not require a medical assessment, and instead used both the letter submitted by his GP and the report made by Dr Nightingale. So, 18 months on, we finally got the right decision, even though the medical opinion had not changed during that time. Given that both the information from his GP and Dr Nightingale had been discounted by Veterans UK previously, Mr Cottrell feels that demonstrates that the objection to his appeal was unfounded and that his award should be backdated to January 2014, when the deterioration was originally reported and the application made.

In the meantime, with regards to his complaint, Mr Cottrell was informed by Veterans UK that it would no longer respond to his or his solicitor’s correspondence, so he referred the complaint to the Parliamentary and Health Service Ombudsman. Following this, Mr Cottrell received a visit at home from the customer services manager of Veterans UK. He tells me that during this visit he felt he was being encouraged to drop his complaint because his new claim had been approved. I find that a rather curious approach to take, if not an improper one. Frankly, the implication that he should be satisfied with his lot is simply not good enough.

My constituent deserves to receive the war pension to which he was fully entitled from the beginning. He should not be expected to write off several years of underpayment just because the MOD got it right in the end. I am deeply concerned that because the appeals process open to him was not sufficient to deal with his complaint and instead resulted in a drawn-out affair, he had to use a solicitor, running up a bill of nearly £5,000. It was only because of the financial costs that he could not pursue his legal case any further.

I have been trying to resolve this unfair situation since June 2015, just after I was first elected. That is nearly four years. In that time, I have written to the Minister responsible on nine occasions and twice to the independent complaints panel, which subsequently took up Mr Cottrell’s complaint. At this point, I pay tribute to my caseworker Eve, who has done a great job in keeping the issue going all the way through. We should all acknowledge the great work that our staff do. I think that every Member would agree that without them we would not be anywhere near as effective as our constituents would like us to be.

As the House can tell, the details of this case are long and complicated, but at the heart of it lie two simple truths: first, a mistake was made in assessing Mr Cottrell’s deterioration claim in 2014; and secondly, since then, no one has been prepared to admit that mistake and put it right. That is not how justice is supposed to work in this country. If a wrong has occurred—I hope that it is patently obvious from what I have said that the original decision was wrong—then nobody, and certainly not someone who has suffered as a result of service to their country, should be faced with such a begrudging attitude, which is essentially, “Well we got there in the end, albeit a few years late, so be satisfied with your lot.”
That brings me back to where I started. Our servicemen and women deserve respect, support and fair treatment both during and after their service. I do not believe that we have seen that in this appeals process. I am concerned that the bodies and processes are not sufficient to deal with complaints in general.

Eventually, the Veterans Advisory and Pensions Committees found in Mr Cottrell’s favour and strongly recommended that his war pension was backdated, yet Veterans UK ignored this recommendation. I appreciate that it is an “advisory” committee, but what is the point of making recommendations if no one listens to them and they cannot be enforced? Mr Cottrell was also concerned that he was not able to present his case in person to the VAPC, which meant that he could not, for example, make the case for repayment of his legal fees. Mr Cottrell does not know what evidence was considered by the panel, and his communications with VAPC were via Facebook Messenger. I think there is now an acceptance that that was not an appropriate channel for communication, but it does bring into question the resources available to the VAPC to deal with the administration of hearings, which seemed to take an age to happen.

It has also been brought to my attention that the Independent Complaints Panel is made up of members of the VAPC, so how, in those circumstances, can it really be independent? In my correspondence with the Minister, and his predecessor, I have asked for a review of the way that this case has been handled, so that mistakes are learned from and no one else has to suffer in the way that my constituent has. I believe that my constituent deserves an apology from the Ministry of Defence, compensation to cover his solicitor’s fees and the backdating of his award to the original application date.

As the Minister himself confirmed in his letter of March 2017, the backdating of awards can be considered when there has been an error in the handling of a case, and I believe that that is the only reasonable outcome. It is manifest that there was an error in the original assessment, and after four years there was a recognition by the VAPC that the original decision was wrong, but why my constituent feels so strongly about this, as do I, is that it should not have taken four years to go through this process, which at the end of it turns out to be something that cannot be legally enforced.

Although there is obviously the individual injustice that my constituent has suffered, questions need to be asked about how such an obvious error was allowed to continue for so long. The Government also need to review the powers of the VAPC. If its decisions cannot be enforced then it is a toothless body, which gives people false hope and wastes people’s time. Frankly, our veterans deserve better.

9.12 pm

The Minister for the Armed Forces (Mark Lancaster): I start by congratulating the hon. Member for Ellesmere Port and Neston (Justin Madders) on securing this evening’s debate on this very important subject. At the outset, I should pay tribute to all members of our armed forces, in whichever service they serve in, for their bravery and commitment to protecting the values and freedoms that we are so fortunate to enjoy in this country. I am sure that the House will agree that both they, and those who served before them, are deserving of an enduring debt of gratitude by the nation. That is precisely why debates such as this are so important and why, as I said, I congratulate the hon. Gentleman for his persistence in this case.

The Government’s concern for servicemen and women does not end when they leave Her Majesty’s armed forces. In the context of this debate, we are determined to ensure that, where they have been injured, they have speedy, fair and transparent access to pension and compensation rights. The hon. Gentleman rightly raises the case of his constituent, Mr Cottrell. He also rightly highlights that this has been the subject of extensive ministerial correspondence now over some four years. Indeed, I was the Minister’s predecessor, so some of the correspondence has been with me. Therefore, I am only too well aware of that case.

The hon. Gentleman goes into enormous detail of the case, and much of that has been dealt with in the detailed correspondence that we have had. For the purpose of the debate this evening, it would not be in the House’s interest for me to go through all of that detail, not least because I do not have time. There is a wider point here about how this process works. What I would like to do—I will come back in some detail later—is to touch on some misunderstandings about how this process works, or is seen to work. Crucially, I hope also to touch on how we are looking at improving this process so that, hopefully, cases such as this will be more transparent and will not go through the long-winded process that we have seen.

The tribunal was created in 2008 as part of the unified tribunal system, which was established at that time under the Tribunals, Courts and Enforcement Act 2007. Formerly, it was dealt with by the pensions appeal tribunal. There are separate tribunals for veterans in Scotland and Northern Ireland, but United Kingdom law applies throughout. I will come back to the separation of process, because that is one area where we can improve.

As the tribunal service is part of the Ministry of Justice, I stress that any decisions reached at appeal are wholly independent of any decisions that may have been reached by the Ministry of Defence. The first-tier tribunal has jurisdiction to hear appeals from veterans who are unhappy with a decision reached by Veterans UK, the organisation that receives claims from service personnel under the compensation schemes that it administers. Veterans UK administers two schemes: the war pension scheme, which deals with injuries sustained or aggravated by service in Her Majesty’s armed forces prior to 6 April 2005; and the armed forces compensation scheme, which deals with injuries sustained in service on or after 6 April 2005.

The tribunal appeals process is determined by the Tribunal Procedure (First-tier Tribunal) (War Pensions and Armed Forces Compensation Chamber) Rules 2008. I will explain how the process works. A claim is made by the claimant to my officials within Veterans UK. We have heard about that. They assess the merits of the claim and reach a decision based on service and medical records and external medical evidence from the claimant’s general practitioner and hospital consultants, as appropriate. A claim may typically be for a disabling injury or battle stress psychological disorders. If Veterans UK does not allow the claim, the claimant can seek a review of that
decision. In the case of a claim under the armed forces compensation scheme, that is called a reconsideration. If the decision remains the same on review, the claimant may appeal to the first-tier tribunal, but they must do that within one year of receiving written notice of the Veterans UK decision. In the case of claims under the armed forces compensation scheme where a reconsideration has not been requested, that will not be carried out as part of the appeals process.

Following an appeal against a decision being made to my officials within Veterans UK, it prepares what is known as a response document. That document includes all the evidence upon which the decision under appeal was based, along with any relevant medical and legislative information. A copy of that is sent to the tribunal service, the appellant and their representative at the tribunal. Once that has been received by the tribunal service, it begins the process of listing the hearing at a venue as close to the appellant's home as possible.

The appeal to the tribunal is a full-merits hearing, which means that it is a complete reappraisal of the case. The appellant can bring evidence and witnesses to the tribunal and the panel is made up of a judge, a medical member and a service member. The panel ensures that proceedings are balanced and inquisitorial in their approach. Tribunals are less formal than court environments and every effort is made by the panel to assist appellants in putting their case. Sometimes appellants are helped by members of various support groups and charities such as the Royal British Legion, the Royal Air Forces Association, Combat Stress, Blesma: the Limbless Veterans, the Royal Gulf Veterans and Families Association and UK armed forces charities.

Bob Stewart: I thank the Minister for giving way, and I thank the hon. Member for Ellesmere Port and Neston (Justin Madders) for securing this debate. I make the point to the House that one of the things that Mr Cottrell might or might not have done is lean on his friends in the Ellesmere Port company. There is a Cheshire Regiment old boy network there, and that is very important. If the hon. Gentleman would like to give me more details—I seem to remember a Cottrell serving with me in Bosnia—I will make sure that there is a connection.

Mark Lancaster: My hon. Friend makes an important point: while there is very much a process—this goes very much to the heart of our armed forces and how we operate—the wider support mechanism through the regimental associations that he describes can also offer significant assistance to our veterans, particularly when they have to go through what can be a fairly challenging and difficult process. I hope the hon. Member for Ellesmere Port and Neston will follow my hon. Friend's advice and do that.

Let me return briefly to the tribunal process. A decision of the first-tier tribunal can be appealed to the administrative appeals chamber, or the upper tribunal, if it appears that there may have been an error of law. England, Wales and Northern Ireland are the only parts of the United Kingdom where appellants in these cases must lodge their appeal with Veterans UK rather than the tribunal itself. Indeed, it is unique in this regard in the unified tribunals system. I appreciate the concerns of many stakeholders in this area of law, expressed over several years, that this inconsistency is undesirable. Indeed, the complexity of the process seems to have made a contribution to the hon. Gentleman's constituent's case. It has been suggested that the fact that Veterans UK is part of the MOD means that there is a lack of independent assessment of claims. However, the Government are satisfied that Veterans UK is scrupulous in assessing veterans' claims. While it is accepted that there can sometimes be a delay in the sending of appeals documentation from Veterans UK to the first-tier tribunal, this is an inherent risk in any system in which there are separate tiers of administration.

The process in Scotland is quite different. There, appeals are sent by veterans directly to the tribunal. This is known as direct lodgement. The Government agree that direct lodgement should also apply in England and Wales, although for this to happen there would first need to be changes to the tribunal's procedure rules, which are made by the independent Tribunal Procedure Committee. Subject to the necessary changes being put in place by the committee, the Ministry of Justice intends to introduce direct lodgement as part of an ambitious programme of court and tribunal reform in which it is investing about £1 billion, and which is already under way. The aim is to introduce direct lodgement for veterans' pension and compensation appeals in England and Wales next year—in 2020—if we can, but because of other work ahead of it in the reform programme, I cannot give the House the firm assurance that that will happen.

I would like to draw the House's attention to the vital role played by my officials within the Veterans Welfare Service. They can and do assist our veterans in submitting compensation claims, and provide advice about how to submit an appeal should they be unhappy with a decision reached about their compensation entitlement. In addition to this, the welfare service can provide help and advice on a much wider range of issues, including access to charitable assistance, housing and entitlements to benefits from the Department for Work and Pensions.

The hon. Gentleman is absolutely right to draw the House's attention to the challenges that his constituent has met while going through this process. While the principal substance of his appeal was dismissed, there has been an apology for some of the handling of his case. I hope that I have taken this opportunity to outline to the House how we are looking at ways of making this process better and more fit for purpose in future.

Question put and agreed to.

9.22 pm

House adjourned.
Deferred Divisions
EXCLUDING THE EUROPEAN UNION
(ENVIRONMENTAL PROTECTION)

That the draft Waste (Miscellaneous Amendments) (EU Exit) Regulations 2019, which were laid before this House on 18 February, be approved.

The House divided: Ayes 315, Noes 235.

Division No. 355

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Deferred Divisions

13 MARCH 2019

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Simon, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, Rosston
Soames, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, lain
Stewart, Rory
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Symons, Sir Robert
Thomson, Alex
Thomson, Ross
Throup, Maggie
Tilhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Anne-Marie
Vazey, rh Mr Edward
Vara, Mr Shalish
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warmann, Matt
Watling, Giles
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Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim
Griffith, Nia
Grogan, John
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
Heburn, Mr Stephen
Hill, Mike
Hillier, Meg
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Kelvin
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jarvis, Dan
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
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Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kilien, Ged
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Lake, Ben
Lavery, Ian
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lloyd, Tony
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Lucas, Caroline
Lucas, Ian C.
Lynch, Holly (Proxy vote cast by Mark Tami)
Madders, Justin
Mahmood, rh Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Moon, Mrs Madeleine
Morden, Jessica
Morgan, Stephen
Morris, Graham
Murray, Ian
Norris, Alex
Onasanya, Fiona
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Platt, Jo
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reevoo, Ellie
Reevoo, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruan, Chris
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mrs Virendra
Sheeran, Mr Barry
Sherriff, Paula
Siddiq, Tulip (Proxy vote cast by Vicky Foxcroft)
Skinner, Mr Dennis
Slater, Andy
Smeeth, Ruth
Smith, Angela
Smith, Cat
Smith, Elizabeth
Smith, Jeff
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Smith, Owen
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Soubry, rh Anna
Sporer, rh John
Stevens, Jo
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Tami, rh Mark
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Twigg, Derek
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, Valerie
Walker, Thelma
Watson, Tom
Question accordingly agreed to.

**EXTINGUISHING THE EUROPEAN UNION (IMMIGRATION)**

That the draft Immigration (European Economic Area Nationals) (EU Exit) Order 2019, which was laid before this House on 11 February, be approved.

*The House divided: Ayes 314, Noes 276.*

**Deferred Divisions**

**Deferred Divisions**

**UR OPEAN**

**MMIGRA TION**

**13 MARCH 2019**

**Division No. 356**

**AYES**

Adams, Nigel
Afolami, Bim
Afriyie, 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, rh 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
Brooke, Robert
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Caims, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey

**Gove, rh Michael**
Graham, Luke
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Grant, Bill
Grant, Mrs Helen
Gray, James
Green, Chris
Green, rh Damian
Greening, rh Justine
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
Harrrington, Richard
Harries, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, rh Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkins, Andrea
Jennick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Jones, 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
La Mont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Phillip
Leffoy, Jeremy
Leigh, rh Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon

**Lewin, rh Dr Julian**
Liddelli-Grainger, Mr Ian
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Matt
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Merron, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
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Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
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Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryl
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O’Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, rh Christopher
Poultier, Dr Dan
Pow, Rebecca
Prentis, Victoria
Priest, rh Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
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Raab, rh Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas (Proxy vote cast by Tracey Crouch)
497 498

NOES

Ali, Rushanara
Allen, Heidi
Allin-Khan, Dr Rosena
Amess, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
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Betts, Mr Clive
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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
Burgon, Richard
Butler, Dawn
Cable, rh Sir Vince
Caulfield, Ruth
Cameron, Dr Lisa
Campbell, rh Sir Alan
Campbell, Mr Ronnie
Carden, Dan
Swire, rh Sir Hugo
Sym, Sir Robert
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Throup, Maggie
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Trevelyan, Anne-Marie
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Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
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Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

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Fitzpatrick, Jim
Fletcher, Colleen
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Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
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Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
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Question accordingly agreed to.
Oral Answers to Questions

INTERNATIONAL TRADE

The Secretary of State was asked—

Trade and Investment: Switzerland

1. Rehman Chishti (Gillingham and Rainham) (Con): What recent discussions he has had with his Swiss counterpart on trade and investment.

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): Together we signed an agreement with Switzerland in February. Together we signed the UK-Switzerland agreement. That was an important moment, ensuring continuity of a trading relationship worth over £32 billion in 2017.

Rehman Chishti: I thank the Secretary of State for that answer. Recently we had the brilliant ambassador to Switzerland, Ambassador Fasel, visit my constituency. I met with Federal Councillor Guy Parmelin during my visit to Switzerland in February. Together we signed the UK-Switzerland trade agreement. This was an important moment, ensuring continuity of a trading relationship worth over £32 billion in 2017.

Dr Fox: The countries my hon. Friend mentions are Switzerland, Africa, New Zealand and trans-Pacific as key priorities. Can he confirm that Switzerland—our biggest trading partner globally. The hon. Gentleman should know that.

Mr Speaker, it is unlike me to disagree with you, but I do wonder whether on the morning after Roger Federer has defeated Kyle Edmund it is not a touch unpatriotic to be quite so pro-Swiss.

Greg Hands (Chelsea and Fulham) (Con): The Secretary of State for International Trade and President of the Board of Trade must have heard an exchange a couple of days ago in which my right hon. Friend the leader of the Liberal Democrats highlighted the fact that, in the existing EU-Swiss trade deal, 19 technical standards have been brought in in common, whereas under the current UK-Swiss trade deal, only five technical standards have been brought in in common. What assessment has the Secretary of State made of the impact of that on UK business?

Dr Fox: Sometimes one wonders how small people can actually become in this House of Commons. The Swiss deal is not small, it is not insignificant; it is worth over £32 billion a year. Switzerland is Britain’s seventh biggest trading partner globally. The hon. Gentleman should know that.

Mr Speaker: I do not want to invest levity into these important proceedings, but equally one must not lose one’s sense of humour. That £32 billion volume of trade with Switzerland is very important, but I always say the best thing about Switzerland is not its watches, its financial services or its chocolate; the best thing about Switzerland is Roger Federer.

Tom Brake (Carshalton and Wallington) (LD): The Secretary of State may have heard an exchange a couple of days ago in which my right hon. Friend the leader of the Liberal Democrats highlighted the fact that, in the existing EU-Swiss trade deal, 19 technical standards have been brought in in common, whereas under the current UK-Swiss trade deal, only five technical standards have been brought in in common. What assessment has the Secretary of State made of the impact of that on UK business?

Dr Fox: There are a number of technical interactions and some small technical issues that we shall continue to talk to the Swiss Government about. Of course the trade agreement itself is, we hope, a precursor to a further bespoke agreement as we leave the EU.

Mr Philip Hollobone (Kettering) (Con): My understanding is that, of the 40 potential continuity agreements, five represent 76% of the total trade, of which Switzerland is one. Is not that a good omen for the remaining big four?

Dr Fox: Of course a number of those who are engaged in trade continuity discussions with the UK are waiting to see what we will do in terms of Britain’s approach to
the EU. They will be much more likely to sign up to those agreements when this House of Commons is clear about what it is going to do.

Leaving the EU: Agricultural Sector and Overseas Goods

2. Mohammad Yasin (Bedford) (Lab): What assurances does the Government have provided to the agricultural sector that UK markets will not be opened to goods produced overseas to lower environmental, sanitary and phytosanitary or animal welfare standards after the UK leaves the EU.

[909799]
The Minister for Trade Policy (George Hollingbery): I am grateful for the whip on Ministers having been imposed for as long as it was, otherwise I should not be standing here, but credit of course goes to my right hon. Friend the Member for Chelsea and Fulham (Greg Hands).

When we leave the EU, we will maintain our current domestic standards. We will keep our existing UK legislation, and the European Union (Withdrawal) Act 2018 will convert EU law into UK law as it applies at the moment of exit. This includes the regulatory regimes for environmental, food safety and animal welfare standards. Without exception, of course, imports must continue to meet all relevant UK product rules and regulations, as they do today.

Mohammad Yasin: What assessment has the Department made of the impact of the tariff barriers introduced yesterday on the farming sector?

George Hollingbery: The tariff package announced yesterday is a balanced package. It is a temporary package. It is a response to the potential effects of leaving the EU without a deal. There are sectors that are vulnerable to competition from imports, as are not as nimble as others and cannot change as quickly—farming is one of those. We believe that the balanced package we have put together will sufficiently protect farming interests in the UK.

Sir Desmond Swayne (New Forest West) (Con): If regulatory alignment with the EU is maintained in these goods, to what extent will that constrain our ambitions for wider trade deals?

George Hollingbery: I thank my right hon. Friend for his question. Of course, if the Prime Minister’s deal is passed through this House in its third iteration, it will provide for regulatory alignment not to continue and therefore we would be able to pursue trade deals internationally. Of course we can do so in any event, as not all trade deals are to do with goods.

Tim Farron (Westmorland and Lonsdale) (LD): During the BSE crisis of the 1990s, the foot and mouth outbreak of 2001 and the scare of 2007, even some members of the European Union took advantage of these crises to ban British meat imports, even long after any risk had expired. If we leave with a bad deal, such as the one Parliament has now rejected twice, countries will not need an excuse to act with opportunistische protectionism in that way. So how will we make sure that our farmers are protected in the deals we strike in future?

George Hollingbery: Of course, the hon. Gentleman has a real constituency concern and interest in this. The simple fact is that the UK intends to operate within the World Trade Organisation and subscribe to the world’s rules-based order on trade, and that gives us a great deal of protection. We are always able to bring disputes if we feel that WTO rules are being flouted inappropriately.

Bill Esterson (Sefton Central) (Lab): In the United States, pork is produced using ractopamine, which causes heart disease, and it is not treated for trichinosis, which can lead to stomach upset. The US National Pork Producers Council wants its standards included in the US-UK trade deal, and it has the support of its Government in that demand. This threat to food safety is completely unacceptable, so will the Minister rule out any reduction in food standards in international trade agreements?

George Hollingbery: I repeat what we have said from this Dispatch Box and this Department many, many times: we absolutely agree with the hon. Gentleman that our food standards should be maintained. As for the requirements the US has laid out in its provisional negotiating strategy for its agreement with the UK, if he looks carefully at previous such agreements and previous such outline mandates from the US, he will find that they are almost exactly the same in every respect. That does not mean to say that they are delivered in that form.

Leaving the EU: Health Services and Legal Action

3. Sandy Martin (Ipswich) (Lab): What steps the Government are considering their future approach to investor state dispute settlement. Where included in a trade agreement, ISDS will not oblige the Government to open the NHS to further competition, and overseas companies will not be able to take legal action to force us to do so.

Sandy Martin: The Secretary of State did not rule out the use of legal action against other companies in this country, so what message would he give to all those idealistic people who voted to leave the EU because they thought that the Transatlantic Trade and Investment Partnership would open us up to hostile lawsuits from US companies? Does he think that now that the truth is out they ought to have a chance for another vote?

Dr Fox: I am not sure what the connection was between some of those points. Let me be clear that, through ISDS, investment claims can be made only in respect of established investments; the mechanism cannot be used in relation to an alleged failure to open up public services to a potential investor. It could not be much clearer that what was being put about was a complete myth.

Dr David Drew (Stroud) (Lab/Co-op): What guarantees can the Secretary of State give us that pharmaceutical companies will not relocate to the EU, meaning that in effect more and more of our drugs would be imported? Will he give a guarantee that that will not happen?
Dr Fox: It would be absolutely ridiculous of any Minister to try to tell businesses what they can and cannot do. I can tell the hon. Gentleman, though, that last year foreign direct investment into the United Kingdom rose by 20%; in continental Europe, it fell by 73%. The hon. Gentleman should draw his own conclusions.

Stewart Hosie (Dundee East) (SNP): In the recent debate on international trade, I cited two examples of the Canadian Government’s having to withdraw public health measures after legal challenges by businesses under the terms of the North American free trade agreement. When the Secretary of State is considering health protections in future UK FTAs, will he ensure that they go wider than direct NHS provision and encompass wider public health policy?

Dr Fox: We will look to replicate the success we have already had in bilateral investment treaties. UK investors have successfully brought around 70 cases against other Governments. No private company has ever brought a successful case against the United Kingdom in respect of our bilateral investment treaties.

Judith Cummins (Bradford South) (Lab): The British public are clear that they do not want our national health service to be bargained away as part of trade negotiations, and they do not want foreign companies to have the right to sue our Government for decisions taken in the interests of public health, yet that is exactly what could happen if we accept ISDS and the negative-list approaches in the future agreements that the Government are proposing. Will the Secretary of State now rule out agreeing to a single clause of a single trade deal that could threaten our NHS?

Dr Fox: There are days when I genuinely have to thank God that the Labour party is the Opposition and not the Government of this country. We have £1.3 trillion of outward stock invested, including things like pension funds that British people will depend on for their prosperity. Were we to abandon the concept of investor-state dispute resolutions, what would happen to the protections for our investment overseas? The Labour party needs to start to think about the wider interests of this country.

Future Trade Deals: NHS and Other Public Services

4. Ronnie Cowan (Inverclyde) (SNP): What steps his Department is taking to ensure that the delivery of (a) NHS and (b) other public services are excluded from future trade deals. [909802]

7. Anneliese Dodds (Oxford East) (Lab/Co-op): What steps the Government are taking to ensure that contracts for the delivery of (a) NHS and (b) other public services will be excluded from future trade deals. [909805]

9. Jo Platt (Leigh) (Lab/Co-op): What steps the Government are taking to ensure that contracts for the delivery of (a) NHS and (b) other public services will be excluded from future trade deals. [909810]

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): Existing EU trade agreements, such as the EU-Canada comprehensive economic and trade agreement and the EU-Japan economic partnership agreement, contain provisions that ensure that they remains for the United Kingdom to decide how our public services are run. As we leave the EU, the Government will ensure that all future trade agreements continue to protect the UK’s right to regulate public services.

Ronnie Cowan: Technically, there is little that MPs and the public can do to prevent the Government from signing trade deals that could negatively impact on the NHS. Will the Secretary of State assure the House that he will expand the transparency and scrutiny mechanisms that pertain to any future trade deals?

Dr Fox: I recommend the Government’s Command Paper on this issue, which we published last week. It sets out the scrutiny plans that will provide greater scrutiny in this country than most of our fellow countries in the European Union have.

Anneliese Dodds: Conservative Ministers chose to include the NHS in their approach to the Transatlantic Trade and Investment Partnership, which could have made it impossible to bring privatised NHS services back in-house. The Secretary of State will know that privatisation is proceeding apace in the NHS—it certainly is in my constituency, in our cancer-scanning services—so will he give us a cast-iron legal guarantee? That is what we will need to show that his Government are committed to excluding the NHS from future trade deals.

Dr Fox: Where do I start? First, this Government did not negotiate TTIP; the European Union negotiated it on behalf of this country, so it was not for the United Kingdom to determine the mandate. None the less, the hon. Lady should look at the agreements that are already out there. For example, article 9.2 of CETA talks about the exclusion of “services supplied in the exercise of governmental authority”. It is quite clear from what the Government included in the CETA ratification that we intend to make provision to ensure that Governments have the right to regulate public services. I think that is a good idea, so I cannot understand why the Labour party voted against it.

Jo Platt: The Secretary of State has publicly stated that he supports CETA as a model for future trade agreements—an agreement that prevents future Governments from tackling the failed privatisation agenda in both our health and transport services. Does he agree that trade agreements cannot be allowed to constrain future policy decisions?

Dr Fox: I do not know where that briefing came from, but the hon. Lady should ask for her money back. There is nothing in CETA that stops the Government regulating their own public services; that is specifically what the exclusion is for. It is in the interests of the country that we get Government regulation of our own public services so that we can have proper scrutiny, including through this House, and that is what is included in the agreement.

Kevin Foster (Torbay) (Con): Last year I saw at first hand how the New Zealand Parliament handles the scrutiny of trade agreements to ensure that they deliver for the country’s economy and protect key public services.
What learnings and reassurances is my right hon. Friend taking from the experience of the New Zealand Parliament in scrutinising trade deals and ensuring that they deliver their promised benefits?

Dr Fox: We have looked widely at what other countries are doing, particularly when they have similar legislatures and legal systems, but what we have set out in the Command Paper is a bespoke arrangement for the United Kingdom. For example, our consultation period is longer than the European Union’s because we thought that it was right to have increased scrutiny in the UK. It is a UK policy, made for the UK.

Leaving the EU: Interim Trade Tariffs

5. Tim Loughton (East Worthing and Shoreham) (Con): What plans has he to publish proposals on interim trade tariffs after the UK leaves the EU.

The Minister for Trade Policy (George Hollingbery): The Government announced details of the temporary tariff yesterday in a written statement to the House. This is a balanced tariff policy that aims to minimise costs to businesses and mitigate price impacts on consumers, while also supporting UK producers as far as possible.

Tim Loughton: Now that the details have been published at last, I noticed that slippers are going to be charged at 17% less under these tariffs. Given the disorientation of some ministerial colleagues last night, perhaps a few might like to invest in a pair and retire early. On a more important point, can we get away from the obscene nonsense whereby, in the past, we have given international aid money to countries such as Ethiopia to encourage cocoa farmers to produce agricultural products—quite rightly—only for the EU to use it to charge them tariffs of 30% when they try to sell the products of their hard labour back to us?

George Hollingbery: My hon. Friend is right. The temporary arrangements that we are putting in place recognise that there are developing countries that we have long supported and have agreements with, and which require tariff-free access to our markets to ensure that they can sustain themselves through trade. Sections within the proposal keep tariffs on certain lines to allow those countries preferential access to the UK market to their advantage.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): The National Farmers Union is profoundly concerned that it has only two weeks to prepare for the new tariff regime, particularly in view of the fact that cereals and egg producers will have no protection whatever. What discussions has the Minister had with the appropriate Ministers in other Departments to ensure support and compensation for those farmers?

George Hollingbery: Of course, the farming community is protected by a commitment to the payments they were expecting through to 2020. As the hon. Gentleman will know and would expect, we consulted widely with colleagues across Government, so this is a collectively agreed decision. We have placed tariffs on quite a large number of vulnerable agricultural products, and we hope that the mix is the right decision not just for producers, but for consumers.

I remind the House that, for people in the bottom 10 percentage points of income in this country, food is a very real cost every single day; some 20% of their weekly income is spent on food. If we allowed inflation to roar away on products of this sort, people at that end of the income scale would find it very hard to feed themselves, and we believe that we have to mitigate that situation for them, as well as for farmers’ incomes.

Martin Vickers (Cleethorpes) (Con): Hundreds of my constituents work in the fish processing industry in the Grimsby-Cleethorpe area, and the supply of fish from Iceland is essential to them. Can the Minister give an assurance that no decisions on tariffs will be detrimental to those supplies?

George Hollingbery: There are two points on this. First, we have transitioned the free trade agreements the EU has with the Faroes—something that Opposition Members have derided us for as to the scale of the deal. To certain communities, particularly in my hon. Friend’s part of the world, these fish products are extremely important to keep people in work and keep people in the country. Secondly, we are having extensive discussions with the European Free Trade Association countries and European economic area countries about transitioning the free trade deal, and we would hope to be able to get some news on this to the House in due course.

Jim Shannon (Strangford) (DUP): Only yesterday, trade arrangements were announced between the Republic of Ireland and Northern Ireland, and they give us some concessions. However, the Ulster Farmers Union has indicated that it has some concerns over the arrangements that have been made. What discussions has the Minister had with the Ulster Farmers Union in Northern Ireland to discuss this?

George Hollingbery: The hon. Gentleman identifies an extremely important issue. I am not going to sidestep the question—I will give him an answer—but of course in the end this is a matter for the Department for Exiting the European Union and, indeed, for the Government more widely. There is no doubt that the choices that have been made for the position on the border in Northern Ireland were made against an extraordinarily difficult backdrop. There were no easy decisions. The decision we have made is temporary. We believe that it is World Trade Organisation-compliant. We recognise that there are real difficulties. I spoke to representatives of the agricultural community in Northern Ireland only yesterday and explained this. While very disturbed by what was going to happen, they understood why the decision had been taken.

Topical Questions

T1. [909813] Will Quince (Colchester) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): My Department is responsible for foreign and outward direct investment, establishing an independent trade policy, and export promotion. Following this session, I will be signing the trade continuity agreement between the UK and the Pacific Islands in the event of no deal.
This is part of our commitment to reducing poverty through trade, and it will ensure continued supply of key consumer products.

**Will Quince:** There is a lot of scaremongering on this issue that is concerning a number of my constituents, so will the Secretary of State set out what steps the Government are taking to ensure that contracts for the delivery of NHS services will be excluded from future trade deals?

**Dr Fox:** As I have already said, the Government will ensure that all future trade agreements continue to protect the United Kingdom’s right to regulate public services. It could not be simpler. Any attempts to distort that basic message are political propaganda and they are untrue.

**Barry Gardiner (Brent North) (Lab):** One of our most distinguished former diplomats, the noble Lord Kerr, spoke last week, during the passage of the Trade Bill in another place, of the value of having a mandate as a negotiator. He said:

“Having negotiated against Americans, I know that it greatly strengthens their hand to be able to say, ‘Here is the proof that I cannot give you what you want, because Congress would turn it down’.”—[Official Report, House of Lords, 6 March 2019; Vol. 796, c. 671.]

Recently the US trade representative published the negotiating mandate for a US-UK trade deal—no concern about commercial confidentiality here, just openly and transparently setting out all the objectives they have for penetrating UK markets, with American healthcare and agribusiness to the fore. In the same week, the Secretary of State published his Command Paper. It is against mandates. Indeed, the Government tried unsuccessfully to defeat Lord Kerr and others who supported Lord Balmacara’s amendment. What does the Secretary of State know about negotiations that Lord Kerr does not, and will the Government try to reverse their lordships’ decision when the Bill returns to the Commons?

**Dr Fox:** The Trade Bill was and is about trade continuity, including trade agreements and including the Trade Remedies Authority. It has been used, I am afraid, in the other place to hold debates on future trade agreements that will come in due course here. There is of course a difference between setting out negotiating objectives, which the United States did, and a mandate, which is how the negotiators actually go about it. It seems to me that the hon. Gentleman has not grasped that point yet.

**T2. [909814] David T. C. Davies (Monmouth) (Con):** Does my hon. Friend agree that the enormous investment in Britain by the Norwegian sovereign wealth fund shows that, with or without a deal, this country is one of the best places in the world to do business? If he does agree, will he draw this to the attention of some of his colleagues in the Cabinet?

**The Parliamentary Under-Secretary of State for International Trade (Graham Stuart):** I thank my hon. Friend for his question. He is right; the world’s largest sovereign wealth fund has said that it will continue its investment here. The latest figures from the United Nations Conference on Trade and Development show that the UK strengthened its position last year as the No. 1 foreign direct investment destination in Europe. The hundreds of thousands of jobs and higher wages that result would be threatened by the Labour party if it got the chance to jack up corporation tax rates and put in place other business-unfriendly policies. That would reverse the investment that has brought so much good to this country since Labour left in 2010.

**T3. [909815] Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab):** UK food businesses such as Devro plc in my constituency benefit from free trade with the EU and its free trade agreements with third countries. Can the Secretary of State confirm how long it will take his Department to negotiate new agreements with these third countries, and will they be on the same terms as those we currently enjoy through our EU membership?

**Dr Fox:** The Government’s policy is that we do not have to have these rollover agreements because we want to get an agreement through the House so that we can continue with the Prime Minister’s plan. If the hon. Gentleman wants to help the businesses that he mentions, he can vote for the Prime Minister’s agreement at the next opportunity.

**T8. [909820] Nigel Huddleston (Mid Worcestershire) (Con):** An area of international trade that is often overlooked is tourism, and of course, inbound tourism is export earnings. What discussions is the Department having with other Departments to boost our tourism industry, for example on visas?

**Graham Stuart:** My hon. Friend is right. Tourism is a great example—I use the word “great” advisedly. The GREAT brand is used across the whole of UK Government. It is that rarest of things—a joined-up government policy that actually works. It has added huge value to our tourism sector. In 2017 we saw record numbers of visitors to the UK, and a contribution to the UK economy of £24 billion.

**T4. [909816] Douglas Chapman (Dunfermline and West Fife) (SNP):** Given the inevitable downturn that will come from any kind of Brexit that we end up with, what consideration has the Minister given to the introduction of free ports to boost economic activity in areas of low economic performance just now?

**Dr Fox:** I am grateful to the hon. Gentleman for the interest that he has shown in this issue. The experience of other countries in using the ability of free ports to increase economic activity is valuable and something that the Government are considering in an optimistic and positive way.

**Mr Mark Prisk (Hertford and Stortford) (Con):** UK Export Finance does some excellent work, but some of its funding capacity goes unused. What can be done to change that to raise British exports?

**Dr Fox:** We have signed a memorandum of understanding with the five biggest banks so that they can encourage businesses to utilise UK Export Finance. One of the main areas where it is under-utilised is small businesses, but the positive side is that last year more
than 70% of the agreements signed by UKEF were with small businesses. That is a trend that we would like to see continue.

Dr Fox: I take the opportunity to praise the work of the Fairtrade organisation, which is so well led and co-ordinated by my very good friend Lord Price. It is essential that we look at these issues because free trade is not a free-for-all. There need to be rules around it and there needs to be fair trade. The Government will look sympathetically at what the hon. Gentleman suggests.

Sir David Amess (Southend West) (Con): Following the visit of the Taiwanese representative and the Philippines ambassador, does my right hon. Friend join me in welcoming the announcement that the Qatari ambassador, together with a trade delegation, will visit Southend on 25 March as we move towards city status, to explore the opportunities of trade and business investment as we leave the EU?

Graham Stuart: I welcome the announcement by Qatar’s ambassador to the UK, His Excellency Mr Yousef Al Khater, and his accompanying delegation of a visit to Southend. I am pleased to say that the UK is one of Qatar’s major investment destinations globally, with more than £35 billion already invested in the UK.

Douglas Chapman: This is an issue that the Government take seriously because we want to ensure that British companies have the right to trade where we think it is appropriate and where the British Government’s foreign policy indicates that. I have had and will continue to have discussions with my American counterparts on that issue.

Nic Dakin (Scunthorpe) (Lab): Given the announcement on tariffs, what progress is being made regarding the steel industry in relation to the trade defence instruments in place at European level being transferred across to UK level at the point of departure?

Dr Fox: I am not sure whether the hon. Gentleman missed the statement we had in the House on this, but I made it very clear that those arrangements would be rolled over. It will not be the Government’s intention in any way, shape or form to leave our businesses less protected than they are today, which is why those trade remedies will continue.

Dr Fox: What steps the Government are taking to increase the uptake of shared parental leave.

Karen Lee (Lincoln) (Lab): If the United States lifts its suspension of title III of the Helms-Burton legislation, which gives US citizens the right to sue foreign companies for using Cuban nationalised properties, British businesses that trade with Cuba will suffer damaging consequences. What discussions has the Secretary of State had with our international partners to co-ordinate a response to the proposed changes in US extraterritorial policies that will have an impact on businesses trading with Cuba?

Douglas Chapman: I thank the Minister for that response. Since becoming an MP, I have taken a real interest in the close links between Scotland and the Nordic countries. At the Nordic Co-operation conference this week, the Swedish Government said that they wanted to re-emphasise their commitment to sharing care, saying that parental leave was good not just for women, but for the health and wellbeing of men. What discussions has the Minister had with the Scottish Government to support further progress on this approach?

Kelly Tolhurst: I quite agree, and this Government are committed to delivering the take-up of shared parental leave. We know that it is good for employers, for the family and for employees. The scheme has been in place since 2015. We are evaluating it, and we will continue to consult with all partners on how we can increase take-up.

Mr Speaker: I call Victoria Prentis—not here.

Patrick Grady: Will the Minister give a timescale for the extension of shared parental leave to the self-employed?

Kelly Tolhurst: I would point out to the hon. Gentleman that, as I outlined in my last response, we are currently evaluating the scheme, which we are committed to delivering, as I have already said. However, in relation to self-employed people, I must point out that one of the benefits of implementing shared parental leave in the first place is that some people who are employed do not have the flexibility of the self-employed. Obviously, we are not ruling anything out, and we will continue to keep our policies under review. As I say, we will respond on the outcomes of our evaluation later on.

Helen Whately (Faversham and Mid Kent) (Con): In the future, we will look back at the inequality of parental leave between fathers and mothers, and wonder how on
earth we thought it was okay for it to be like that. Does my hon. Friend agree that we need to rebalance parental leave between men and women—fathers and mothers—so that parents get equal opportunities to spend time with their children and pursue their careers?

**Kelly Tolhurst:** Absolutely. I agree with my hon. Friend that it is important that both parents are able to spend quality time with their children, particularly in their first year. I would like to highlight to my hon. Friend that Her Majesty’s Revenue and Customs reported that, in 2017-18, 9,200 employees took up the scheme, of whom 80% were men.

**Mr Philip Hollobone** (Kettering) (Con): Does the Minister think that that 80% figure is where we want to end up?

**Kelly Tolhurst:** No. We want to encourage further take-up. Currently, the take-up is between 2% and 8%, which is in line with our prediction. A figure of 80% is a good start, but I want to see more mothers and more fathers taking advantage of this shared parental leave policy.

**Angela Crawley** (Lanark and Hamilton East) (SNP): With take-up of shared parental leave at 2%, it is clearly not working for families across the UK. If we are serious about closing the gender pay gap and tackling maternity discrimination, the Government must increase statutory paid leave for new fathers. Will the Minister confirm that as part of her ongoing review, she will consider extending statutory paid leave to four weeks, to incentivise fathers to take it up?

**Kelly Tolhurst:** In reality, we are looking for a wider culture change. Other countries that implemented such schemes decades ago are still working to increase take-up of shared parental leave. We are committed to looking at what the barriers are, and at why people are not taking up such schemes. When we have that evidence base, we will tweak our policies to ensure that more people are able to take up those schemes.

**Victoria Prentis** rose—

**Mr Speaker:** It is very good of the hon. Member for Banbury to drop in on us, and we welcome her to the Chamber. I hope that she has fully recovered her breath, after what must have been an arduous excursion from wherever she was to the Chamber, and that she is now ready to deliver her question, which we await with bated breath.

**Victoria Prentis:** I cannot thank you enough for calling me, Mr Speaker, because this is a very important issue. Will my hon. Friend update the House on the progress of the research programme announced in September 2018 on gender equality in the workplace, and particularly on parental responsibilities? I know it is an evidence-based research programme, and we are all awaiting its results.

**Kelly Tolhurst:** The research programme into the workplace and gender equality will invest £1.1 million in academic research over two years. So far that programme has commissioned an evidence-based review of family-friendly policies and women’s progression, as well as considering how parents share caring for their children, and what motivates employers to improve their offer of shared parental leave. That programme will be based on evidence and advice from employers regarding how we can improve those family-friendly policies.

### Highly Paid Professions: Girls and Women

2. **Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): If she will meet the Children’s Commissioner and the Ofsted Chief Inspector to discuss barriers to girls and women entering highly paid professions. [909784]

**The Minister for Women and Equalities (Penny Mordaunt):** My colleagues in the Department for Education regularly meet Ofsted and the Children’s Commissioner, and I will ask them to raise that matter at their next meeting. It is critical to get more women into professions where they are under-represented, not least because that will help close the gender pay gap.

**Mr Sheerman:** The Minister knows the information and data that those two organisations hold on the fact that so many bright girls are diverted early on away from science and maths, and away from other subjects that have a clear link with progression to high management. Surely that is criminal, and we should do something about it on an all-party basis.

**Penny Mordaunt:** I think the hon. Gentleman for the opportunity to discuss this issue again. He is right, and this is an issue on which Members across the House will agree. Progress has been made, including a clear increase in girls choosing those subjects, which shows that effort does pay off, but there are still too few such cases, and we must not let up in our work to encourage women to have such choices and to go forward in those professions.

**Mrs Maria Miller** (Basingstoke) (Con): Women who enter high-paid professions face blatant discrimination—40% experience sexual harassment, 50,000 women a year feel forced to leave their jobs because they are pregnant, and organisations such as the BBC feel that it is okay for them to break the law by paying men and women differently for the same job. Why is there no mention of enforcing antidiscrimination law in the Government’s “Good Work Plan”, which is their employment strategy? Surely that should be at the heart of what they are doing.

**Penny Mordaunt:** The Department for Business, Energy and Industrial Strategy is consulting on that matter. My right hon. Friend mentioned a list of issues, and it is important to track the impact that policies are having on women and their choices. We will produce measures and metrics to sit alongside the strategy that the Government Equalities Office will produce on women’s economic empowerment, so that we can all see how we are doing.

**Emma Hardy** (Kingston upon Hull West and Hessle) (Lab): On 20 February I raised concerns with the Ofsted Chief Inspector that some schools are not following new safeguarding guidance on peer-on-peer sexual abuse,
but at best, the Chief Inspector’s response required improvement. Will the Minister meet me to discuss how we can enforce safeguarding in schools?

Penny Mordaunt: I thank the hon. Lady for raising this issue. It is a very serious matter indeed. I will certainly ask the relevant Minister at the Department for Education to meet her, and I will also follow up.

Eddie Hughes (Walsall North) (Con): We should accentuate the positive. Last year, 68.8% of those accepted on law undergraduate courses were women. The future for law in this country is bright. Does the Minister agree?

Penny Mordaunt: Every human endeavour depends for its success on women’s involvement, so, yes, I am pleased about progress, but more needs to be done.

Gareth Thomas (Harrow West) (Lab/Co-op): Further to the question asked by the Chair of the Women and Equalities Committee, the right hon. Member for Basingstoke (Mrs Miller), one of the barriers to women holding highly paid positions is maternity discrimination. What further steps will the Government take to tackle this issue?

Penny Mordaunt: The Department for Business, Energy and Industrial Strategy is leading on a number of pieces of work. The women’s economic empowerment strategy is considering all these policies in the round to look at what more we can do to ensure that women are supported and treated fairly, and can have full careers. It will be published later this spring.

Differential Gender-based Pricing

3. Christine Jardine (Edinburgh West) (LD): If she will make an assessment of the potential merits of prohibiting the differential pricing of products and services that are (a) intended for and (b) marketed towards specific genders.

The Minister for Women (Victoria Atkins): Although I share concerns on this issue, prices in the UK are set by competition, not by the Government. As intelligent questioning consumers, women should not be afraid to challenge retailers or manufacturers who are trying to rip us off and, where we are not satisfied, to vote with our purchasing decisions. The Government stand ready to back up any woman who wants to do that.

Christine Jardine: I thank the Minister for her comments. Research shows that women pay more than men for basic products 42% of the time. Manufacturers claim that this is competition or that more is involved in producing women’s products. Scientists tell us that that is nonsense: we all have the same hair and skin types. Given what she has said about women standing up, will the Minister back my Bill on the pink tax, which is currently going through Parliament, or help to encourage manufacturers and retailers to do away with what is a sexist and outdated practice?

Victoria Atkins: I congratulate the hon. Lady on her private Member’s Bill. The Government will not be supporting it, but we welcome the focus she is bringing to this important issue. In the 21st century, things like social media will help to get the message out to manufacturers and businesses that they simply cannot rip women off. The work uncovered on Friday in the Rose review of access to finance, which female entrepreneurs are sadly not getting at the moment, is precisely why the Government are looking to help female entrepreneurs to set up businesses that will not rip women off.

Will Quince (Colchester) (Con): Will the Minister kindly provide an update on the projects being supported by the tampon tax fund?

Victoria Atkins: I regret to say that I do not have that list to hand at the moment, not least because I was preparing answers on the pink charge on female products, but I will endeavour to write to my hon. Friend with a list. I know the work he has done on this vital topic. I am sure that, like me, he was delighted at the Chancellor’s announcement yesterday that we will be providing free sanitary products to secondary schools.

Mr Speaker: As the Minister’s reply to the hon. Member for Colchester (Will Quince) will be of wider interest, it might be of service to the House if the hon. Lady places a copy of her reply in the Library.

Carolyn Harris (Swansea East) (Lab): I am delighted to hear the Minister’s commitment to supporting women who wish to take the matter of the pink tax to task. As it happens, we are in the process of establishing an all-party group concerning the beauty industry. I would welcome the Minister joining the group, so she could, alongside me and colleagues, encourage companies to look at the pink tax. It seems an irony, given that women’s earning potential is less than men’s. We really should be looking at this issue far more closely.

Victoria Atkins: I am extremely grateful, as always, to the hon. Lady for her kind invitation. Sadly, I am not sure that, as a Minister, I am allowed to join an all-party group, but I very much look forward to learning from its work. Of course, if it ever wished to invite me to a meeting, I would be happy to accept the invitation.

Period Poverty

4. Rebecca Pow (Taunton Deane) (Con): What steps she is taking to tackle period poverty.

5. Mrs Sheryll Murray (South East Cornwall) (Con): What steps she is taking to tackle period poverty.

The Minister for Women and Equalities (Penny Mordaunt): I am convening a new taskforce of experts from all sectors to ensure that we end period poverty in the UK. The taskforce will build on good work already being done and recent announcements of funding for sanitary protection in schools and hospitals.

Rebecca Pow: I applaud the Secretary of State for the great work that we are doing in this area in the UK, but we must remember that it is also really important to tackle period poverty abroad, where sometimes women have even more serious problems than we have here.
Penny Mordaunt: I absolutely agree. That is why we have also launched a new campaign to step up international action to end period poverty globally by 2030, in line with the global goals. This will be kick-started by £2 million of funding for small and medium-sized charities working in the Department for International Development’s priority countries. We are building on our existing international work, because obviously this is embedded in all our education work.

Mrs Murray: I thank my right hon. Friend for that answer. Like me, does she look forward with ever-increasing excitement to the day when we finally leave the EU and can set our own VAT rates on all products, including tampons, and end this injustice forever?

Penny Mordaunt: I absolutely agree. The Government strongly believe that VAT should not apply to these products. That is why we took the initiative in 2016 to introduce legislation to enable a zero rate to take effect as soon as possible. In the meantime, we currently apply the lowest rate that we can—5%—to these products.

Stephanie Peacock (Barnsley East) (Lab): I welcome the announcement this week, but has the Minister considered the provision of sanitary products in the workplace, perhaps starting with her Ministry or here in Parliament?

Penny Mordaunt: Yes, we have. I am sure that all Members across the House will welcome the recent announcements on schools, hospitals and colleges, but we want to look at the issue in the round. That is the job of the taskforce, and it will be about Departments, the private sector and the third sector coming together to create ways to sort this for any woman or girl who may find herself in that situation. On other issues such as primary schools, workplace settings and so forth, the taskforce is looking at all those, but I am also interested in ideas that hon. Members have, because I know that there are many great schemes out there in their constituencies.

Dawn Butler (Brent Central) (Lab): I thank Amika George, the Red Box Project, the British Medical Association, the Communication Workers Union, Girlguiding UK, Plan International, Bloody Good Period, Beauty Banks, On The Ball, Hey Girls, Bloody Big Brunch, my hon. Friends the Members for Dewsbury (Paula Sherriff) and for Midlothian (Danielle Rowley), and Monica Lennon, the Labour Member of the Scottish Parliament, who helped with the policy on period poverty. I thank the Secretary of State and the Chancellor for the announcement yesterday. I am really pleased to hear that the Secretary of State would like to work with me and Monica Lennon so that we can make sure that refugee and homeless shelters all have free menstruation products.

Penny Mordaunt: Absolutely. This is an issue that can unite the whole House, and we need such issues, especially at times like this. When I launched this, I also paid tribute to many organisations, including those that the hon. Lady mentions, for the fantastic work that they are doing. We do not want to reinvent the wheel. There is great, sustainable work out there, and we want to take those ideas, help them scale up and ensure that we can end this issue for good.

Several hon. Members rose—

Mr Speaker: As always, I want to help colleagues with important questions, but we are up against it, so I will take the next question and possibly one after, but they have to be one-sentence questions, and nothing more—we do not have time.

Public Spending: Disabled People

6. Debbie Abrahams (Oldham East and Saddleworth) (Lab): What assessment the Government has made of the cumulative effect on disabled people of recent changes to public spending.

Penny Mordaunt: The Department for Work and Pensions has been continuing to do the work that was outlined in the health and work review 12 months or more ago and is making progress. The Department is considering how we can ensure not only that the welfare system works better in supporting disabled people, but that it dovetails with other schemes such as Access to Work. I shall make sure that the Department is aware of the specifics to which the hon. Lady refers.

Neil O’Brien (Harborough) (Con): What has happened to total spending on disability benefits since 2010, and what has happened to the employment and unemployment rates for disabled people?

Penny Mordaunt: Members will know the figures well. The amount currently spent on disabled people and those with health conditions is £50 billion. We are closing the disability employment gap, but there is still much more to do. One of the things that the Department has been doing well is looking at this in the round, along with other issues such as accessibility. We need to support disabled people in relation to every aspect of their lives and every ambition that they have.

Pension Age: Women Born in the 1950s

7. Emma Dent Coad (Kensington) (Lab): What recent assessment she has made of the effect of changes to the pension age on women born in the 1950s.
10. Liz Twist (Blaydon) (Lab): What recent assessment she has made of the effect of changes to the pension age on women born in the 1950s. [909793]

11. Christian Matheson (City of Chester) (Lab): What recent assessment she has made of the effect of changes to the pension age on women born in the 1950s. [909794]

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): The state pension age reform is focused on maintaining the right balance between sustainability of the state pension and fairness between generations in the face of demographic change. Without equalisation, women would be expected to spend an average of more than 40% of their adult lives receiving the state pension.

Emma Dent Coad: I should declare an interest: I am a WASPI woman myself, having been born in the 1950s. Many of my friends, neighbours and constituents have been hit hard by changes in their pension arrangements that are forcing them to work for an additional five years beyond their planned retirement date. Does the Minister agree that women who have set aside careers to care for families, unpaid, for many years should not be treated in the same way as men who have been able to pursue their careers unencumbered? Equality is not always achieved by treating men and women in the same way.

Justin Tomlinson: I thank the hon. Lady for raising that issue. It has been well debated, and additional transitional arrangements have been introduced. One development that we should all welcome is that since 1994, the rate of pensioner poverty has fallen faster for females than for males.

Liz Twist: There are many 1950s-born women in my constituency—I, too, should declare an interest, as a 1950s-born woman myself—who are facing real financial hardship because of the pension changes. What steps are the Government taking to relieve their difficulties?

Justin Tomlinson: That is exactly why we have continued to deliver the triple lock. We recently announced a £3 billion uprating, and 80% of women reaching state pension age before 2030 will be better off by an average of £550 a year under the new arrangements.

Christian Matheson: Do the Government accept that the DWP’s communication strategy was well below standard, and many women found out about changes in their pensions only a year—or even a few months—before those changes were made?

Justin Tomlinson: That, too, is an issue that has been debated extensively in a number of Parliaments, and it has been encountered by Governments of all political persuasions. On our watch, we redoubled efforts to ensure that there was the maximum amount of communication so that people could make informed decisions.

Topical Questions

T1. [909821] Martyn Day (Linlithgow and East Falkirk) (SNP): If she will make a statement on her departmental responsibilities.

The Minister for Women and Equalities (Penny Mordaunt): This is LBT women’s health week. We know that lesbian, bisexual and transgender women are less likely to participate in services such as cancer screening, which means that they face a wide range of health inequalities. That must stop. As part of our LGBT action plan, we will shortly announce the appointment of a national LGBT health adviser to help to improve the delivery of healthcare services for LGBT people. We will also announce the membership of the new LGBT advisory panel before the first conference, which will take place next week.

Martyn Day: Will the Minister support calls from my hon. Friend the Member for Central Ayrshire (Dr Whitford), other Scottish National party Members and women’s advocacy groups for the introduction of separate payments of universal credit to protect victims of domestic violence and financial coercion?

Penny Mordaunt: The hon. Gentleman raises important issues that are being considered by both my hon. Friend the Minister for Women and Pensions and the new Secretary of State is particularly attuned to them. I will ask Ministers to write to the hon. Gentleman to update him, and I will pass on his concerns today.

T4. [909824] Richard Graham (Gloucester) (Con): In my constituency, the sex worker outreach project run by the admirable Nelson Trust is doing really good work to help women to come off the streets and lead very different lives. What support can the Government provide to help these kinds of community services? Does my right hon. Friend agree that reducing the number of women in prison on short sentences would help this kind of rehabilitation?

The Minister for Women (Victoria Atkins): I recall the visit that I made with my hon. Friend to Gloucester. We believe that people who want to leave prostitution should be given every opportunity to find routes out, and this is why we are spending more than £2 million across the Government to support prostitutes and sex workers who are at risk of abuse and exploitation. Indeed, we have a piece of work at the moment involving ongoing research conducted by the University of Bristol into what prostitution in the 21st century looks like, precisely so that we can address the issues that that research identifies.

Naz Shah (Bradford West) (Lab): The primary victims of religiously motivated attacks are women, but how can the Government reassure Muslim women that they are serious about tackling Islamophobia when they choose to ignore and shut down the voices of the British Muslims in their own party who are calling for an independent inquiry into institutional Islamophobia? Speaking as a British Muslim, I believe that it is disgraceful and patronising that the Conservative party continues to refuse to act and tells British Muslims in the party that there is not a problem. Will the Minister at least accept that her party has a problem?

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Mrs Heather Wheeler): The Conservative party took immediate action to suspend
14 members who put issues in, so we are not going to take any lectures from a party that refuses to suspend people or throw them out of the party for antisemitism.

T6. [909826] Bob Blackman (Harrow East) (Con): Will my right hon. Friend set out the legislative timetable for removing caste as a protected characteristic from the Equality Act 2010?

Penny Mordaunt: We are proceeding with this as soon as a suitable legislative vehicle is available. However, I can update my hon. Friend and tell him that the guidance that we promised to publish alongside it has now been produced. It is there to help employers, service providers and individuals to understand the context of the Equality Act, and it is going out for consultation with stakeholders this week.

T2. [909822] Mary Glindon (North Tyneside) (Lab): Balance, the North East Alcohol Office, is doing excellent work in our region to raise awareness of the link between alcohol and breast cancer. What steps is the Minister taking to increase awareness of the health risks associated with alcohol that apply to women?

The Minister for Care (Caroline Dinenage): That is a really excellent question. The Government are investing an extra £16 billion in that sort of primary care and prevention to make sure that we have the public health investment that helps people to tackle alcoholism and ensures that women get the breast cancer support that they need. Today, we have released a written ministerial statement responding to the inquiry on breast cancer screening.

T7. [909827] Rebecca Pow (Taunton Deane) (Con): The Alison Rose review of female entrepreneurship highlights the fact that £250 billion of untapped potential is lost to the sector because it is not taken seriously enough. Does my hon. Friend agree that businesses, especially banks, should be urged to take a much more inclusive approach to female entrepreneurs?

Victoria Atkins: I am delighted that my hon. Friend has asked this question, as it gives me an opportunity to thank Alison Rose for her review, which tries to ensure that the business landscape is as fair for women as it is for men. It is a shocking fact that women’s average starting capital is 50% less than that of men. I was at a fantastic reception at No. 10 last week, where there was a room full of female entrepreneurs, some of whom were world-leading entrepreneurs. We have fantastically talented, capable and creative female entrepreneurs in this country, and we absolutely must support them. We must ensure that businesses, banks, venture capitalists and angel investors are all doing their bit to help these women.

T3. [909823] Rosie Cooper (West Lancashire) (Lab): What steps are being taken to ensure that non-disclosure agreements are not used to cover up discrimination and harassment?

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Kelly Tolhurst): We have launched a consultation on the use of NDAs and have proposed to make it explicit that NDAs should not prevent individuals from reporting any kind of harassment, sexual or otherwise, to the police. I hope that that answers her question.

Sir Edward Leigh (Gainsborough) (Con): May I ask the Minister for Women and Equalities whether some MPs are more equal than others? Back Benchers—the poor bloody infantry—have to trample through the Lobby for every three-line Whip, but Cabinet Ministers can sit brazenly on the Front Bench and then slope off in their limousines after betraying the people and the Prime Minister.

Penny Mordaunt: All the Ministers on the Front Bench this morning are here and ready for their duties, in particular the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for North Swindon (Justin Tomlinson), who was ironing his shirt 20 minutes before this session started. We are in turbulent times, but we must trust our institutions and trust in democracy.

Mr Speaker: I am a tad taken aback that the hon. Member for North Swindon (Justin Tomlinson) feels it necessary to disclose to his ministerial boss his personal habits in relation to such matters, but there we go.

T5. [909825] Chris Stephens (Glasgow South West) (SNP): Yesterday, I was delighted to welcome to Parliament the Tea in the Pot women’s support service, and many of its staff are 1950s-born women. Will there be an equality impact assessment regarding the effect of recent pension credit changes on 1950s-born women? Will the impact on pensioner poverty also be measured?

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): There has been an impact assessment all the way through. If the hon. Gentleman highlights a good group, I am sure that the Minister with responsibility for pensions would be delighted to meet its representatives.

Theresa Villiers (Chipping Barnet) (Con): I urge the Government to work with NHS England to provide support to women GPs who have left the workforce but want to return after caring responsibilities. They should be supported to return to practice so that patients can get the benefits of their skills and experience.

Caroline Dinenage: My right hon. Friend is right. As well as having more GPs in training than ever before, we need to attract GPs who have left the workforce back into work. In March 2017, we launched a major “return to practice” campaign that aimed to attract 500 GPs. So far, 263 have completed the scheme, and a further 266 are in train.

T8. [909828] Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Hundreds of WASPI women from across the country were in Parliament yesterday to protest at the spring statement, and they would like to know why the Government have not considered a special compensation scheme for women who have suffered severe detriment following the state pension change because they were never told about it in the first place.
Justin Tomlinson: As has been extensively covered in several debates, we have allocated an additional £1.1 billion of transitional support. The recent uprating order included an additional £3 billion to support the uprating of the state pension, and we will continue to support pensioners of all genders.

Maggie Throup (Erewash) (Con): What measures could be included in the draft Domestic Abuse Bill to ensure that parental responsibility does not override restraining orders, especially when partners have been convicted of coercive behaviour?

Victoria Atkins: My hon. Friend raised a constituency case during the International Women’s Day debate last week, and we want the draft Domestic Abuse Bill to support both the victims of the many forms that such abuse can take and the children who live in abusive households. I urge my hon. Friend to write to the Joint Committee on Human Rights, which is scrutinising the Bill, to make her point.

Geraint Davies (Swansea West) (Lab/Co-op): As the Minister for Women and Equalities knows, the estimated 18% gender pay gap is likely to grow following Brexit as women in public services and retail are disproportionately affected. Does she accept that the women who voted to leave did not vote to leave themselves worse off and that they deserve a final-say referendum on the exit deal?

Penny Mordaunt: No. We do not want a second referendum, which would be disastrous. We are doing specific work in those sectors to close the gender pay gap. However, I caution that some companies that are doing the right thing will see their pay gaps widen because they may be recruiting many more young women, so we must look at the figures in detail to see that good progress is being made.

Mrs Maria Miller (Basingstoke) (Con): I know that Ministers on the Treasury Bench wish to examine in great detail the work of the Women and Equalities Committee when we issue our reports, but could the Secretary of State perhaps explain to me why it has taken five months for the Government to respond to our very important report on sexual harassment in public places? This issue needs urgent action, not more deliberation.

Penny Mordaunt: I am sorry that we have taken a long time over responding to the work of the Select Committee. I would rather publish a response that will actually take the right action than put out something swiftly that is not going to do the job. I hope that my right hon. Friend will understand that we want to be doing things that ensure we address the issues she has raised.

Several hon. Members rose—

Mr Speaker: Mr Bradshaw, you are a curious fellow. You were standing up a moment ago. [Interruption.] Very well. We will take one more.

Ruth George (High Peak) (Lab): Thank you, Mr Speaker. Will the Minister for Women and Equalities join me in condemning the wording of letter ESA65B from the Department for Work and Pensions—the letter asks general practitioners to cease issuing fit notes to people with disabilities awaiting an appeal for employment and support allowance—and help ensure that such blatant discrimination against disabled people, which resulted in the death of my constituent who was forced back to work against his doctor’s advice, will cease immediately?

Penny Mordaunt: It is critical that welfare and healthcare work absolutely together if we are to support people. If the hon. Lady would like to share the details with me, I will certainly get a response from the Department for Work and Pensions.
Mr Gregory Campbell: The hon. Gentleman courteously gave me notice of his desire to raise this point of order, and I am happy to take it now.

Mr Campbell: Thank you, Mr Speaker. The Public Prosecution Service for Northern Ireland is, as we speak, announcing its intention to proceed to prosecute a number of people in relation to events that occurred on the day known as Bloody Sunday in Londonderry.

It is not my intention to intervene in any way on the legal process, but I was born and raised in the city, which I now represent in Parliament, and as a teenager I was there in the city centre on the day. I watched the events that led up to that day, including the murder of two police officers in the vicinity of the parade just three days before that parade commenced. No prosecutions have ensued as a result of any investigation, either through the Saville inquiry or any other police investigation since.

I seek your guidance, Mr Speaker, on what a parliamentarian like myself can do to draw attention, for example, to Peter Gilgun and David Montgomery, the police officers who were murdered, and to the massive imbalance in legacy investigations into our troubled past in Northern Ireland. Many innocent civilians, police and soldiers have not had their investigations carried out and no prosecutions have occurred, yet we have the announcement we are having today.

Mr Speaker: In truth, I think the hon. Gentleman knows that he has found his own salvation. He asks, in essence, what recourse is available to him, and he has found it. He has registered his view, and it is on the record. I know he will appreciate that it is not a matter for adjudication by the Chair. Specifically, however, in the light of what he has said, I hope that it is helpful to the House for me to point out that, in the event that any charges are brought, the House will want to respect the autonomy of the judicial process and to observe our own sub judice resolution. I will leave it there for now, and I think he understands that.

Valerie Vaz: I do not know what to say to that, other than that it feels like a wash-up and that we should be getting ready for a general election. I was going to ask for an Opposition day. With the Government losing votes, it feels like we have already had them, but we have not. When my hon. Friend the Member for Blaenau
Gwent (Nick Smith) asked the Leader of the House when the next Opposition day debate would be, she said they were announced every Thursday, so, today being Thursday, I invite her to give us an Opposition day. The last one was on 13 November.

I was going to ask for statutory instrument debates, but I see they have already been tabled for next week. Following what has been an absolutely astonishing week, we have a series of SIs. More importantly, the hon. Member for Camborne and Redruth (George Eustice), who recently resigned, said that a few SIs had been deprioritised and would not be passed by the end of March, which was confirmed by a No. 10 spokeswoman. Will the Leader of the House ensure that a list is published of the prioritised and deprioritised SIs? What criteria are the Government using to deprioritise some of them?

Several Bills have to be passed before exit day. The Trade Bill had its Report Stage in the House of Lords yesterday, but other essential Bills—the Immigration and Social Security Co-ordination (EU Withdrawal) Bill, the Agriculture Bill, the Fisheries Bill and the Financial Services (Implementation of Legislation) Bill—have yet to have theirs. When are they likely to be debated? I raised the financial services Bill and the cross-party amendment last week after the debate was pulled. The Leader of the House said that she wanted “time to look properly at the proposed amendments and consider their impact with the Crown dependencies, which are separate jurisdictions with their own democratically elected Governments.”—[Official Report, 7 March 2019; Vol. 655, c. 1135.]

That is right, but the UK Government are responsible for the good government of the Crown dependencies, and it is already Government policy, passed in the Sanctions and Anti-Money Laundering Act 2018. The right hon. Member for Sutton Coldfield (Mr Mitchell) and my right hon. Friend the Member for Barking (Dame Margaret Hodge) have said that offshore secrecy represents a threat to UK national security. Could the Leader of the House say whether there are any conflicts of interest in the Cabinet that are preventing the amendments from being debated?

Today we will debate another motion on section 13(1)(b) of the European Union (Withdrawal) Act 2018. It is about the negotiated withdrawal agreement, which was laid before the House and voted upon on 15 January and 12 March. Today’s motion is substantially the same as the previous two, so the House is being asked to vote on the deal once again. “Erskine May” states—I have looked it up, Mr Speaker—that that is a matter for the Chair to decide, because this is the same motion. I do not want to trivialise the matter, but it sounds rather like that line from Morecambe and Wise: the same words, but not necessarily in the same order. The motion is effectively the same, with a few other words added. The footnotes in “Erskine May” state that the last time this provision was used was in 1920, and the reason it was put into “Erskine May” was to prevent MPs and the Government from putting motions again and again.

It is the Government who have put us in this position. Their red lines were drawn right at the beginning and formed the boundaries for the negotiations. There are ongoing investigations into how the vote was conducted. There was secrecy and a lack of information, and Parliament was bypassed and ignored. That is pernicious to democracy.

One of the biggest announcements on Wednesday, apparently, was the Chancellor’s spring statement. He used it to set out a “deal dividend”—if Parliament votes to leave the EU with a deal, we can have the money. That is effectively blackmailing. He also said that austerity is coming to an end. Yes, and the people have said that they want authenticity, not austerity. But the latest figures show that the Office for Budget Responsibility has cut its growth forecast for 2019 to 1.2%, which is the weakest growth rate since 2009. That is a significant cut from its predicted 1.6% expansion, and that is from the Government’s own economic watchdog. Who is right: the Chancellor or the OBR?

It is no good the Leader of the House telling us that there are more people in work. Yes, there are, but they are self-employed, on zero-hours contracts and in insecure work. There was absolutely nothing in the spring statement about local authorities or social care. The Health for Care coalition has said that the Government’s failure to protect social care is “a national disgrace”. When will the social care Green Paper be published? It was expected last summer. The Women’s Budget Group said that there have been cuts to youth services of 65%, cuts to Sure Start of 50%, and cuts to subsidised buses of 48%. All of that has to be addressed. When will we have a debate on the spring statement, or do I have to make an application to the Backbench Business Committee?

Next Thursday is the International Day for the Elimination of Racial Discrimination—importantly, it is also the day when the European Council meets. It is important that we are careful with our language in areas surrounding race and accept that there is unconscious bias. More importantly, tomorrow our young people are being explicit; they are taking action to protect the very thing that gives us life. We must listen to them. I also want to send the House’s good wishes to James Shaw, New Zealand’s Climate Change Minister, who has sadly been attacked.

Finally, on a slightly happier note, I want to wish a very happy birthday—today is a triple birthday—to my hon. Friends the Members for Sheffield, Brightside and Hillsborough (Gill Furniss), for Wirral West (Margaret Greenwood) and for Bethnal Green and Bow (Rushanara Ali).
The hon. Lady asks about the Brexit SIs generally. I am still confident that we will meet all the necessary SIs required to be laid by 29 March in a no-deal scenario, and in a deal scenario; that is what the Government have been working towards. Over 500 EU exit SIs have now been laid, and I pay tribute to the sifting Committee, which has considered over 210 negative SIs, recommending over 60 of them for upgrade to the affirmative procedure. There is a huge amount of work going on, and many thanks to all hon. Members who have taken part in Delegated Legislation Committees.

The hon. Lady asks about primary legislation for Brexit Bills. She will know that in addition to the EU withdrawal Act, nine exit-related Bills are in Parliament or have already received Royal Assent; the Immigration and Social Security Co-ordination (EU Withdrawal) Bill completed its 10th sitting in Committee last week; the Agriculture Bill, Fisheries Bill and Financial Services (Implementation of Legislation) Bill are currently before the House of Commons; and the healthcare Bill and Trade Bill are progressing through the House of Lords.

The hon. Lady asked particularly about a financial services Bill. She will be aware that as I said last week, which she has pointed out, we are considering the amendment put forward, but on transparency in general it is this Government who are taking the lead on international transparency measures at home and around the world. It was Conservatives in government who led the world with the first public registry of company beneficial ownership in the G20, and it is the Conservatives who have driven the global agenda on tax transparency.

The hon. Lady asked about the Brexit decision today, and particularly the motion on the Order Paper. Today’s debate is not about forcing the House to make a decision on whether the Government should seek a short or a long extension. The Government’s motion simply sets out the factual position so that Members can take a decision on extension in full knowledge of the consequences. The Government’s position is clear, and this is backed up by the comments made in Brussels over the last 24 hours. A short extension only works if a deal has been agreed by the House and the extension period is used to pass the necessary legislation to give effect to, and allow ratification of, a withdrawal agreement. A short extension does not work in any other circumstances, and a long extension would mean the UK having to participate in the EU elections.

The hon. Lady asked about the same question rule. “Erskine May” sets out that a motion “which is the same, in substance, as a question which has been decided during a session may not be brought forward again during that same session.” However, any motion that we would table for any further approval would reflect the situation at the time—if it were to be tabled.

The hon. Lady says the economic data in the spring statement was not positive. I simply disagree: borrowing so far this year is at its lowest level for 17 years; our economy has grown for 24 quarters in a row, the longest so far this year is at its lowest level for 17 years; our statement was not positive. I simply disagree: borrowing further approval would reflect the situation at the time—if that is what the legislation says—but what we have to do is absolutely pay tribute to them, but say again that the greatest gift of any society to its children is a good education, and I urge them not to take valuable time out from school on this subject, but instead to spend their time campaigning for it, which is the right way to do it.

Sir David Amess (Southend West) (Con): Will my right hon. Friend find time to ban the use of living animals for warfare experiments? In the last year 3,865 animals were experimented on for chemical weapons at Porton Down, which is an absolute disgrace and totally unacceptable in what is supposed to be a civilised society.

Andrea Leadsom: My hon. Friend raises an important matter that I know is of interest to many Members of this House. The Defence Science and Technology Laboratory at Porton Down has an active programme to minimise the use of animals in experiments, in accordance with the principles of the three Rs—reduction, refinement and replacement. The Ministry of Defence does not conduct animal experiments for the development or testing of offensive weapons, and the Home Office does not grant licences for those purposes.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing the almost comical business for next week. We are still considering our whip on the draft Novel Food (Amendment) (EU Exit) Regulations 2019 motion, which we will be considering as an important measure next week.

Today is a bit like the morning after the night before, with people collectively asking, “What on earth happened last night?” We had members of the Cabinet failing to support the Government on a three-line Whip against their own motion but still keeping their jobs. Politically, the UK is now close to becoming a failed state, with a Government barely able to function, and now we have today’s Government motion and this woeful business statement. There is only one item of business this Government covet, and that is another crack at their dead deal. Today’s motion is exclusively designed to allow that, in the vain hope that the threat of an extended delay will bring the Brexiteers back on board. How many times are the Government going to try to get this deal through? They are like vampires with an ability to survive a stake through the heart. I know that you will make a ruling on this, Mr Speaker, but as I heard the shadow Leader of the House say, the position on bringing a motion is clear. Page 397 of “Erskine May” states: “A motion or an amendment which is the same, in substance, as a question which has been decided during a session may not be brought forward again during that same session.”

But that is exactly what this Government are intending to do. I am sure you know, Mr Deputy Speaker, that the definition of insanity is doing the same thing over and over and expecting different results. Therefore, this is a Government who should be certified.

We also need to see the legislation that will honour last night’s decision. The House has now voted three times to take no deal off the table, but the House remains ignored. The Government are right to say that the default position is to leave without a deal—that is what the legislation says—but what we have to do is
bring forward legislation to honour and respect the wishes of the House. If the Government are not prepared to do it, let the House do it.

This has been a disastrous week for the Government: they have been defeated on their deal; no deal has been taken off the table; and tonight there will be an extension to the 29 March departure date. Those of us who just despise this chaotic Brexit are beginning just to see this nightmare possibly slipping away, but let us be in no doubt that we are certain in Scotland that we are not going down with this doomed ship.

Andrea Leadsom: The hon. Gentleman will appreciate that I, as a democrat, am absolutely determined to fulfil the will of the people in leaving the European Union. He, on the other hand, is determined to ignore the will of the people of the United Kingdom, both on leaving the EU and on the question of independence. So we know where he stands.

I make it clear again that today’s debate is not about forcing the House to make a decision on whether the Government should seek a short or a long extension. The Government’s motion simply sets out the factual position so that Members can take a decision on extension in full knowledge of the consequences. If Members think it would be possible between now and June to agree a new negotiating position in the House, to secure agreement in Europe for a new deal based on that position and to pass the primary legislation needed to give effect to a new deal, that is a matter for hon. Members.

Andrea Leadsom: My right hon. Friend has long championed this idea, and I commend him for that. He will know that the Attorney General has considered these matters in great detail and come to the House to answer questions on them for several hours. If he has more to say on the matter, I am sure he will come to the House to say it.

Ian Mearns (Gateshead) (Lab): I need to put something right for the record. The shadow Leader of the House, my hon. Friend the Member for Walsall South (Valerie Vaz), suggested that she might apply to the Backbench Business Committee for a debate on the spring statement; I am afraid that as a Front Bencher she does not enjoy the privilege of being able to apply to the Backbench Business Committee. I apologise and wish I could accommodate her, but I am afraid that the Standing Orders prevent me from doing so.

I thank the Leader of the House for the business statement, and for announcing the two debates next Thursday on services for people with autism and a motion relating to NICE appraisal processes for treatments for rare diseases. My Committee has a hefty queue of important debates waiting for time. There are more than a dozen, including on heavily subscribed subjects such as school funding, fracking, the use of restraint on children and court closures, so we would be very grateful for any more time we can get.

Andrea Leadsom: As always, I am grateful to the hon. Gentleman for giving me prior notice of urgent debates for which he is seeking time. I will always seek to accommodate the Backbench Business Committee.

Mr Richard Bacon (South Norfolk) (Con): I thank the Leader of the House for being in her place and attending to her duties. May I have a debate about those Ministers who seem to think that supporting the Government is optional, despite their evident willingness to draw a Government salary paid for with our constituents’ taxes?

Andrea Leadsom: I absolutely understand my hon. Friend’s concerns. He will appreciate that there are widely held views right across the House among different Members, and it is extraordinarily difficult, at this time that is so important for the nation, to try always to deal with every single aspect of all eventualities. My hon. Friend knows that yesterday Government Members were given a free vote on the Government’s motion, but in the end that was not what the Government were voting on. The motion was amended by the House, which is why the challenging whipping arrangements occurred.

Thangam Debbonaire (Bristol West) (Lab): The Leader of the House will surely not be surprised to hear me sounding outraged. Nine statutory instruments are to be taken on the Floor of the House next week, of which seven are from the Department for Environment, Food
and Rural Affairs. There are also back-to-back DEFRA statutory instruments upstairs on the Committee Room corridor. I know that as the shadow DEFRA Whip, and the Leader of the House and her DEFRA Whip must know that. I cannot see how physically we can possibly get through all these statutory instruments in the time available. It is not proper scrutiny, either, which is another consideration. Is it not time for the Government to admit that we need to extend article 50 and put back the date for leaving the EU?

**Andrea Leadsom:** The hon. Lady will be delighted to know that we have a motion on exactly her suggestion for the House to vote on today. Perhaps she had not noticed. I take this opportunity to pay tribute to the DEFRA officials and Ministers who have worked day and night to ensure that they get on top of the many DEFRA SIs that are necessary to prepare either for a deal or for no deal. That is what they have achieved and I am delighted to say that we will be prepared, with all the SIs necessary, for 29 March.

**Sir John Hayes (South Holland and The Deepings) (Con):** The hand that fate deals can make or break lives, and those with acquired disabilities and those who have always had disabilities pay dearly. The disability equality charity Scope recently published “The Disability Price Tag 2019”, which sets out some of the additional costs faced by those with disabilities—things such as therapies, home adaptions, transport and insurance. Will the Leader of the House arrange for a debate on why too many disabled people continue to pay too much? The Government should make their abiding mission the redistribution of advantage.

**Andrea Leadsom:** I am sure that my right hon. Friend will agree that this Government have been absolutely determined to ensure that everybody in our society gets the best possible opportunity. He will know that we spend £50 billion a year on benefits to support disabled people and people with health conditions. That is up more than £8 billion in real terms since 2010. I am so proud that the number of disabled people in work has increased by over 900,000 over the last five years under this Government, giving more people the chance to do something meaningful and useful, and to improve their circumstances in life.

**Ann Clwyd (Cynon Valley) (Lab):** Can I ask the Leader of the House for some guidance that would be helpful for all Members? I understand that the House authorities have been notified of possible industrial action for a period of three days next week. This will affect visitors coming to see Members in the House over those three days. Will she assure me that access will not be denied to people who have appointments with Members of Parliament in that time?

**Andrea Leadsom:** The right hon. Lady is right that the Public and Commercial Services Union has announced, following a ballot of its members, that security staff at the Palace of Westminster have voted in favour of strike action. This is a matter for the House authorities, and I am assured that Parliament is putting in place business resilience plans to maintain both the security of the estate and the continued functioning of the business of both Houses. The priority will be to ensure that the business of the Houses, including Select Committees, is unaffected. I will take away the right hon. Lady’s request, but I am aware that priority will be given to people who have appointments with their Member of Parliament.

**Maggie Throup (Erewash) (Con):** The stronger towns fund has the potential to regenerate towns in areas such as Erewash that were neglected for so long by the Labour Government. Will my right hon. Friend ask the relevant Minister to bring forward further details of how bids can be submitted to the fund?

**Andrea Leadsom:** My hon. Friend is a great champion for her constituency. She will be aware that the new stronger towns fund will provide £1.6 billion of investment in the future prosperity of English coastal, market and industrial towns; £1 billion of investment will be targeted at the towns with the greatest need and will be distributed by local enterprise partnerships, and £600 million will be available as part of a competitive process that any town will be able to bid into. My hon. Friend might like to table a written question to the Ministry of Housing, Communities and Local Government for further details on how to apply for that funding.

**Alex Norris (Nottingham North) (Lab/Co-op):** Tomorrow is the Nottingham North jobs fair, which is a collaborative effort between the council, the Department for Work and Pensions, the Futures Group, my office and my charity, the Rebalancing the Outer Estates Foundation. Last year we helped 150 people to find work in my community, and we will be at the Bulwell Riverside from half-past 9 tomorrow morning. Would the Leader of the House find Government time in which we can have a wider debate on supporting communities such as mine into work?

**Andrea Leadsom:** I congratulate the hon. Gentleman on organising a jobs fair. I know that many right hon. and hon. Members do so, and it is incredibly appreciated by their constituents. Such fairs are amazingly successful at bringing together employers and those seeking work. I encourage him to seek an Adjournment debate so that he can discuss with Ministers whether more can be done to support these excellent initiatives.

**Nick Herbert (Arun and South Downs) (Con):** World TB Day is on 24 March. Tuberculosis is the world’s deadliest disease; it still kills 1.7 million people a year globally, which is more than AIDS and malaria combined. There are still thousands of cases in the UK and drug resistance is a growing global health threat. Can we have a debate on this issue and on the importance of the successful replenishment of the global health fund? It is time to end TB.

**Andrea Leadsom:** First, I acknowledge the work of my right hon. Friend as chair of the all-party parliamentary group on global tuberculosis. It is an absolutely terrible disease that we must beat. The Government are already doing a great deal, including providing support through our commitment to the global fund. There is more to do, and the UK will continue to lead in this important area, but the whole world must act together if we are to eradicate this terrible disease.

**Chris Elmore (Ogmore) (Lab):** Can I ask the Leader of the House for some Government time for a debate on scamming? This week, my constituents have been contacting my office to say that people are calling pretending to be...
BT phone handlers asking for information. Her Majesty’s Revenue and Customs has reported that in the six months to January this year it has received 60,000 complaints in relation to scams. Only yesterday, a constituent of mine emailed me saying that he had received an email from me with a link asking for their personal information. That has been referred to the House authorities. Could we have an urgent debate on this very important issue in which the Government can explain what more they can do to deal with scamming?

Andrea Leadsom: The hon. Gentleman raises a very important point. It is important that anybody who receives an email or a call asking them for any personal details should never give them until they are absolutely certain of who the person is on the other end of the phone or the email. He is absolutely right to raise this. I would encourage him perhaps to seek a Westminster Hall debate so that other hon. and right hon. Members can share their views.

Henry Smith: The Leader of the House correctly said in her earlier remarks that education is the best gift that we can give to our young people. Yesterday morning, I was pleased to meet Crawley secondary school headteachers. I welcome the more than 10% increase in local school funding, but they told me that they would benefit from multi-year funding settlements so that they can better plan for the future. Can we have a statement on this from the Secretary of State for Education?

Andrea Leadsom: My hon. Friend raises a strong voice for his constituents, and he is right to raise this matter. We are all grateful for the superb contribution of teachers in our constituencies. He will be pleased to know that there are now 1.9 million more pupils in good or outstanding schools than in 2010, that the attainment gap has narrowed and continues to narrow, that there are over 34,000 new trainee teachers this year—over 2,600 more than last year—and that those from a disadvantaged background are more likely to go to university than ever before. We want to give schools and local authorities as much certainty about funding for future years as possible. The budgets for 2020-21 and beyond will be subject to the forthcoming spending review.

Vicky Foxcroft: Last week, the Leader of the House said that Timpton’s review of exclusions would be published soon. I am just wondering what kind of soon she is referring to. Is it the kind of soon where your boss asks you for something and you say, “Yes, yes—I’ll get on to that soon”, or is it the kind of soon where your partner is asking you to do chores and you are like, “Yeah, yeah—I’ll get on to that soon”?

Andrea Leadsom: It is not the latter—I know that one very well. First, I pay tribute to the hon. Lady for her absolute commitment to eradicating the appalling problem of young people getting into a life of serious crime, and particularly knife crime. She has been absolutely stalwart in her determination to see more done, and she is absolutely right in that. As I said last week, I cannot give her a firm date, but I can say that Timpton’s review is considering how schools use exclusion and how it affects all pupils, but particularly why some groups of children are more likely to be excluded. In particular, it will consider why there are differences in the rates among areas, schools and groups of pupils, given that the power that schools have to exclude and the framework in which they do so apply to all state-funded schools across England. The Government support headteachers in using exclusion as a sanction where it is warranted, but the Timpton review, when it comes forward—which will be as soon as possible—will consider the subject in more detail and should shed some useful light on it.

Martin Vickers: Last Saturday, I joined about 200 of my constituents who were protesting against the closure of Suggitts Lane level crossing in Cleethorpes. Network Rail is trying to railroad this closure through against the objections of local people when other safety measures could be introduced. Will the Leader of the House find time for a debate on the accountability of organisations such as Network Rail?

Andrea Leadsom: My hon. Friend raises a concerning constituency issue. He will know that we have launched a comprehensive review of our railways, to build on the success of privatisation and get the best from both public and private sectors. He might like to seek an Adjournment debate so that Transport Ministers can respond to his particular concerns directly.

Mr Speaker: The star of the show, Helen Jones.

Helen Jones: Thank you, Mr Speaker. This morning on the radio, the Chancellor echoed the Prime Minister in saying that this House must decide not just what it does not want but what it does want. Yet next week’s business is filled up with statutory instruments, many of which could be taken in Committee. Given that the Leader of the House is not only the spokesperson for the Government but a champion of the rights of the House, when will she make time for a series of indicative votes to allow the House to express its will on what it does want in negotiations with the EU?

Andrea Leadsom: I can assure the hon. Lady that I take seriously my responsibility to be the voice of Parliament in Government, and all the time I reflect the views that I hear in the Chamber. I am pleased to be able, for example, to give time for statutory instruments to be debated in the Chamber on request from the Opposition, and to give a great deal of time for general debates that have been requested by hon. and right hon. Members across the House. In response to her question about the business for next week, I am sure that she will appreciate that today the House is being invited to consider whether it wishes the Government to seek an extension to article 50. Until we have established an answer to that question, we cannot consider what are the next steps.

Mr Speaker: The hon. Member for Glasgow East is an authentic representative of the Scottish scouting movement, I believe.

David Linden: Thank you very much, Mr Speaker. On Friday night I visited Fifth Clyde Broomhouse Scouts group in my constituency,
which kindly gave me this necktie. Can we have a statement from the Government encouraging people to join their local scout group? When the Minister comes to the Dispatch Box, will she give a firm thank you to the volunteers who go out on a Friday night to invest in young lives?

Andrea Leadsom: The hon. Gentleman looks very fetching in his scout tie; it is fantastic to see. I absolutely join him in congratulating all those who volunteer their time to take part in scouting groups, which do so much for young people in our United Kingdom. I encourage him to seek an Adjournment debate or a Westminster Hall debate so that all hon. Members can pay tribute to their local scouting groups.

Neil O'Brien (Harborough) (Con): I have a constituent who served in Northern Ireland at the height of the troubles, and he is extremely scared that, although he has done nothing wrong, he will be dragged through a process to rake over the coals of events of decades ago. When can we have a debate on the imbalance between the treatment of people who served this country bravely in Northern Ireland and of the terrorists who dragged Northern Ireland through the troubles for decades, and when can we have a debate on how we can bring closure and fairness for all those who served this country bravely?

Andrea Leadsom: My hon. Friend raises an incredibly important issue. The Government recognise the terrible loss suffered by all those who lost loved ones during the troubles. We have said that the system needs to change to provide better outcomes for victims and survivors of the troubles, and to treat everyone fairly, including those who served in the armed forces and the police. I will take my hon. Friend's request back to the Department and seek their agreement to update the House further.

Mr Ben Bradshaw (Exeter) (Lab): May we have a statement from the Second Church Estates Commissioner, the right hon. Member for Meriden (Dame Caroline Spelman), on the outrageous decision by the Church of England to issue the official invitation to next year's Lambeth conference and explicitly forbid the same-sex spouses of bishops from attending, when the heterosexual spouses of bishops have been warmly invited? This is a totally unacceptable position for our established state Church to adopt, and this House needs to tell the Church we have had enough of it.

Andrea Leadsom: I was not aware of that situation, and I am grateful to the right hon. Gentleman for raising it. If he would like to write to me, I will certainly raise it with my right hon. Friend the Member for Meriden (Dame Caroline Spelman).

Bob Blackman (Harrow East) (Con): Ten days ago, Travellers illegally occupied the Anmer Lodge site in my constituency, which has been cleared to provide 120 social housing units and much-needed retail and employment prospects. Hour after hour, tipper lorries turned up bringing contaminated waste on to the site. Last Thursday, the Travellers left, and they left behind a bill for hundreds of thousands of pounds to clear the contaminated waste, ahead of a High Court ruling on Friday. May we have a debate in Government time on measures that can be taken to ensure that the private sector is enabled to clear sites when Travellers illegally occupy them?

Andrea Leadsom: My hon. Friend raises what sounds like an appalling situation in his constituency. He will be aware that the Government have done a great deal to try to deal with the problem of illegal fly-tipping and, in particular, of leaving the taxpayer with a huge bill to pick up. We have Environment, Food and Rural Affairs questions on Thursday 28 March and I encourage him to raise the matter then.

Siobhain McDonagh (Mitcham and Morden) (Lab): Niloofer Begum is a severely frail 80-year-old suffering from end stage renal failure, hypothyroidism and dementia, and she depends on her granddaughter for 24-hour care. Despite this, the Home Office continues to seek her removal to Bangladesh. Will the Leader of the House find time for a Home Office debate on the removal of a wheelchair-bound 80-year-old lady to a country where she has no one to care for her?

Andrea Leadsom: I am truly sorry to hear about the case of the hon. Lady's constituent. I am sure she is doing everything she can to raise this directly with Home Office Ministers. If she would like to write to me following business questions, I can take it up on her behalf.

Rachel Maclean (Redditch) (Con): Does the Leader of the House agree that the tech giants in this country have accumulated too much power, which means that the digital market is not serving the interests of start-ups that want to innovate in this space to bring more choice to consumers? May we have a debate about the role of the Competition and Markets Authority in the creation of a more stimulating and thriving digital economy?

Andrea Leadsom: My hon. Friend is absolutely right to be championing greater progress in the digital economy. She is right to do that. As she may have heard, the Chancellor announced in the spring statement yesterday that he will examine proposals in the Furman review and in the “Unlocking digital competition” report. I look forward to hearing more about that.

Mike Gapes (Ilford South) (Ind): May we have an early debate on NATO and, in particular, on the work of those Members of this House and the other place who contribute to our country’s foreign policy by their participation in the NATO Parliamentary Assembly?

Andrea Leadsom: I think all hon. Members would want to join the hon. Gentleman in praising NATO, the absolute core of our defence for many decades. We are incredibly grateful to all of those who work and serve in NATO and all those in Parliament who take part in all the different organisations that support NATO. I encourage him to seek a Westminster Hall debate or a Backbench debate so that all hon. Members can share their views.

Julian Sturdy (York Outer) (Con): In the spring statement yesterday, the Chancellor announced a number of new housing infrastructure fund bids, which was very welcome, but there was no update on the progress of outstanding HIF bids, including the one for the City of York. May I
[Julian Sturdy]

ask the Leader of the House for a statement on the future of ongoing HIF bids, which are so important to cities such as York?

Andrea Leadsom: My hon. Friend is absolutely right that building new houses is a clear national interest in the United Kingdom, and he will know that one of the top domestic priorities of this Government is to see more homes built for people. The spring statement yesterday was, of necessity, brief and did not go into details on the issues he is raising precisely because the comprehensive spending review will be later this year, as will the proper Budget. Nevertheless, I encourage him to seek an Adjournment debate so that he can raise these particular issues directly with a Minister.

Ruth Smeeth (Stoke-on-Trent North) (Lab): Newford residents association in my constituency called my office this week to report 90 aggressive cold calls to elderly residents who have already registered for the Telephone Preference Service. May we have a debate in Government time on how we can tackle this antisocial and illegitimate business practice?

Andrea Leadsom: The hon. Lady is right to raise that concerning issue. It can be frightening for elderly or vulnerable residents to receive cold calls from pushy people who are trying to scam them or sell them something. The Government have introduced significant measures to try to prevent such behaviour, but if she is seeing a rise in the number of such incidents, I encourage her to seek an Adjournment debate and to raise the issue directly with Ministers.

Will Quince (Colchester) (Con): May we have a debate in Government time to welcome the Government’s future high streets programme and the stronger towns fund? Does the Leader of the House agree that, as Britain’s oldest recorded town and first Roman city, Colchester would be an ideal beneficiary of multimillion pound investment?

Andrea Leadsom: Nice try, but sadly my hon. Friend will appreciate that that is not a call for me, although I am certainly a big fan of Colchester and his support for it. I encourage him to seek his own bid for some of that £600 million; it is open to any town to compete for it.

Nick Smith (Blaenau Gwent) (Lab): British Steel pensioners in Blaenau Gwent have received poor advice, high adviser charges and seen their families’ fortunes put at risk. Being removed from the register and suffering financial penalties is insufficient to deter pension sharks. May we have a statement from the Treasury to promise new criminal charges for rogue financial advisers, so that they are properly held to account?

Andrea Leadsom: The hon. Gentleman is right to raise that issue, as it is worrying for people to receive cold calls that seek to remove their pension rights, or encourage them to invest in non-existent assets. That is an appalling scamming practice. The Government have already done a lot to improve people’s access to information and to stop such practices, but I encourage the hon. Gentleman to seek an Adjournment debate and to raise his concerns directly with Ministers.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Over a month ago I started to engage directly with the Leader of the House, following engagement since November with the Tory Whips, who have been cynically running down the clock on helping refugee families. Those actions mean that people who should have rights will probably end up taking dangerous journeys from refugee camps across the desert with people traffickers, rather than simply flying. What has the Leader of the House done to get the Refugees (Family Reunion) (No. 2) Bill into Committee, and to give children the same rights as adults? If she has done nothing, will she just say so and not waste time?

Andrea Leadsom: The hon. Gentleman mentions his private Member’s Bill again, and I commend his commitment to helping the most vulnerable people around the world. He will have received my letter this week in response to his. In addition to what I have said in recent weeks, he will know that the Government have done a huge amount—particularly in the region but also here at home—to help refugees from countries such as Syria. We have expanded our resettlement commitments to provide for more than 23,000 refugees by 2020, and we have committed more than £2.7 billion of humanitarian aid to the Syrian conflict. We must ensure, however, that our focus is on supporting the most vulnerable people who need international protection, and on encouraging those fleeing persecution to seek help in the first safe country they reach, as that is the fastest route to safety.

Ellie Reeves (Lewisham West and Penge) (Lab): Demelza House children’s hospice provides outstanding end-of-life care to children in south-east London, yet only 20% of funds for children’s hospices come from central Government. Although the NHS long-term plan provided a welcome boost to the children’s hospice grant, it is still not enough to ensure that hospices are able to deliver their world-class services. May we have a debate in Government time about funding for children’s hospices?

Andrea Leadsom: I pay tribute to all the fantastic work done by children’s hospices across the United Kingdom. The Department of Health and Social Care is very aware of the issue of funding for children’s hospices. Questions to that Department are on Tuesday 26 March and I encourage the hon. Lady to raise the issue directly then.

Gareth Thomas (Harrow West) (Lab/Co-op): The Co-op party’s food justice campaign is highlighting the extraordinary situation here in the UK, the sixth-largest economy in the world, where some 8 million people still struggle to put food on the table and 500,000 people are using food banks. When might the Government find time for a debate on ending hunger in this country?

Andrea Leadsom: I am incredibly sympathetic to the hon. Gentleman’s point. Of course, it is the Government’s clear goal to ensure that nobody needs to go hungry. He will appreciate that there are now 1 million fewer people in absolute poverty, which is a record low. It is the Government’s policy to help more and more people into work, so they have the security of a pay packet to help them and their family to feed and take care of themselves. We now have 300,000 fewer children in absolute poverty.
and we have taken 4 million of the lowest paid out of paying any income tax altogether, all of which is helping people to meet their own needs and to be independent.

Nic Dakin (Scunthorpe) (Lab): North Lincolnshire Council has ended its core funding for North Lincolnshire citizens advice bureau. That means that the general advice sessions, which are very much valued locally, will cease. May we have a debate on the value of citizens advice bureaux and their partnership working with councils, which is crucial to their future?

Andrea Leadsom: The hon. Gentleman is right: citizens advice bureaux do fantastic work across the country and I think we are all very grateful to them. I encourage him to seek an Adjournment debate, so that he can raise his concerns directly with Ministers.

Ian Austin (Dudley North) (Ind): When can we have a debate to finally sort out the terrible way that women who were born in the ‘50s have been treated in relation to their pensions? I have lost count of the number of women in Dudley who left school at 15 or 16, started work straightaway and did hard work all their lives. Some had to take time off to bring up kids or care for relatives. Some have been bereaved. They have had no time to plan for these changes. Women like that have done their bit and it is high time the Government sorted this out.

Andrea Leadsom: I am very sympathetic to the hon. Gentleman. As we have made clear previously, the Conservatives in government committed over £1 billion to support those affected so that no one will see their pension age change by more than 18 months relative to the Pensions Act 1995 timetable. Those with the most significant changes have received at least seven years’ notice. What I would point out to him is that the new state pension is more generous for many women. By 2030, over 3 million women stand to gain an average of £550 more per year as a result of the recent reforms.

Lilian Greenwood (Nottingham South) (Lab): Commercial radio is booming in terms of both ratings and revenue but, as a result of totally unnecessary deregulation of FM licence conditions, Global, which owns Capital, Heart and Smooth, is axing local breakfast and drive-time shows. This means that studios will close completely in 10 towns and cities from Kent to Kendal, and more than 100 presenters, producers, journalists, engineers and other staff face losing their jobs in these and other locations, including Nottingham. At a time when many people feel that their area is being left behind, their concerns ignored and their voices unheard, is it not time that we debated the loss of local news and the centralisation of our media in London?

Andrea Leadsom: I am genuinely very sorry to hear about the loss of local radio stations and local news. The hon. Lady raises a very important point. We do need to have a thriving local and regional media. I encourage her to seek an Adjournment debate, so that she can raise her concerns directly with Ministers.

Ian Murray (Edinburgh South) (Lab): Could we change the name of this session to “Potential Business of the House”? I have looked through the entirety of next week’s business and cannot see another vote on the meaningful vote between now and Wednesday. If it is the Government’s intention not to bring a meaningful vote next week, why is it being trailed to the media today that it will be brought next week, and what is the necessity of paragraph (2) of today’s motion if there is no intention to bring one next week?

Andrea Leadsom: The hon. Gentleman will appreciate that I announce the business every Thursday, as usual. In the event that it is necessary to bring forward an emergency business statement, I will do so. I would have thought he would realise that, just because he has heard something trailed in the media, it does not necessarily make it true.

Christine Jardine (Edinburgh West) (LD): With two of Scotland’s most polluted roads in my constituency, I am acutely aware of the public health implications of breathing in toxic air. Yesterday, a study in The Times showed that air pollution now causes more deaths than smoking; smoking is avoidable but breathing in toxic air is not. In the light of that, can we please have a debate in the House on how all areas of Government across the UK can get to grips with this dangerous problem?

Andrea Leadsom: The hon. Lady is right that this is an incredibly concerning problem and it is something that the Government are taking very seriously. We are cleaning up our air by ending the sale of new conventional diesel and petrol cars and vans altogether by 2040. She will be aware that the Government have a £3.5 billion spending commitment to reduce roadside emissions. Air pollution has been reduced significantly since 2010. Emissions of toxic nitrogen oxides have fallen by 27% and are at their lowest level since records began. She will also be aware that we will be introducing the first environment Bill in over 20 years, which will establish a world-leading body that will hold Government to account for environmental outcomes in the future.

Stephanie Peacock (Barbours East) (Lab): Under this Government, one in four school support staff and nearly one in three teaching assistants in Barnsley schools have been lost, their national body has been abolished and pay has been driven down. Can we have a debate in Government time on school support staff and when austerity will really end?

Andrea Leadsom: The hon. Lady will be aware that this is not. In the light of that, can we please have a debate in the House on how all areas of Government across the UK can get to grips with this dangerous problem?

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): Organisations such as Best for Britain and People’s Vote UK look, operate and sound a bit like political parties, and I believe, therefore, that they should be subject to
[Gareth Snell]

the tax and regulatory requirements of the United Kingdom. So imagine my surprise when my office started receiving these postcards, all postmarked from Guernsey, which, last time I checked, was a non-EU tax haven. Will the Leader of the House arrange for a Cabinet Office Minister to make a statement on how the regulation of pseudo-political parties in this country operates, so that they are truly transparent?

Andrea Leadsom: The hon. Gentleman raises a really important point and he is absolutely right to do that. The Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Norwich North (Chloe Smith), is in the Chamber and will have heard his comments, but we also have Electoral Commission questions next Thursday week—28 March—and I encourage him to raise his question there.

Ruth Cadbury (Brentford and Isleworth) (Lab): The retrospective loan charge deadline is causing unbelievable stress to tens of thousands of people who thought that they were doing the right thing in respect of their tax affairs, some for up to 20 years. The all-party loan charge group has evidence that Her Majesty’s Revenue and Customs knows of up to six related suicides, yet yesterday, the chief executive of HMRC denied that. May we have an investigation into this and an urgent debate?

Andrea Leadsom: The hon. Lady is right to raise this issue. I also have constituents who have come to me with concerns about the loan charge and I am seeing the Minister responsible shortly to discuss it further with him. She will appreciate that the issue here is one of tax avoidance which HMRC has concluded was not legitimate tax avoidance. It is absolutely vital that we do everything we can to ensure that people are paying the right taxes in this country.

Naz Shah (Bradford West) (Lab): Last week, I asked the Leader of the House for a debate on Islamophobia, given the crisis that the Tory party finds itself in, and on the definition of Islamophobia from the all-party group on British Muslims. The Leader of the House somehow confused that with a Foreign Office issue, so I would like to give her a second opportunity to answer the question: when will this House have a debate on Islamophobia?

Andrea Leadsom: Islamophobia is appalling wherever it takes place, including in the United Kingdom. I must say that I was hurt to see my comments misrepresented last week; the hon. Lady had not made clear in her question whether or not she was referring to a global definition of Islamophobia.

International efforts to combat Islamophobia are led by the Prime Minister’s special envoy on freedom of religion or belief, Lord Ahmed, at the Foreign and Commonwealth Office. That is why I suggested that the hon. Lady seek an Adjournment debate involving the FCO. Of course, any form of Islamophobia in the UK would be dealt with swiftly by the Home Office or the Ministry of Housing, Communities and Local Government, as appropriate.

Ben Lake (Ceredigion) (PC): May we have a debate on the way in which police forces are funded, and the Government assumptions that underpin decisions on funding? For instance, council tax will contribute 1.9% of the funding for police forces in England, but 4.4% of the funding for those in Wales. This matter needs to be considered urgently. It cannot be right that local taxation in Wales is expected to shoulder a heavier burden to deal with UK-wide issues such as county lines which should be addressed by the central police grant.

Andrea Leadsom: The hon. Gentleman has raised a very important point that is specific to Wales. As he will know, overall we have protected police funding since 2015 and next year there will be up to £970 million of extra investment in the policing system, but if he wants me to take up his specific point about Wales, perhaps he will write to me following business questions.

Mrs Madeleine Moon (Bridgend) (Lab): May we have a debate, and Government-commissioned research, on the long-term impact of poverty, stress and mental ill health on children who are bereaved, and who, because their parents are not married, cannot benefit from the widowed parent’s allowance?

Andrea Leadsom: As always, the hon. Lady has raised an incredibly important issue, in this case the mental health of young people. She has particular concerns about the impact of bereavement and the consequences for particular benefits. On the subject of mental health generally, however, she will appreciate that at the heart of the NHS long-term plan is the largest expansion of mental health services for a generation. That includes 24/7 mental health crisis care for adults, children and young people through NHS 111, giving them access to vital support when they need it. If the hon. Lady wishes to raise specific issues, I suggest that she seek an Adjournment debate so that she can raise them directly with Ministers.

Chris Stephens (Glasgow South West) (SNP): I refer the House to my entry in the Register of Members’ Financial Interests.

As was mentioned earlier, on Wednesday the security staff who protect all of us on the parliamentary estate so diligently are set to go on strike in an increasingly bitter dispute over pay parity and the unfair dismissal of a colleague. It is concerning that the Public and Commercial Services Union has warned that staff are not prepared to put up with a culture of fear in the Palace of Westminster. Will the Leader of the House intervene as a matter of urgency, and seek to resolve this dire situation and end this culture of fear?

Andrea Leadsom: As I said in an earlier reply, the strike—which I deeply regret—is a matter for the House authorities. It is not a matter for me, as Leader of the House, and I am therefore not in a position to intervene as the hon. Gentleman suggests that I should. Nevertheless, as the representative of the House in the Government, I will always take away any concerns that are raised here and raise them myself with the appropriate authorities.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): May we have a debate in Government time on the proposed changes in IR35 tax regulations? The Conservative
party claims to be the party of entrepreneurs and small business, but those changes will severely hamper small entrepreneurs and businessmen such as my constituent Steven Smith, who will be stifled by the classing of contractors as company employees. This will ruin the livelihoods of thousands of people in financial services and other key industries. It is a sledgehammer to crack a nut. I should appreciate it very much if the Leader of the House would make representations to the Treasury to get the matter sorted out.

Andrea Leadsom: I am aware that many Members are concerned about this issue. I know that it is not absolutely the correct Department, but questions to the Secretary of State for Business, Energy and Industrial Strategy will take place on Tuesday 19 March. The hon. Gentleman might like to raise the matter then, because, at the business end, it would be important for BEIS to be aware of the concerns that his constituents are raising with him.

Alison Thewliss (Glasgow Central) (SNP): May we have a debate on this Government’s lack of respect for the devolution settlement? I have been unable to get answers on what the Barnett consequential for the £1.6 billion stronger towns fund will be, and it has emerged that Treasury officials are considering giving the funds straight to local authorities in Scotland, bypassing the Convention of Scottish Local Authorities and the Scottish Government. This is breaking the vow and breaking the rules. Will the Leader of the House explain why this Government want to ride roughshod over devolution?

Andrea Leadsom: It will not surprise the hon. Lady to learn that I completely disagree with her. The Government have enormously sought to show courtesy and respect for the devolution settlement and to collaborate closely with officials in the devolved Administrations to ensure that, apart from anything else, we take carefully into account their views and their preparations as we leave the European Union. We have Scotland questions on Wednesday 27 March, which would be the right place for her to raise her particular question.

Martin Whitfield (East Lothian) (Lab): I thank the Leader of the House for her response on 3 March to my question on WASPI women, and I apologise for being unable to email her about it last night. There were other things taking our attention. Yesterday, the Chancellor said that he was going to make “no further announcements” regarding WASPI women. Could the Leader of the House seek a statement on the specific questions affecting the WASPI women with regard to the court case and the information that is being given from the Department?

Andrea Leadsom: The hon. Gentleman will have noticed that the Chancellor has just stepped into the Chamber and is now in his place. He will have heard what the hon. Gentleman said. I am afraid that I cannot give any further information on this subject, but if he wishes to write to me, I will take the matter up with the Chancellor.

Diana Johnson (Kingston upon Hull North) (Lab): The Leader of the House will know that it is becoming more and more difficult for our constituents to get appointments with GPs. Tomorrow, I have a meeting at the Faith House surgery on Beverley Road in Hull North, which is under threat of closure. May we please have a debate in Government time about what more can be done to adopt a joined-up approach to the training, recruitment and retention of GPs, to take the pressure off our A&E departments and to ensure that areas that are under threat of losing their GP practices are prioritised for any additional funding?

Andrea Leadsom: The hon. Lady is absolutely right to raise the importance of GPs to all our constituents. We all rely heavily on them, and their workload has grown significantly in the recent past. She will be aware that the Government have provided an extra £33.9 billion in cash terms for the NHS by 2023-24. That will make a significant difference, and the profound changes proposed in the NHS long-term plan will mean that more people than ever before will be able to access their GP in a timely fashion.

Hannah Bardell (Livingston) (SNP): May we have a debate in Government time on electronic voting? Since my colleagues and I were elected in 2015, this House has spent 205 hours—eight and a half full days, or five and a half working weeks—just on voting, in smelly, sweaty, stuffy voting Lobbies. This is wasting time and thwarting democracy.

Andrea Leadsom: I am very sorry if the hon. Lady’s Lobby is smelly and sweaty. I can assure her that the Government’s Lobby is totally charming and full of courtesy and respect. Perhaps she should join us; she might enjoy the experience. I do take her point seriously; it has been raised on a number of occasions by her hon. Friends. As I have said before, were the Procedure Committee to choose to conduct an inquiry into electronic voting and to take views on it from across the House, I would of course consider its recommendations very carefully.

Jim Shannon (Strangford) (DUP): Last week, the world celebrated International Women’s Day. In this House, we recognised the challenges faced by women around the world. Women still face discrimination, harassment and violence simply for being women. Women from marginalised religious or belief communities have it even worse: they suffer because they are the wrong woman, and also because they belong to the so-called wrong faith. For example, the Movement for Solidarity and Peace in Pakistan has found that at least 1,000 girls from Hindu and Christian families are kidnapped and forced into marriage every year. Will the Leader of the House agree to a statement or a debate on this matter?

Andrea Leadsom: As ever, the hon. Gentleman raises a very important point. He is a strong voice on these issues. We are continuing to tackle forced marriage at home and overseas. We criminalised forced marriage in England and Wales in 2014, we have introduced lifelong anonymity for victims and we are consulting on a mandatory reporting duty. Internationally, we have scrapped loans for repatriation costs for the victims of forced marriage who are helped to return to the UK and, through our flagship programme, 4.8 million people around the world have participated in initiatives designed to change attitudes and practices related to girls’ rights.
[Andrea Leadsom]

The hon. Gentleman might like to seek an Adjournment debate so that he can take up these issues directly with Ministers.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Can we have a statement on contractor liability through the Government’s energy company obligation scheme—the ECO? My constituent Hilary Moore has had her home rendered unliveable following work that was supposed to make it warmer by fitting Kingspan insulation, but she cannot find out whom to raise a complaint with due to the Government’s blind auction scheme. Is it not time for a clear redress process for people who are so badly let down?

Andrea Leadsom: The hon. Gentleman rightly raises an important matter for one of his constituents. We have Business, Energy and Industrial Strategy questions on Tuesday 19 March, so I encourage him to raise the matter directly with Ministers then.

Patricia Gibson (North Ayrshire and Arran) (SNP): There are moves by the White House to remove, as part of any future trade deal, the rules that limit what American drug companies can charge NHS services across the UK, which would allow big health corporations to bid for control of large parts of our NHS. Can we have a statement setting out the Government’s commitment to rejecting categorically such an attack on our NHS?

Andrea Leadsom: The hon. Lady will know that this Government are absolutely committed to the NHS being free at the point of delivery. That has always been the case. The NHS received its biggest-ever investment following the Government’s latest announcement of billions of pounds more finding. We have Health and Social Care questions on Tuesday 26 March, so she may like to raise the matter directly with Ministers then.

Andy Slaughter (Hammersmith) (Lab): A week ago today, Ayub Hassan, who was 17 years old, lost his life after being brutally stabbed in the street in West Kensington. His death has traumatised his family and the community in White City in which he lived, and a 15-year-old boy has been charged with his murder. Tackling the scourge of knife crime across our country is both urgent and complex, and it will not be resolved by the Chancellor handing back a fraction of the money that has been taken from the police. When will the Government bring forward a comprehensive and adequate response to knife crime?

Andrea Leadsom: The death of any young person is tragic, and for it to happen through such horrendous and violent means is totally unacceptable. The hon. Gentleman will appreciate that my right hon. Friend the Chancellor provided an extra £100 million in his spring statement yesterday for urgent action to be taken by police and crime commissioners—a specific intervention to help the situation now. The Government have an enormous range of different interventions to try to tackle the bigger problem of young people getting into gang membership and a life of crime, including £970 million of extra investment in the policing system next year, the serious violence strategy, and the establishment of a serious violence taskforce. We are also bringing through the Offensive Weapons Bill to make it harder for young people to get into a life of a crime, and we are investing significant sums in local community initiatives to try to get young people away from the attraction of joining gangs and carrying knives. The Government are committed to tackling the problem at every level.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): I am sure that the Leader of the House will join me in congratulating Lyndsey Coleman of the Y Sort It youth group in West Dunbartonshire. Last night, she was a finalist in the Scottish youth worker of the year award while the Y Sort It management board won the youth participation award for the whole of Scotland. Does the Leader of the House not think that it is time for a debate in Government time to discuss the value of investing in community youth work across the entire United Kingdom?

Andrea Leadsom: I join the hon. Gentleman in congratulating his constituent on their award; it is always great to hear about the success of youth workers. We recently had a debate in which all Members were able to congratulate the work done by community groups, volunteers and youth workers, but I will certainly take away his request for further such discussions.

Carol Monaghan (Glasgow North West) (SNP): The Leader of the House has said that next Friday will be allocated for private Members’ Bills, but this is a two-year parliamentary Session and, so far, we have had only 10 sitting Fridays. We would expect seven a year, so we are four short. When will she table a motion for the extra sitting Fridays, as required?

Andrea Leadsom: The hon. Lady will know that these matters are decided in Standing Orders, and the Government have certainly complied with the Standing Order requirements for private Members’ Bills. I am proud of this Government’s record in which, since 2010, more than 50 private Members’ Bills have received Royal Assent. This Friday we will have the opportunity to debate Lords amendments to the Civil Partnerships, Marriages and Deaths (Registration etc) Bill of my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) and the remaining stages of the Holocaust (Return of Cultural Objects) (Amendment) Bill of my right hon. Friend the Member for Somerton and Frome (David Warburton). I wish all those Bills well for tomorrow, and the hon. Member for Glasgow North West (Carol Monaghan) will know that the Government have complied with the requirement for private Members’ Bills.

Neil Gray (Airdrie and Shotts) (SNP): I feel sorry for the Leader of the House has been dealt by the Prime Minister’s incompetence, causing her to pad out the business for next week. Perhaps I can be helpful in suggesting a debate, perhaps between the motions on flags and Select Committee appointments, on how this Government’s policies, including on the benefits freeze and the two-child policy, are impoverishing the people of these isles.
Andrew Leadsom: The hon. Gentleman will be aware that we have some very serious statutory instruments to consider next week, which is why I have put them on the Order Paper. It is Work and Pensions questions on Monday 18 March, and I suggest he raises his specific concerns then.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): My constituent moved here from France 15 years ago—back to her Scottish mother—and she has had three children born in Scotland, yet the DWP has decided that she cannot receive it. My constituent moved here from France 15 years ago—back to her Scottish mother—and she has had three children born in Scotland, yet the DWP has decided that she cannot receive it. She has now applied for UK citizenship in a last-gasp effort to get the right to reside here. How can her case be expedited, and when will the Government review their pernicious immigration rules associated with universal credit?

Andrew Leadsom: I had heard of this appalling collapse, and the hon. Gentleman is right to raise it. There will be people who have really suffered financially as a result of this. I suggest that he seeks an Adjournment debate so he can raise it directly with Ministers.

Alan Brown (Kilmarnock and Loudoun) (SNP): My constituent moved here from France 15 years ago—back to her Scottish mother—and she has had three children born in Scotland, yet the DWP has decided that she cannot receive it. It also rejected her universal credit claim, which means she has now lost her child tax credits. With no housing benefit, she is at risk of eviction from her house and she is relying on family support to survive. She has now applied for UK citizenship in a last-gasp effort to get the right to reside here. How can her case be expedited, and when will the Government review their pernicious immigration rules associated with universal credit?

Andrew Leadsom: I am genuinely sorry to hear about the hon. Gentleman’s constituency case. We have Work and Pensions questions on Monday, and I suggest that he raises it directly with Ministers then. He will appreciate that universal credit replaces an old system that trapped people on benefits. Universal credit is a much better, modern benefit based on the principles that work should always pay and that those in need of support should receive it.

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that the House of Lords should conduct itself better? If it does not, how might the situation at the other end of the corridor be rectified?

Mr Speaker: I thank the hon. Gentleman. Gentleman for his point of order. He has registered his consternation, and possibly that of others, at the conduct he has described, but I have no responsibility for what is said in the other place. In so far as he is inquiring about redress or recourse, the hon. Gentleman, who is a parliamentarian now of noted adroitness and dexterity, has found his own salvation by expressing himself with his customary force today.

Cat Smith (Lancaster and Fleetwood) (Lab): On a point of order, Mr Speaker. Yesterday, during Cabinet Office questions, I asked about a phone conference that had taken place between the Cabinet Office and regional returning officers at which the preparations for the European Parliament elections had been discussed. The Minister without Portfolio responded, saying it was “simply not true”. In today’s Guardian, however, the Electoral Commission is reported as saying that discussions have been taking place and that this call did happen. I am seeking your guidance, Mr Speaker, on how the right hon. Gentleman might have an opportunity to correct the record, should he have inadvertently misled the House.

Mr Speaker: I am grateful to the hon. Lady for her point of order and her characteristic courtesy in giving me advance notice of her intention to raise it. The right hon. Gentleman is in his place and approached me to acknowledge the likelihood of this matter being raised and to indicate a readiness to respond. Let us hear from the Minister.

The Minister without Portfolio (Brandon Lewis): Further to that point of order, Mr Speaker, I will not keep the House long. I only want to say that the Government have not asked anyone to start contingency planning for the European Parliament elections. That is our position in public and in private.

Ian Paisley (North Antrim) (DUP): On a point of order, Mr Speaker. It is recorded in column 391 of yesterday’s Official Report that the Secretary of State for Environment, Food and Rural Affairs said that the Government would “start formal engagement with the Irish Government about…decision making”—[Official Report, 13 March 2019; Vol. 656, c. 391]
in Northern Ireland. As you will be aware, that would be a complete breach of the terms of the Northern Ireland Act 1998 and, indeed, the Belfast agreement. Do you believe that the Secretary of State misspoke, or has he a duty to come to the House, with the Secretary of State for Northern Ireland, and announce a new policy shift, if that is the case?

Mr Speaker: I had no advance notice of this matter and, in truth, I must confess that I am unsighted on it. Rather than dissemble, which would be wrong, or to seek to give the hon. Gentleman the impression that I have an authoritative view to offer, I think it best simply to say that if a Minister has a new policy to announce, they should announce it in the House. If some incorrect impression has been given, of a kind that either flummoxes or irks the hon. Gentleman or others, I feel sure that a sensitive Minister will wish to put the record straight, sooner rather than later.

Patrick Grady (Glasgow North) (SNP): On a point of order, Mr Speaker. During business questions, the hon. Member for Bristol West (Thangam Debbonaire) raised the issue of the avalanche of statutory instruments going through Parliament, particularly from the Department for Environment, Food and Rural Affairs, and the massive overstretch next week, both on the Committee corridor and in the Chamber. It might be easier to handle the volume if we had adequate notice, but the times for the Delegated Legislation Committees keep being chopped and changed, and more Committees are added at the very last minute, making it very difficult for those of us responsible for filling them, in all parties, to do so in time for the Committee of Selection. What options are open to us to ask the Secretary of State for Environment, Food and Rural Affairs to get his act together and provide adequate time and notice for the scrutiny of these statutory instruments?

Mr Speaker: I think that it is always very much in the interests of the House that we have maximum notice and minimum confusion. The hon. Gentleman, in his capacity as a Member of Parliament and as his party’s Chief Whip, has registered his dissatisfaction, which will have been heard on the Treasury Bench. I trust that it will be heeded, both in order to pacify the hon. Gentleman and, if he will forgive me for saying so, for the wider convenience of the House.

I am looking for somebody who I thought might be planning to raise a point of order, but the hon. Member in question does not appear to be here at this time. We will therefore now proceed with business.

BUSINESS OF THE HOUSE (TODAY)

Ordered, That, at this day’s sitting, the Speaker shall put the questions necessary to dispose of proceedings on the motion in the name of the Prime Minister relating to the UK’s withdrawal from the European Union not later than 5.00 pm; such questions shall include the questions on any amendments selected by the Speaker which may then be moved; the questions may be put after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—[Iain Stewart.]
UK’s Withdrawal from the European Union

12.12 pm

Mr Speaker: I inform the House that I have selected amendment (h), in the name of the hon. Member for Totnes (Dr Wollaston), and amendment (i), in the name of the right hon. Member for Leeds Central (Hilary Benn), to which a manuscript amendment—

“Line 2, at beginning insert ‘for a period ending on 30 June 2019’”—

has been submitted, in the name of the hon. Member for Manchester Central (Lucy Powell), which I have selected; it will be distributed shortly. I have selected amendment (e), in the name of the Leader of the Opposition, and amendment (j)—J for Jemima—in the name of the hon. Member for Rhondda (Chris Bryant). If amendment (h) were to be agreed to, amendments (i) and (e) would fall. If amendment (i) were to be agreed to, amendment (e) would fall.

Mr Mark Francois (Rayleigh and Wickford) (Con): On a point of order, Mr Speaker. I express some disappointment that you have chosen not to select amendment (b), which has the support of 127 Members of the House, including the entire Democratic Unionist party, 13 Labour Members and one independent to boot, the rest being Conservative Members. It therefore has far more signatories than any other amendment on the Order Paper, and the support of three different parties.

Mr Speaker, when you have given guidance on how you select amendments—we accept that the final decision is yours; you are the referee—you have often said that you look at whether the House wants to decide a question, then you look at the number of colleagues who have signed an amendment, and then you look at the breadth. Amendment (b) has the support of 127 Members, that support is cross-party and the House clearly wants to decide on it. May I therefore ask for clarification?

You made a decision, Sir, and we must abide by it. But you have selected amendment (h), to “leave out from ‘House’ to end and add ‘instructs the Prime Minister to request an extension to the Article 50 period at the European Council in March 2019 sufficient for the purposes of legislating for and conducting a public vote’.”

We thought that our amendment was even clearer, but in effect amendment (h) does represent a vote in this House this evening, in principle, on whether or not to have a second referendum. Is that interpretation correct?

Mr Speaker: I am very happy to respond to the right hon. Gentleman. First, let me thank him for his courtesy in raising the matter in the way he has done. Secondly, what I say to the right hon. Gentleman, whom, as I reminded him recently, I first came to know 35 years and six months ago, is that it is not uncommon for a Member of the House to be mightily pleased when his or her amendment is selected, and notably displeased when it is not.

I hope that the right hon. Gentleman, who is an extremely experienced Member of the House, and whom I greatly respect, will understand when I say that Members do have to take the rough with the smooth. He was much exercised yesterday about the prospect of an amendment dear to him being able to be voted upon by the House. I selected that amendment, and although there was scope for different interpretations as to whether it conflicted and was incompatible with the verdict on an earlier amendment, I exercised my discretion and allowed it to be put to the House so that the House’s will could be tested. That brought a smile to the face of the right hon. Gentleman. Today he is disappointed that the amendment that he supports has not been chosen.

The right hon. Gentleman is perfectly right to say that numbers are a factor, and he simply repeats what is a matter of fact: the range of parties from which the amendment’s signatories are drawn. The Chair has to make a judgment on a variety of criteria. Numbers are not the only factor; breadth of support is a factor. This place works on the assumption that the Chair does his or her best to facilitate debate and allow the House to speak. I have tried to make a fair judgment, with a range of different points being canvassed and the opportunity for the House to decide upon them.

Finally, I say to the right hon. Gentleman—I do so with the utmost courtesy, as he has treated me in the same way—that, in respect of his last point, it is not for the Chair to seek to interpret what the purpose or effect of a particular amendment is. I am not, if I may put it this way, going to put a spin on the matter. The hon. Member for Totnes can speak to her amendment and others can make their own assessment. Ultimately, if those matters are put to a vote, the House will decide. I have done, I am doing and I will always do my best to be fair to the miscellany of different points of view represented in this House. I think that we should leave it there for now.

Several hon. Members rose—

Mr Speaker: Order. Resume your seats. Order. I have given a ruling on the matter which seems to me to be entirely reasonable. The right hon. Gentleman made it clear that although he was seeking clarification he was not presuming to argue the toss with the Chair, and I think it reasonable in the circumstances, with very significant numbers of Members wishing to speak in the debate, that the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, the right hon. Member for Aylesbury (Mr Lidington), should be called to move the motion that stands in his name.

Sir Bernard Jenkin (Harwich and North Essex) (Con): On a point of order, Mr Speaker.

Mr Speaker: I hope the hon. Gentleman is not going to argue the toss, but I am very happy to hear his point of order briefly if he wishes to raise it.

Sir Bernard Jenkin: There might be some concern, Mr Speaker, that the selection of amendments does not reflect the will of the House, because the will of the House cannot be expressed on an amendment, as you have said previously, until there has been a vote on that amendment. Therefore, given that amendment (b) expresses different matters that you have chosen not to select, what are we to conclude from your own views on these matters?
Mr Speaker: The hon. Gentleman is not to conclude anything in respect of my views; the hon. Gentleman is a very experienced Member of this House and what he can conclude from the selection will be put to the House. If people agree with those propositions they will presumably vote in support of those amendments, and if they disagree with those propositions they will presumably vote against those amendments. If the hon. Gentleman will forgive me for saying so, I think that point is pretty clear.

Mrs Anne Main (St Albans) (Con): On a point of order, Mr Speaker. Now that there has been clarity on which amendments have been selected, I am somewhat concerned about amendment (h), because it does seem to imply a certain heavy cost to the Chancellor of the Exchequer in having to fund all this. Can we have some figures associated with what the cost of conducting a public vote would be? I simply ask for clarity on that matter.

Mr Speaker: That is not a matter for me. The reality is that that amendment is perfectly orderly. If the hon. Lady disapproves of that amendment, and, more specifically and narrowly, if she wishes to ascertain further and better particulars either about the meaning of the amendment in terms of words or in terms of the mindset of the mover, that is a matter that will be extracted in the course of debate.

Caroline Flint (Don Valley) (Lab): On a point of order, Mr Speaker. I welcome your selection today, because although I was disappointed that amendment (b), which I did not put my name to, was not selected, I am delighted that you have selected an amendment that will allow this House for the first time to vote on whether it supports a second referendum or not. So I thank you, Mr Speaker, for that. Nobody in this House should be under any illusion—this vote today on amendment (h) is about saying whether we do or do not support a second referendum, and I urge the House to oppose a second referendum.

Mr Speaker: I am sure the whole House is immensely obliged to the right hon. Lady for offering it her opinion on what the meaning or implications might be. If she feels better as a result then I am deeply grateful to the right hon. Lady for offering it her opinion—indeed, for that matter, anything less.

Mr Jacob Rees-Mogg (North East Somerset) (Con): On a point of order, Mr Speaker. I think it would be helpful to have some clarification, because “Erskine May” says that selection is made by the Chair “in such a way as to bring out the salient points of criticism, to prevent repetition and overlapping…and where several amendments deal with the same point, to choose the more effective and the better drafted.” I understand that your predecessor gave a memorandum to the Select Committee on Procedure in 1966-67 on how amendments were selected, and I wondered if it might be helpful if you were to update your advice so that in future we would be clearer as to how these decisions are made.

Mr Speaker: I do not think there has been any notable complaint of ambiguity thus far. I confess, I say to colleagues and those attendant to our proceedings, that I have been accused of many things over the years, but ambiguity and unspecificity and lack of clarity in saying what I mean has not been one of them. If the hon. Gentleman thinks I need to speak a little more clearly and to enunciate more satisfactorily I am always happy to benefit from his wise counsel in these matters; however, as far as procedure is concerned I am comfortable that a perfectly proper decision has been made after due reflection—considerable reflection—this morning and consultation with my professional advisers. The hon. Gentleman’s view as to which amendment is better worded or likely to be more effective is a view, and I treat it with respect, but I do not think it is definitive so far as the choice today is concerned. If more widely he thinks that a manual on this matter for the future would be of use, that is a matter I will be happy to discuss with him over a cup, or mug, of traditional tea.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): On a point of order, Mr Speaker. As a point of detail and to contextualise the situation, I am interested as a relatively junior Member of this House to understand further how these decisions are made. There are, according to my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois), 127 Members who have signed amendment (b), whereas a quick count shows that there are fewer names between all the other amendments tabled, and many are repetitions. How, Mr Speaker, do we determine what represents the will of the House when more Members have signed one unselected amendment than all the others?

Mr Speaker: I am grateful to the hon. Lady, but I do not think there is an ambiguity on this matter. First, I have already made the point, which I think she heard me make, that numbers are a factor but they are not the only factor: breadth is important, too. I have selected an amendment on this subject to which there is breadth, and that seems to me to be a valid choice. So far as the wider policy position is concerned, as the hon. Lady will be well aware that her own party—the Government she supports—has a clear view on this matter. I think it is evident that she shares that view, and if she disapproves of the amendment she will be able to register her view quite possibly in the debate, but if it is put to the House, in the Division Lobby. If it were not put to the House, she would in any case not be disquieted. I think the position is clear.

Charlie Elphicke (Dover) (Con): On a point of order, Mr Speaker. I welcome your selection of amendment (i), which the whole House will be under no illusion in fact a disguised amendment aimed at securing a second referendum. May I seek your guidance on this one point, Mr Speaker? The amendment in the name of my hon. Friend the Member for North East Somerset (Mr Rees-Mogg), which you have not selected, has twice as many signatures, is cross-party and is also very clear in its intent, so in relation to the memorandum that your predecessor submitted in times past, which my hon. Friend referred to, will you update the House on the guidance and the basis on which selections are made?

Mr Speaker: I have already explained those matters. I do not wish to be unkind to the hon. Gentleman, whom I have known well for many years, but I think he is misleading himself and I would not want him to be
afflicted by that curse. I think when he refers to the failed—as in non-selected—amendment of the hon. Member for North East Somerset (Mr Rees-Mogg) he is referring to the hon. Member for North East Derbyshire (Lee Rowley). That is quite important—Somerset and Derbyshire are quite a long way apart from each other, but there you go.

I have already explained the basis on which the Chair tries to make a judgment to facilitate the key issues being debated in the Chamber. The hon. Gentleman might not like my answer, but that is my honest answer, which I would defend to this House and indeed to the world. More widely I say to the hon. Gentleman, who is an extremely assiduous Member, that I am not sure the right hon. Member for Leeds Central (Hilary Benn), who is a great gentleman in this House, will take particularly kindly to his characterisation of amendment (i). I very much doubt that the right hon. Gentleman would accept that characterisation, so it is the hon. Gentleman’s opinion. If he is called to speak in the debate he will have an opportunity to express his opinion, and I hope that will satisfy him, at least for now.

Mr Speaker: I do not wish to be unkind to the hon. Gentleman, but I am not quite sure at what point in the proceedings he graced us with his presence. It is a great pleasure to welcome him—[Interruption.] If he is signalling that he was in the Chamber at the time I referred to the selection of amendments, he will have heard what I said on that matter, and therefore it requires no repetition. If he was not here, I can refer back to what I said when I made the announcement of the selection, about which he is most welcome to consult colleagues. I have just heard one right hon. Member say, “Well, the selection has already been announced”, and that Member was a little quizzical as to why the hon. Gentleman is rather belatedly raising the matter. I have already announced the selection. I said that an amendment to an amendment had been submitted and that copies thereof would shortly be distributed. I hope that that is now clear and satisfactory to him. The fact that he has broken out in into a smile warms the cockles of my heart and no doubt the cockles of other parliamentary hearts to boot.

Bob Blackman (Harrow East) (Con): On a point of order, Mr Speaker. For the assistance of the House, given that yesterday my right hon. Friend the Member for Meriden (Dame Caroline Spelman) might be getting a little fed up with people referring to her constituency as “Meridian”. I say to the hon. Gentleman that it is a place called “Meriden”, which is in the west midlands. It has nothing to do with “Meridian”. The right hon. Lady did not wish to submit her amendment to a Division of the House, but, as I advised her, other key signatories to it did wish to do so. I therefore allowed it to be put to the House and, as the hon. Gentleman will know, that amendment was passed. The general principle is that someone who has tabled or co-tabled such an amendment would be presumed to have a right to test the will of the House. I hope that is helpful.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): On a point of order, Mr Speaker. May I just get clarification on that? My understanding is that once the amendment is accepted by you, it is the property not of the signatories but of the House. Therefore any Member, not just those who have signed it, could force a Division.

Mr Speaker: I think that is true in relation to Orders of the Day. As far as today is concerned, I hope that the right hon. Gentleman, who is very experienced in these matters, will be satisfied with the explanation—or, indeed, description of circumstance—that I have offered to the House. It does seem to me that it is not something that need vex us any further today. It is quite clear that if somebody has an amendment and wishes to put it to the vote, it can be put to the vote. If the lead sponsor does not wish to do that but others do, it can be put to the vote. I hope that that is helpful to the right hon. Gentleman and to the House.

Now, out of respect for the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, I invite him to open the debate and to move the motion.

12.33 pm

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Mr David Lidington): I beg to move,

That this House:

(1) notes the resolutions of the House of 12 and 13 March, and accordingly agrees that the Government will seek to agree with the European Union an extension of the period specified in Article 50(3);

(2) agrees that, if the House has passed a resolution approving the negotiated withdrawal agreement and the framework for the future relationship for the purposes of Article 50(3) for a period ending on 30 June 2019 for the purpose of passing the necessary EU exit legislation; and

(3) notes that, if the House has not passed a resolution approving the negotiated withdrawal agreement and the framework for the future relationship for the purposes of section 13(1)(b) of the European Union (Withdrawal) Act 2018 by 20 March 2019, then the Government will seek to agree with the European Union a one-off extension of the period specified in Article 50(3) for a period ending on 30 June 2019 for the purpose of passing the necessary EU exit legislation;

This motion arises because last night this House voted to reject the UK leaving the EU without a deal. So, in line with the commitment made by my right hon. Friend the Prime Minister, and in line with...
the motion that this House subsequently passed last Thursday, the House today must consider the issue of extending article 50.

**Ian Murray (Edinburgh South) (Lab)**: I want to make some progress. First, the Government’s position on extending article 50 has been absolutely consistent on this, from the Prime Minister down: we stand by every aspect of the three-stranded process embodied in the Belfast/Good Friday agreement and the peace-building process in Northern Ireland. I can put on the record that there are absolutely no plans at all to transfer additional powers or rights to the Government of Ireland. There are certain rights of consultation that flow from the three-stranded process, and those, clearly, we need to observe. On the specific comments that the hon. Gentleman attributed to my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs, he will recall that I was not in my place yesterday, because I was attending a family funeral. However, I am sure that my right hon. Friend will hear of his intervention. I will make sure that he does, so that he consider whether he needs to make any further comment on that subject.

**Mr Lidington**

Mr Lidington: I will give way once more and then I really do want to proceed with the substance of the debate.

**Mr Francois**: I am grateful to my right hon. Friend for giving way, as he can help the House here. I am not arguing with the referee—I have accepted the referee’s decision. We now have amendment (h) before us and it seeks a vote, in principle, on whether or not to have a second referendum, because it calls for the time to legislate for it and for it to take place. So it is clear what the amendment is asking for. That being the case, as it has been the Government’s long-standing policy to oppose a second referendum, will my right hon. Friend confirm now at the Dispatch Box that the Government will oppose amendment (h) and will whip their MPs accordingly? And Ministers!

**Mr Lidington**: As I indicated earlier, I plan to address amendment (h) later in my speech, along with the other amendments that you have selected, Mr Speaker. I hope it will provide some reassurance to my right hon. Friend if I say that the Government’s collectively agreed policy as regards a second referendum has not changed.

I should be clear that seeking an extension to article 50 is not something that the Government ever wanted to have to do. We believe that we negotiated a good deal for this country, and one that also respected the result of the referendum and would have allowed the United Kingdom to leave the European Union on 29 March this year. By rejecting that deal, the decisions of the House have brought us to this point today. It is important for all Members, from whichever political party they come, to acknowledge that the path ahead and the choices that confront us as a House are far from straightforward. We need to decide how long an extension to propose and we need to put that proposal to the European Council before it meets next week, in order to seek agreement from the 27 member states.

**Neil Gray (Airdrie and Shotts) (SNP)**: Will the Minister give way?

**Mr Lidington**: If the hon. Gentleman will forgive me, I want to make some progress.

As my right hon. Friend the Prime Minister said to the House last night, this situation means facing up to some difficult choices. In particular, it means understanding the interaction of the article 50 process with the European Parliament elections that are scheduled for May this year, which is why this morning the Government published a short factual document that explains the parameters of any extension, and why the motion tabled for today’s debate is a stark one—basically, we have two options before us.

**Neil Gray**: I am sure the Minister will be aware that this morning Donald Tusk tweeted: “During my consultations ahead of” the European Council to which the Minister just referred “I will appeal to the EU27 to be open to a long extension if the UK finds it necessary to rethink its #Brexit strategy and build consensus around it.”

What is the Minister’s reaction to that? The SNP is clear that that long extension is definitely required.
Mr Lidington: If the hon. Gentleman will bear with me, I intend to make reference to President Tusk’s comments later.

Mike Wood (Dudley South) (Con): My right hon. Friend will not be surprised to hear that I will not support the motion this evening. What message does he think it would send to those we represent if, nearly three years after voting to leave the European Union, we held elections to the European Parliament?

Mr Lidington: I think that a great many people would feel that that act set aside the decision they took in a democratic referendum three years ago. That was part of the case that Government Members put to the House in advocating endorsement of the deal which, as the hon. Member for Edinburgh South (Ian Murray) said earlier, is the only one currently on the table.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): I apologise if the Minister is going to answer this point later. The Government motion talks about an extension till 30 June to allow the progression of legislation, but the letter exchanged between Donald Tusk and Jean-Claude Juncker says that we would have to be out by 22 May in order not to trigger the obligation to take part in European elections. Will the Minister please explain the difference in those dates?

Mr Lidington: It is a perfectly serious question, but I appeal again for patience from Members, because I want to set out in detail the reasons for the Government’s choice of motion and the nature of the choice before the House.

Toby Perkins (Chesterfield) (Lab) rose—

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP) rose—

Mr Lidington: I shall give way one last time to the hon. Member for Chesterfield (Toby Perkins); then I shall make progress.

Toby Perkins: In terms of what people were expecting during the referendum, the Minister will be aware that the Vote Leave campaign made it clear that leaving the EU would be “a careful change” and that we would not leave until our future relationship was resolved. Even now, the Vote Leave website says: “There is no need to rush. We must take our time and get it right.” Did not people who voted leave absolutely understand that we would take our time to get it right before we made any rash decisions?

Mr Lidington: With all respect to the hon. Gentleman, I am perhaps responsible for many things as a member of the Government, but I suspect not one of my right hon. and hon. Friends would want me to assert responsibility for what the Vote Leave campaign has said at any stage in the past or the present.

Angus Brendan MacNeil rose—

Sir William Cash (Stone) (Con) rose—

Mr Lidington: I will give way to the Chair of the European Scrutiny Committee; then I do want to make progress.

Sir William Cash: I am most grateful. In relation to this pamphlet, or whatever it is my right hon. Friend is producing today, will he confirm now, on the Floor of the House, that the fact that exit day may or may not be extended does not affect the fact that under section 1 of the European Union (Withdrawal) Act 2018, which received Royal Assent on 26 June last year, the repeal of the European Communities Act takes effect, notwithstanding any extension of time, as prescribed by the 2018 Act?

Mr Lidington: The Government have given a commitment that in the event of the House voting in favour of extension—and this is not a given—the European Council agreeing to an extension, we will bring forward the necessary legislation, in line with the expressed wishes of the House.

Angus Brendan MacNeil: The right hon. Gentleman said a few moments ago that there is just one deal available, but that is not the full picture. The other deal available is the deal that is enjoyed by the 27 other members of the European Union, and that is full membership. Article 50 could be revoked and we could go back to that. Full membership is the best deal that anybody can have. This entire Parliament knows that it is the best deal, so when he talks of deals, will the Minister please remember that the best deal is still available? Up until 29 March we can revoke article 50 and cancel the Prime Minister’s letter, and this will be over in an afternoon.

Mr Lidington: As a matter of law, the hon. Gentleman is correct. Following the judgment of the European Court it is clear that the United Kingdom does have the power unilaterally to revoke its article 50 notification before exit day. It is not a legal argument but a political one as to whether it can possibly be right for this House to determine to set aside a decision that was taken democratically in the referendum in 2016, which produced a higher turnout than any recent general election and which at the time almost every political party said we would treat as decisive. It is a political judgment.

Several hon. Members rose—

Mr Lidington: No, I am not going to give way again for the moment.

As I said, the motion that the Government have tabled for today’s debate is a start. We basically have two options. First, if the House has approved a meaningful vote by 20 March and agreed a timetable for the EU withdrawal agreement Bill, we can expect the European Union to agree to a short technical extension to allow the necessary legislation to be carried through. If for whatever reason that proves not to be possible, we would be faced with the prospect of choosing only a long extension, during which the House would need to face up to the choices in front of it and the consequences of the decisions it has taken.

The Government recognise that the House would require time to consider the potential ways forward in such a scenario, so I can confirm today that in such a scenario the Government, having consulted the usual channels at that time, would facilitate a process in the two weeks after the March European Council to allow
the House to seek a majority on the way forward. We should be clear about the consequences if that were to happen. If we are in the world of a longer extension so that this House can come to a decision, we will be required, as a condition, to hold European parliamentary elections in May. As the note on this issue published by the Government today sets out, we would need to begin to prepare for those elections in early April. In other words, we either deliver on the result of the referendum, giving people and businesses throughout the country the certainty that they are calling for, and move on as a nation, or we enter into a sustained period of uncertainty, during which time the Government would work with this House to find a way through, but which I fear would do real damage to the public’s faith in politics and trust in our democracy.

Charlie Elphicke: On the possibility of having to conduct European elections if the extension went past 23 May, can my right hon. Friend tell the House whether the Cabinet Office is prepared for that? On what date would such elections take place and how much would it cost?

Mr Lidington: I do not have the figures on cost to hand; they would be a matter of record available on the Electoral Commission’s website. However, we would have to make those elections possible—not something that the Government wishes to do at all—and that would require secondary legislation to be laid before the House in mid-April.

Sir Edward Leigh (Gainsborough) (Con): For the reasons that my right hon. Friend the Minister has given, it is obvious that we have to try to get through a deal that the Attorney General can sign off. I am not asking the Minister to give a detailed legal opinion, but will he note that the unilateral declaration, which we have now lodged, gives us an opportunity to beef up the declaration and to make it clear that we do have a unilateral right of exit from the backstop? If we could do that, I am sure that we could reassure colleagues, particularly those in the Democratic Unionist party, and make progress.

Mr Lidington: My right hon. Friend will understand that it would be wrong of me to comment upon a legal opinion by my right hon. and learned Friend the Attorney General, but I am sure that he and the other Law Officers will take note of my right hon. Friend’s point.

Mr Kenneth Clarke (Rushcliffe) (Con): I think my right hon. Friend agrees with me that no Government in the 28 member states wishes to have a British election to the European Parliament in the course of any process, but the obligation that he refers to is, I think, based on the treaty. It would take a comparatively minor amendment to the treaty to make the obligation not apply to a country that has submitted an article 50 application. I see no reason at all why rapid treaty change that he would hope for actually exists in practice.

Hilary Benn (Leeds Central) (Lab): Paragraph 12 of the document that the Government placed in the Library this morning addresses the question of the possibility of a second extension after a first, stating that “a second extension is not considered to be viable”. Not considered to be viable by whom?

Mr Lidington: But paragraph 12 explains why, because it describes a scenario in which the United Kingdom had not participated in European Parliament elections and did not have any duly elected MEPs. In that case, we believe from all the feedback that we have had from the European Union that a second extension is not considered to be viable, because without UK MEPs being present from the date at which the newly constituted European Parliament met—namely, in a plenary on 2 July—the European Parliament would be improperly constituted. It is for that reason that we do not see any willingness, or, indeed, any legal power under the treaties, for the European Union to agree to a second extension if we were in those circumstances at that date.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Further to the intervention of the hon. Member for Dover (Charlie Elphicke), will the Minister confirm that the Electoral Commission, which I believe comes under his responsibilities, is contacting returning officers to tell them to advance their preparations to hold European Parliament elections?

Mr Lidington: The hon. Gentleman asks a perfectly fair question, but he will also know that the Electoral Commission is a statutorily independent body—it does not fall under ministerial direction, but reports to a Committee chaired by Mr Speaker—so it is for the commission to say what, if anything, it has been doing.

Chuka Umunna (Stratford) (Ind): It is clear that, if we seek an extension, we will need to give a specified purpose, and members of the European Council have already been clear that holding a people’s vote would fulfill that requirement. At the very least, however, this House needs to come to a decision on where the majority view lies. The right hon. Gentleman seemed to be saying that, if we passed this motion tonight, the Government would seek to provide time for us to come to that view
by having a series of indicative votes. Am I right? If I am, by what time does he envisage those indicative votes being held? There is no time to waste and there is no reason why we should not hold those votes in the next few sitting days.

Mr Lidington: I did explain this earlier in my remarks. What the Government have expressed in our motion and what I am trying to put before the House is that there is basically a choice of two options before the House. The first is that a decision is taken to agree the deal that has been negotiated and is on the table—which we know the European Council is willing to accept and believe the European Parliament would be willing to accept—and get on with things. In that case, we may need a short technical extension just to permit the necessary implemented legislation to pass here.

Or—I interrupt. I am trying to respond to the question of the hon. Member for Streatham (Chuka Umunna), and I hope that the House will allow me to do so.

The second option is that we would face the prospect of having to seek a longer extension. As I said earlier, in such a scenario, where we would be going into the European Council without approval for the deal on the table, the Government’s commitment is that we would, in the two weeks following the European Council, consult through the usual channels with other parties and work to provide a process by which the House could form a majority on how to take things forward.

Several hon. Members rose—

Mr Lidington: I am not going to give way again for a while. Mr Speaker, because when I spoke in the Chamber about a week ago, you gently chided me for having gone on for too long, and when I looked at Hansard it was because I had perhaps taken too many interventions. I think I have given way a fair number of times already today.

I want to put on the record—because I think this will help to clarify the nature of the choice for hon. Members on all sides of the debate—that article 50 of the European treaties does say, in terms, that the treaties “cease to apply” to the departing member state “from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification” of triggering article 50. In other words, it is the sooner of the conclusion and entering into force of the withdrawal agreement, and the two-year deadline. Logically it therefore follows that, were an extension of any length to be agreed, it would always be possible for the House and the other place to bring about an earlier conclusion to that extension than the specified deadline by agreeing to a withdrawal agreement at that earlier date.

Stewart Malcolm McDonald (Glasgow South) (SNP) rose—

Mr Lidington: No, I am not going to give way again for a while.

I hope that the factual document that the Government published this morning, coupled with the latest statement from the President of the European Council, Mr Tusk, will have convinced right hon. and hon. Members that the choice I have described is not one that has somehow been invented for political ends but rather one that this House must face up to and confront.

I want to take a moment to set out to the House the reasons why the choice is so binary. That means explaining in a bit of detail the interaction with the European Parliament elections. Those elections will take place across the EU on 23 to 26 May, and the new European Parliament will meet for the first time on 2 July. As the Father of the House said, it is a fundamental requirement under the EU treaties that EU citizens are represented in the European Parliament. That derives from article 9, which says, “Every national of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national citizenship”, and from paragraph 2 of article 10, which says: “Citizens are directly represented at Union level in the European Parliament.”

The subsequent legislation that the European Union has passed is founded on those key principles set out in the treaties—the primary law that every member state of the European Union has to comply with and which has primacy over any domestic law to the contrary. It flows from that that the new European Parliament would not be properly constituted if any member state did not have MEPs, and that for it to be improperly constituted would not all that Parliament’s actions, and the proper functioning of the EU’s institutions and its legislative process, at risk. There is no legal mechanism by which the UK could return MEPs to the new European Parliament other than by participating in the elections. The upshot is that the longest extension that we could propose without holding the elections is until the end of June, and if we did that, it would not be possible to extend again, because, as I said in response to an earlier intervention, to do so without having elected MEPs would compromise the proper functioning of the EU’s institutions and its legal process. In the absence of a deal, seeking such a short and, critically, one-off extension would be downright reckless and completely at odds with the position that this House adopted last night, making a no-deal scenario far more, rather than less, likely. Not only that, but from everything we have heard from the EU, both in public and in private, it is a proposal it would not accept.

Antoinette Sandbach (Edgorldbury) (Con): I do not know whether my right hon. Friend has had an opportunity to read the advice given by George Perez QC on the example of Croatia, where special arrangements were made. It is possible for there to be an agreement between the EU and the UK as to a mechanism that may not involve elections but would still involve representation in the European Parliament.

Mr Lidington: I have not had the pleasure of reading that legal opinion. However, there is a critical difference between the scenario that we are describing in respect of the United Kingdom and that of Croatia in the case that my hon. Friend describes. In that case, Croatia was a third country in the process of joining the European Union, and the treaties allow accession states to go through a transition process. What she has described was part of that transition process embodied in the accession treaty negotiated by Croatia with the existing states of the European Union. In the case of the United Kingdom, we are talking about us beginning to move from being a full member of the European Union with both the rights for citizens and the obligations that go with that full European Union membership. Without
treaty change, there is not a legal mechanism that simply allows those rights for EU citizens to be set aside. That is the brutal truth that this House needs to recognise.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): If the Government were, for the first time, to be prepared to support and to facilitate some processes for indicative votes and so on, I think it would actually be possible to take some decisions quite quickly. The Minister will understand that his credibility in making these arguments about the timescale needed is rather undermined by the fact that, as of a couple of weeks ago, he was saying that we were going to be able to get everything through, including all the legislation, by 29 March, but now we apparently need three months in order to do so.

Specifically on the European parliamentary elections, I wonder whether the Minister has seen the comments by Eleanor Sharpston, an advocate general of the European Court of Justice, who has said, in response to the arguments that he is making,

“This is an oversimplified and ultimately fallacious presentation of the situation”,

and sets out a range of ways in which this issue could be resolved, saying that

“if the political will...is there, a legal mechanism can be found”.

Mr Lidington: Though I have the utmost respect for Eleanor Sharpston, that view is very different from the views that have been expressed to us very clearly by the institutions of the European Union.

Tom Brake (Carshalton and Wallington) (LD): The Minister may be aware of the legal advice from the legal service of the European Parliament issued on 1 February 2019, which states very clearly:

“Even in the case that the UK would not hold elections, the new European Parliament could validly be constituted.”

Does he disagree with that?

Mr Lidington: I have not seen that particular item, but my understanding is that the legal service of the European Parliament has made it very clear that it does not see that an extension is possible beyond the date of the first plenary meeting of the new Parliament on 2 July, in the absence of treaty change.

Stewart Malcolm McDonald: Can I take the deputy Prime Minister back to the point made by my hon. Friend the Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) when he said that it was a matter of law that the UK can revoke article 50 in its entirety? Should there be a member state that does not agree to an extension—for example, Hungary or Italy—would it not therefore be a matter of political reality that the revocation of article 50 should be exactly what the Government do? If that happens, will they revoke article 50?

Mr Lidington: It would be a decision for the House to take that to happen. It was open to the hon. Gentleman to table an amendment to that effect today had he wished to do so. These are matters for the House as a whole.

Jim McMahon (Oldham West and Royton) (Lab/Coo-op): The 2014 Euro elections cost £100 million, which seems like a lot of money, but the Transport Secretary could spend it in a morning, so I would not worry too much about that. The real issue today, though, and it continues to be the issue, is that unless we can secure an agreement that gets majority support in this House, we are going to continually go round in circles on this. So surely the Minister must agree that the only way to move forward and unite people is for compromise from the Government to actually get a deal that we can support.

Mr Lidington: I agree with the hon. Gentleman to this extent: the only way we can move forward, whether we are looking at the immediate future or the longer term, is for this House to come behind an actual deal embodied in text which the European Union is also willing to accept.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): My right hon. Friend is right about the chaos that would be caused. The Legal Service has also made it clear that, if we extended and thus had to fight the elections and we subsequently left, the European Parliament would be left unconstituted, because there would be no mechanism to change the numbers that had been set. The EU does not want to go down that road so my right hon. Friend is quite right.

Mr Lidington: My right hon. Friend is right. I do not detect from my conversations in Strasbourg much enthusiasm among Members of the European Parliament for another contingent of British MEPs to be there, especially if that was only on a temporary basis.

Anna Soubry (Broxtowe) (Ind): I do not doubt, and I think it is true that the whole House does not doubt, that the right hon. Gentleman is a man of his word, and when he gives a commitment at the Dispatch Box we all absolutely have confidence that it will be delivered. Can he help us, though? At column 167 of Hansard on Tuesday 26 February the Prime Minister set out her plan, all of which is unfolding. So today we are having the debate, and we will have the votes on the Government motion and the amendment. If either of the amendments are successful or the motion prevails in the end, we know that there will be an extension. The Prime Minister undertook in that event to “bring forward the necessary legislation to change the exit date commensurate with that extension.”—[Official Report, 26 February 2019; Vol. 655, c. 167.]

Will that legislation be brought forward to the House next week, and if not when?

Mr Lidington: From memory, I think that my right hon. Friend repeated this from the Dispatch Box last night, so I am happy to record again that undertaking by the Prime Minister and the Government. The exact timing for the introduction of legislation will have to await a decision by the European Council. If we are talking about an extension for a specific time period, the Government’s commitment was to do that once this had been agreed not just by the House but by the Council. There is little point in our introducing legislation for a particular duration only to find that does not fly at European Union level.

Sir John Hayes (South Holland and The Deepings) (Con): A while ago, before my right hon. Friend got drawn into this arcane debate about the minutiae of the European Union’s peculiar practices, he fleetingly mentioned the public. Our legitimacy is built on public faith and bolstered by public trust. The Government chose to specify a date in the legislation and thereby created an expectation. Frustrating that expectation would be seen
by the public as a breach of faith, which might not worry unreconstructed remainers who regard the public not, as I do, with reverence, but with disdain. Such a breach would do the Government and the House immense damage.

Mr Lidington: I do not disagree with my right hon. Friend, but the remedy for the House is to rally behind an actual deal that allows our exit from the EU to take place.

Sir Oliver Letwin (West Dorset) (Con): My right hon. Friend is making his case with his customary acuity and good manners. I agree with him that the essence here is not all these arcana imperii about the European elections but rather the fact that this House has to come to a decision and agree on a way of leaving this institution in an orderly fashion if it is to prevent a no-deal exit. That is clear to almost everyone in this House. Does my right hon. Friend agree that, while it is obviously appropriate for the Prime Minister to continue to do whatever she feels she needs to do to promote the deal that she is promoting, and for which I have voted and will continue to vote until the very end, it would also be appropriate for her to enter, after an extension has been agreed, into immediate discussions across the House to ensure that, in a parallel process, a cross-party view of a deal that could obtain a majority could be settled by the House? We could then find out which of the two alternatives permits a majority to be found and a deal to be enacted.

Mr Lidington: As I said earlier, the Government are giving a commitment that, if it is not possible to secure support ahead of the European Council for our withdrawal under the negotiated deal, we would have to come back to the House in the two weeks following the Council to consult through the usual channels the political parties across the House to agree on the process by which the House could then seek to find a majority.

For reasons that I will come on to—if I ever get to address the amendment tabled by the right hon. Member for Leeds Central (Hilary Benn) and other hon. Members—this is far from uncomplicated, but I think I gave that commitment earlier in my speech.

Anna Soubry: The right hon. Gentleman is clear that the Government would commit, if the House votes for an extension, to seek to agree that extension approved by the House with the EU and bring forward the necessary legislation to change the exit date commensurate with that extension.”—[Official Report, 26 February 2019; Vol. 655, c. 167.] With respect to the right hon. Gentleman, it was not “or”, it was “and”. So it is both—seek a date with the approval of the EU, and bring forward the legislation.

Mr Lidington: I really do not think that there is a big difference between what the right hon. Lady quotes and what I said earlier. The commitment is there, in Hansard, as she says, from the Prime Minister to seek to agree in those circumstances an extension with the European Council and to introduce the necessary legislation, but the legislation would have to provide for the duration, purpose and condition of any extension that had been agreed with the Council. We cannot operate in a vacuum here. We are dealing with a process that flows from article 50 of the treaty. It is not something that the House can simply resolve on its own. The job of the House is to come to agreement on a deal.

Neil Parish (Tiverton and Honiton) (Con) rose—

Mr Lidington: I will give way to my hon. Friend, who is a former distinguished Member of the European Parliament.

Neil Parish: For over two years now, since we invoked article 50, we have been absolutely incapable as a party, a Government or a Parliament of reaching a decision on a withdrawal agreement. Why would my right hon. Friend ask me to vote for an extension of article 50 so that we can just argue for another couple of months? We have to have a withdrawal agreement before we extend anything.

Mr Lidington: My hon. Friend makes a powerful point. Members of this House, whichever side they have taken in the numerous debates that we have had on European matters, should not underestimate the exasperation not just in the EU institutions but in the democratic Governments of the EU member states at the inability of the House to decide what it is prepared to get behind.

Several hon. Members rose—

Mr Lidington: I will not give way. I am conscious that I have been speaking for a long time. Other Members wish to speak, so I am going to make progress now. I want to finish what I am saying about the Government’s case and then move on to the amendment that you have selected, Mr Speaker.

We do not want to be in a situation where the only certainty would be more uncertainty, but if the House has not come together around a deal by Thursday next week, the only viable extension would be a long one. We would have to hold the European Parliament elections, and the Government would facilitate a process with the House to consider the potential ways forward to reach a majority. However, as my right hon. Friend the Prime Minister said last week, that delay would ensure that the only certainty would be greater uncertainty for businesses and for the constituents whom we represent. That is the choice that we face and the responsibility that we must now shoulder.

If I may, Mr Speaker, I will turn to the amendments that you have selected for debate.

Helen Goodman (Bishop Auckland) (Lab): Will the Minister give way?

Mr Lidington: No. I apologise to hon. Friends and Opposition Members who wish to intervene, but I have given way many times, and I have tried to be fair to Members of all political parties represented in this House. I want to speak on the amendments, conclude my remarks and let other right hon. and hon. Members speak.

If I may, I will turn first to amendment (b) in the name of the hon. Member for Totnes (Dr Wollaston). It requests an extension of article 50 for the defined
purpose of holding another referendum on whether to remain in the European Union. I do not think it will come as a surprise to the hon. Lady if I say that the Government’s position is well rehearsed. I respect her persistence and that of others who have tabled similar amendments putting forward this proposition, but I do not believe another referendum offers the solution that we need. Rather, it would reopen the divisions established in the 2016 campaign, and would damage what is already a pretty fragile trust between the British public and Members of this House. Our obligation, first and foremost, is to honour the mandate given to us in that first vote, which was to leave the European Union, and that is why the Government are focused on honouring that mandate in a smooth, orderly way.

Heidi Allen (South Cambridgeshire) (Ind): Will the Minister give way?

Mr Lidington: No. I am not giving way; I beg the hon. Lady’s pardon, but I have given way many times. I hope she will have the opportunity to catch your eye later, Mr Speaker.

If I may, I will now turn to amendment (i) in the name of the Chair of the Exiting the European Union Committee, the right hon. Member for Leeds Central, and others. The amendment proposes a particular process to enable the House to find a way forward that commands majority support through an extension period. Paragraph 2 of the amendment would suspend Government control of the Order Paper on Wednesday 20 March to give priority to a cross-party business motion tabled by 25 Members from at least five different political parties. It seems that this motion would be used further to direct the business of the House on a future day or days to allow further debates on matters relating to EU exit.

The Government have previously set out to the House our case that this amendment or others similar to it seek to create and exploit mechanisms that would allow Parliament to usurp the proper role of the Executive. It would be unprecedented action, and it could have far-reaching and long-term implications for the way in which the United Kingdom is governed and for the balance of powers and responsibilities in our democratic institutions. I am sure that the majority of Members—whether they are hon. Friends who are supporting the current Government, or perhaps people who aspire to support and serve in a future Government of some political stripe or other—must recognise that fact. While I do not question the sincerity with which the amendment has been tabled, to seek to achieve that desired outcome through such means is, I think, a misguided and not a responsible course of action.

I think that is equally true of paragraph 3 of the right hon. Gentleman’s amendment. Frankly, it is an extraordinary requirement and, I suggest, an undemocratic one. It means that if 100 Members from the Conservative Benches moved a motion under the terms of the amendment, that motion could not be called. It means that if 100 Members from the Labour party Benches moved such a motion, that could not be called. It means that if 400 Members from both the Government and the principal Opposition Benches moved such a motion, it could not be called.

That paragraph would hand the power over whether a motion could be called—in effect, a power of veto—to the smallest parties in the House, if such a motion had their support. Let us assume that the right hon. Gentleman’s amendment was accepted by the House. That would mean that a motion brought forward under paragraph 3 of the amendment, if it had the support of Members from the Scottish National party, from Plaid Cymru, from the Liberal Democrats, the lone Member from the Green party and—if they constitute themselves a political party in time—from Members of the Independent Group, could be moved. However, if it had the support of every single Conservative, Labour and Democratic Unionist party Member, it could not be moved. I do not doubt the right hon. Gentleman’s sincerity, but I have to say to him that that strikes me as absurd in democratic terms.

Hilary Benn: The right hon. Gentleman’s argument that contrary views could not be heard is defective, as he will see if he goes back to paragraph 2 of the amendment. Sub-paragraph (d) says that “debate on that motion may continue until 7.00 pm at which time the Speaker shall put the questions necessary to dispose of proceedings on that motion including the questions on amendments selected by the Speaker which may then be moved”.

In other words, the motion provided for in paragraph 3 starts the debate, and any Member can move an amendment, which, if you select it, Mr Speaker, will be voted on at the end of the day. Therefore, the right hon. Gentleman’s argument that the views of others—of 300 Conservatives—would not be heard is not correct.

Mr Lidington: While I appreciate the right hon. Gentleman’s defence of his amendment, my objection still stands. In the scenario that he has described, a motion in the names of very large numbers of Members of Parliament—not just from my party, but from his as well, or a very large number of some hundreds of people on a cross-party basis—could be moved only if it were in the form of a motion that had previously been tabled and accepted for debate, under the limited terms specified in his amendment.

It is of course for you, Mr Speaker, to make a ruling on which amendments to select and which not to select, but as the right hon. Gentleman well knows, there are practices, traditions and precedents of the House—about, for example, the material of an amendment needing to be pertinent to the motion to which it has been tabled—so, flowing from his amendment, there would be a potentially very severe restriction on the rights of many hundreds of Members of this House to come forward and table motions that raise subjects they want to be debated.

Charlie Elphicke: My right hon. Friend is making a very powerful argument, but the position is in fact worse than he says. Paragraph 3 of the amendment mentions “at least five Members elected to the House”—elected to the House—“as members of at least five different parties”. It is carefully crafted to exclude the TIGgers, meaning that we will have tyranny by a minority, because either Plaid Cymru or the Greens will need to be included in such a motion. In other words, four Members of this House could hold the entire House to ransom.
Mr Lidington: As my hon. Friend says, although the intention behind the amendment is sincere, it is defective on both constitutional and technical grounds, and I think the approach I have outlined on the Government’s preferred way forward offers a better route.

Dame Cheryl Gillan (Chesham and Amersham) (Con): My point is very similar to the one raised by my hon. Friend the Member for Dover (Charlie Elphicke). What is the position, based on the wording of this amendment, of Members of this House who are not in receipt of a Whip, as happens from time to time? Indeed, there are Members of this House who are currently not in receipt of a Whip or who are not a member of a political party. It seems to me that this form of discrimination against independent Members of this House is quite unacceptable.

Mr Lidington: My right hon. Friend raises an interesting question that I confess I had not considered in detail. A number of Members of the House sit as independent Members of various kinds, and they may or may not be registered as a political party with the Electoral Commission under the terms of the relevant legislation. Again, it seems wrong in principle for those Members to be denied the right to at least put forward for consideration a motion that embodies their wishes.

Sir Oliver Letwin: My right hon. Friend is an old friend, and I admire the ingenuity of his logic. Will he return for a moment to an issue that concerns the fate of more than 60 million of our fellow citizens—namely whether this country will leave the EU without a deal because the House has failed to reach an agreement? The amendment seeks to facilitate, within a short three-month extension—not a long one—the House’s ability, through some mechanism, to debate and resolve the question of a deal across the parties. Perhaps my right hon. Friend would like to make a statement now from the Dispatch Box to state that on the day in question the Government will bring forward their own motion, describing exactly the process we are seeking, and allowing the House, by express votes, to arrive at a sensible compromise solution. None of those who have tabled this amendment prefer to grab the Order Paper or to use these elaborate devices to achieve that. We seek, above all and only, to ensure that the House has the opportunity to rescue our fellow citizens from a fate that both my right hon. Friend and I wish to avoid.

Mr Lidington: I completely accept the sincerity and good intentions of the approach taken by my right hon. Friend and the other signatories to the amendment, but I still believe it has the deficiencies to which I referred. In this scenario we need a process that ensures that the House faces up to decisions. Therefore, on behalf of the Government, I have proposed that in the two weeks following the European Council—we were to be in the position by then that no withdrawal agreement has been approved by the House to allow for a technical extension only of article 50—we should hold consultations with other parties, through the usual channels, to try to find a process that enables the House to find its majority.

For the reasons that I set out earlier at some length, I simply do not think that the European Council would think it plausible to agree a three-month extension to article 50 without much greater clarity about the process and outcome of that hypothetical scenario. As he says, my right hon. Friend has always supported the deal that the Prime Minister negotiated and is on the table, but he puts forward a scenario in which the House might agree on something that required significant changes to the current text of the agreement. We do not know that, but we could then face a considerable exercise at EU level, with textual amendments and the process of going through different EU institutions.

Several hon. Members rose—

Mr Lidington: No, I will not give way now. I think that the procedure I have set out, and to which the Government are committed, offers the House the best way forward.

Several hon. Members rose—

Mr Lidington: No, I will not give way further. I have been on my feet for more than an hour, and it is fair that other Members have the opportunity to catch your eye, Mr Speaker.

Finally, amendment (e) is tabled in the name of the Leader of the Opposition. It requests an extension of article 50, and for time to be provided for the House to find a majority for a different approach. On the first point, I am sure the official Opposition will be pleased to see that the motion under discussion concerns whether to extend article 50, so an amendment is hardly required on that point. As ever, however, the Opposition amendment is all about ruling things out, and never about proposing anything in their stead. I note that once again the Leader of the Opposition does not advocate a second referendum, and although that position accords with Government policy, I did not think it was also Labour policy. In truth, the right hon. Gentleman’s alternative Brexit plan—its own questionable feasibility—was decisively rejected by 323 votes to 240 in the debate on 27 February, and I do not see the need to provide further time to discuss it.

In my opening remarks I said that seeking an extension to article 50 is not something that the Government ever wanted to do, but we have arrived at this point because that has been the will of this House. Now the House has to decide between the two courses of action that are realistically available. Either we approve a deal before the March European Council, legislating for it and ratifying it during a short technical extension until 30 June, or we fail in our duty to deliver on the result of the referendum and, if we are to comply with what the House voted for last night, we will be required to hold elections to the European Parliament, two months after the British people expected us to have left the EU, thereby prolonging the uncertainty that will do severe damage to this country. We face a stark and serious choice, and I commend the motion to the House.

Chris Bryant (Rhondda) (Lab): What about my amendment?

Mr Speaker: Order. The hon. Gentleman is observing—some would say bleating; I would say observing—from a sedentary position that his amendment was not referred to by the Minister. I am sure his tender sensibilities will recover from the assault to which they have been subjected.
Mr Lidington: On a point of order, Mr Speaker. If it helps the hon. Member for Rhondda (Chris Bryant), I am conscious that I omitted to refer to his amendment, but I shall draw that to the attention of the Secretary of State for Exiting the European Union so that, if time permits, he can respond to it during his concluding remarks. [Interruption.] The hon. Gentleman asks whether the Government will be supporting his amendment, but I urge him to contain his excitement on that matter.

1.38 pm

Keir Starmer (Holborn and St Pancras) (Lab): I rise to support amendment (e) tabled in my name and that of the Leader of the Opposition. The Prime Minister announced two weeks ago that she would hold a second meaningful vote on 12 March; and that if that failed she would enable a vote on 13 March to rule out the European Union on 29 March without a deal; and that if that succeeded, she would enable a vote on the extension of article 50 on 14 March, which is today. She was taken at her word. Had she simply done that yesterday, and tabled a simple motion to seek agreement that the UK would not leave the EU on 29 March without an agreement, she would have succeeded with a hefty majority. However, for reasons best known to herself and her advisers, she tagged unnecessary words on to her motion, causing splits, divisions and chaos on her own side, and putting further into question the ability of the Government to govern.

Today, it seems that the lessons of yesterday have not been learnt. A simple motion today seeking a mandate of the Leader of the Opposition. The Prime Minister made a speech that I think is a very, very bad speech indeed. She has brought down the whole treaty under article 62 is so far fetched that in paragraph 19 he clearly makes reference to a fundamental change of circumstances. That would indicate to me that article 62 was in his mind.

Mr Dominic Grieve (Beaconsfield) (Con): I agree with every word the right hon. and learned Gentleman says. This is a unicorn; it cannot happen unless so seismic a failure were to take place with the other party that it could be justified. The idea that, simply because the backstop is still in place, it could justify bringing down the whole treaty under article 62 is so far fetched that there can be no doubt, if it was ever contemplated, that is why it was left out, because it is an unsustainable argument.

Keir Starmer: I could not agree more. I suspect that that is the credible basis for a further meaningful vote?

Mr Dominic Grieve: I ha ve no idea what the Attorney General is going to say next week, but I say politely to the right hon. and learned Gentleman that the suggestion that what has changed in a week is so extreme that I would be extremely surprised if the Government rest their case next week on that basis.

Victoria Prentis (Banbury) (Con): I have no idea what the Attorney General is going to say next week, but I say politely to the right hon. and learned Gentleman that in paragraph 19 he clearly makes reference to a fundamental change of circumstances. That would indicate to me that article 62 was in his mind.

Keir Starmer: I accept that, and it is there in that paragraph. What I am saying is this: it is a nuclear option to crash a whole treaty, including everything in it. That has consequences in international law. If you crash a treaty, you can be taken to court and challenged on it. Everything would be crashed. All the citizens’ rights that have been agreed—crashed; all the trading arrangements—crashed; the transition period—crashed. Are we really suggesting that that is the credible basis for a further meaningful vote?

Mr Dominic Grieve: I agree with every word the right hon. and learned Gentleman says. This is a unicorn; it cannot happen unless so seismic a failure were to take place with the other party that it could be justified. The idea that, simply because the backstop is still in place, it could justify bringing down the whole treaty under article 62 is so far fetched that there can be no doubt, if it was ever contemplated, that is why it was left out, because it is an unsustainable argument.

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Joanna Cherry (Edinburgh South West) (SNP): I am very grateful to the right hon. and learned Gentleman for giving way. Has he, like me, read the rumours in the newspaper that the Government might try to argue that there has been a material change in circumstances by changing their legal advice to take into account article 62 of the Vienna convention? Does he, like me, agree with the weight of legal opinion that they are on a hiding to nothing with that argument?

Keir Starmer: We wait to see what further advice the Attorney General gives, if any. I have to say, however, that the suggested nuclear option of crashing the treaty completely—brining down citizens’ rights, the financial arrangements, the customs arrangements, the trading arrangements and so on—as the way forward came as rather a surprise. That is the reason I thought the Attorney General left it out of the advice he gave last week. To burn the whole house down to try to suspend or stop the backstop is so extreme that I would be extremely surprised if the Government rest their case next week on that basis.

Victoria Prentis: I did say very clearly that I have no idea what is in the Attorney General’s mind at this moment, but that it seemed to me that the use of those words meant that he had at least considered article 62. He may of course wish to develop that argument much further and I look forward to hearing from him.
Keir Starmer: What I am trying to say is this: with the meaningful vote having been put once and lost heavily, and having been put again and lost heavily, I think the yearning across the House, the majority view, is that whatever we really need to do now, and whatever we are trying to do this week, is simply decide that no deal on 29 March should be ruled out. A simple proposition would have done that without all the fallout. A simple proposition today to extend article 50 would have allowed us then to press on in some form that we could agree to find a purpose and a majority.

Mr Speaker: That does not require adjudication by the Chair, but the right hon. Gentleman has put his point on the record. I think the hon. Member for Eltham (Clive Efford) was about to intervene.

Clive Efford: I think the moment has passed, Mr Speaker. [Laughter.] I am going to dispense with the gambling theme.

My right hon. and learned Friend will have heard the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office try to answer the right hon. Member for West Dorset (Sir Oliver Letwin) on facilitating discussions across the House. Did my right hon. and learned Friend, like me, expect the Government to come here this morning, following their defeats last night, to talk about how they can facilitate those discussions, rather than come up with technical points to defeat an amendment that is trying to achieve that aim?

Keir Starmer: I am grateful for that intervention, because it follows up on a theme I was trying to advance yesterday: how we go forward from here depends on the attitude of the Prime Minister and of the Government. At this stage, I think a majority in the House want a Prime Minister who says, “I now recognise that my deal has been heavily defeated twice, and in the spirit of finding a way forward I will drop my red lines and come up with a process by which the House can express views as to an alternative way forward.” If we cannot do that—this is the point I was trying to make yesterday—and if the Prime Minister does not facilitate that and put that process forward, the only thing that the House can do is try to force it on her, and that has constitutional ramifications.

I am not saying that that cannot be done, and I am not saying that it should not be done. It may have to be done, but—and this is a serious point for the Government—I think it would be better if the Prime Minister were to say today that she would in fact play her part in whatever the process needs to be to find a majority. I think that would be the first step forward. I said yesterday and I say it again: I actually think that should have happened two years ago, but that is as may be. Otherwise, we risk simply setting another clock ticking that then dictates in exactly the same way what happens—whether it is months or weeks, or however long it is. If we just do this all by a clock and without a purpose, we will not get anywhere.

Anna Soubry: I am listening to what the right hon. and learned Gentleman is saying with great care. It seems that the Opposition’s policy has now changed again. As I understood it from his party’s conference, having failed to get its own version of Brexit through, it would then seek a general election. If that failed, it would then back a people’s vote. Now it seems that his party’s policy is to compromise with the Government to facilitate Brexit. On that basis, could he confirm whether tonight, when the vote on amendment (h) is called, Labour will be voting for a people’s vote, abstaining, or voting against?

Keir Starmer: I am grateful for that intervention. I have said on a number of occasions that the Labour party supports a public vote and I played a very large part in the conference motion, but today is about the
question of whether article 50 should be extended and whether we can find a purpose. [Interruption.] Hear me out, it is a very serious question and a very serious challenge, and I need to answer it. The right hon. Lady will know that many colleagues, in and out of this place, absolutely supportive of the cause that she supports—namely, a people’s vote—vehemently disagree with this amendment being tabled and voted on today.

The People’s Vote campaign—it is pretty clear where it stands—has issued a formal statement of its position, today, in response to amendment (h). It says that it has made it clear that it does not regard today as “the right time” to press the case for the public to be given a final say—[Interruption.] I am just answering the question—I am answering it fully and I want to do it properly. This is the People’s Vote campaign issuing a statement in response to this amendment:

“Instead, this is the time for parliament to declare it wants an extension of the “article 50” Brexit deadline

“so that, after two-and-a-half years of vexed negotiations, our political leaders can finally decide on what Brexit means.”

That is the official position of the People’s Vote campaign.

In addition, this will be the first time—I am going to complete this answer. This will be the first time, I think, that I have quoted Alastair Campbell from the Dispatch Box. Whatever we could or could not say about Alastair Campbell, we cannot doubt where he stands on a people’s vote. He said today that it is:

“Wrong to press @peoplesvote_uk amendment...when the issue is”—essentially about “extension. I think” it is the “wrong time and I fear the wrong reasons”—[Interruption.] I am going to complete the answer. Those pressing this amendment seem to be out of step with the vast majority of co-campaigners who are campaigning for exactly the same point. They may genuinely have a difference of opinion, but we will not be supporting amendment (h) tonight.

Anna Soubry: Shame on you! [Interruption.]

Ian Blackford (Ross, Skye and Lochaber) (SNP): I am grateful to the hon. Lady, because that encapsulates the problem that we have been living with for the last two years. The referendum answered the question, “Would you rather be in or out of the EU?” It did not answer the question, “If out, what sort of future relationship do you want?”, on which there are many views, ranging from a very remote relationship, looking elsewhere for trade and so on, to essentially keeping within the models that have worked reasonably well in the last half century or so. They are massively different—ideologically different—views. That is the reason why the Prime Minister should have put her red lines to Parliament. The original red lines that came out in the autumn of 2016 were not even put to the Cabinet before the Prime Minister announced them. On a question of this importance, whether someone is the Prime Minister or not, it is not good enough to shrink that decision to a small group of people, not to open it out to the Cabinet in the first instance, and never to open it out to Parliament. That is a central point.

Keir Starmer: I am grateful to the hon. Lady, because that encapsulates the problem that we have been living with for the last two years. The referendum answered the question, “Would you rather be in or out of the EU?” It did not answer the question, “If out, what sort of future relationship do you want?”, on which there are many views, ranging from a very remote relationship, looking elsewhere for trade and so on, to essentially keeping within the models that have worked reasonably well in the last half century or so. They are massively different—ideologically different—views. That is the reason why the Prime Minister should have put her red lines to Parliament. The original red lines that came out in the autumn of 2016 were not even put to the Cabinet before the Prime Minister announced them. On a question of this importance, whether someone is the Prime Minister or not, it is not good enough to shrink that decision to a small group of people, not to open it out to the Cabinet in the first instance, and never to open it out to Parliament. That is a central point.

Mr Ben Bradshaw (Exeter) (Lab): As always, I am extremely grateful for the words that my right hon. and learned Friend has to say on another referendum, but does he understand that many Opposition Members are extremely tempted to vote for the amendment that is on the Order Paper today, partly because not all the shadow Cabinet, and sometimes, official spokespeople for the Leader of the Opposition, speak with the clarity that my right hon. and learned Friend speaks with, and people are very unsettled about that? We accept that there may be more and probably better opportunities to vote for an amendment on another referendum, such as the one in the names of my hon. Friends. In my view, it is not enough to shrink that decision to a small group of people, not to open it out to the Cabinet in the first instance, and never to open it out to Parliament. That is a central point.

Keir Starmer: I am grateful for that intervention. I have always tried to speak about this issue in a clear voice and have spoken for the Labour party on it. As my
Keir Starmer: Let me just restate this. The Labour party is supporting a public vote on any deal from the Prime Minister that gets through—there is a lock on that—but today is about a different issue. I hope that is clear, and gives some reassurance to my right hon. Friend.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I thank my right hon. and learned Friend for that important assurance, which is what I want to hear said consistently from the Front Bench. He always says it with great clarity, as does the shadow Chancellor. I want to hear the same from all Labour Members, because we need that public vote, for which I have campaigned repeatedly from the start.

Let me ask my right hon. and learned Friend about a different issue. He has talked about the Cabinet, and about advice and discussions. Is he aware of reports that the Attorney General has been sharing new draft legal advice, allegedly with members of the European Research Group? It is not clear that it is being shared with the Cabinet or, indeed, Members of the House. Does my right hon. and learned Friend believe that such a situation would be legal, given that such people normally say that they do not share any draft legal advice, or does he believe that the advice should be made available to all of us in the House?

Keir Starmer: The short answer is that I do not know whether the advice has been shared, although I remember the Attorney General asserting very strongly from the Dispatch Box that it would be quite improper to share any advice with any Member of the House unless, of course, it is shared with all Members.

Keir Starmer: I have given way many times and I will now make some progress.

This debate is absolutely necessary, but it is not welcome. Applying for an extension of article 50 with 15 days to go is a hopeless end to two years of negotiation. The fault lies squarely at the Government’s door, not with civil servants and not with the House.

I touched on this point yesterday, but I want to repeat it, because it is extremely important. It is no good the Prime Minister and the Government blaming everyone but themselves for the position in which we find ourselves. To be in government is to govern, to lead, to think through what deal might secure majority support, to realise that consensus will be needed, to have a two-year strategy to ensure that that consensus is reached, and to understand that, given the deep divisions on the Government side, meaningful engagement with the Opposition from the start would have been better than blinkered intrusiveness. All that has been missing. I have lost track of the number of times I have complained that the Prime Minister and the Government have pushed Parliament to one side, and this week is the culmination of that failed strategy.

Lady Hermon (North Down) (Ind): May I ask the right hon. and learned Gentleman, ever so gently, to reflect on the fact that what he and the Labour party are proposing to do today is causing considerable anxiety among many businesses in Northern Ireland, because they want certainty? It is also, I believe, causing considerable anxiety among the border communities. I know that the right hon. and learned Gentleman cares about that. How can he offer reassurance to businesses in Northern Ireland, and to the border communities, about what the Labour party is proposing in its amendment?

Keir Starmer: I am grateful, as ever, for the hon. Lady’s intervention. There is great anxiety about uncertainty, and the uncertainty exists because the Government, after two years, have come back with a deal that they cannot get through Parliament. I think that that is because the red lines were wrong in the first place, because the Prime Minister never engaged Parliament in the negotiating objectives so that she could have the majority, and because of her blinkered approach, which says, “I am going to keep ramming my deal time and again without listening to other people.” We have reached an impasse. That does create uncertainty, and it is causing anxiety both in Northern Ireland and across the United Kingdom.

The question was, what is the Labour party trying to do? This is what we are trying to do, and we are not alone: our aim is clearly shared across the House. Given the current impasse—and there is no point in anyone pretending that it is not an impasse; once you have lost by 230 votes and 149 votes, you cannot pretend that you are not facing an impasse—we are asking the Government to say, “We realise that this is an impasse, and we will now find a way in which to establish what the majority view is, so that we can move forward.” But they will not do it, so what we are proposing—

Keir Starmer: No, I will not give way. I am going to finish my answer.

What we are proposing is that we extend article 50 and, as soon as we can, identify a mechanism or process—and we should be open-minded about what it will be—that will enable us to find out what the majority in the House want, because otherwise we will not find that majority. We have repeated time and again the two proposals for which we have always argued, the proposals for a close economic relationship and a public vote, but we have to listen to Parliament.

Keir Starmer: I am going to make some progress.

Here we are, with 15 days to go, and the extension of article 50 is a necessity, not a choice. It is the only way in which we can try to prevent ourselves from leaving without a deal on 29 March, and that is what our amendment seeks to achieve.

It is important for us to identify a purpose, and the first purpose is to remove the 29 March cliff edge. We cannot simply vote against no deal, as we did last night,
and then take no further action. I have said repeatedly that this should have been done weeks ago rather than being left to the last minute, and that the sooner it is done, the better. Parliament must act today, and instruct the Government to seek an extension of article 50. However, we do need to begin the debate about the wider issues. The extension should be as short as possible, but it needs to be long enough to achieve the agreed purpose.

I listened to the earlier exchanges about EU elections. Let me make it clear that the Labour party does not want to be involved in those elections. There are at least three different views, both here and in Brussels: I know that, because I have been discussing this issue in Brussels for six months. One view is that we cannot get past May without participating in the elections. Another is that we cannot get past June without doing so. Another is that it might be possible to add a protocol or agreement to the treaty that would allow a long extension without EU elections. All three opinions are circulating here and in Brussels, and lawyers are putting their names to them.

We must decide, as a House, what we are requesting extra time for. The Government must then go to Brussels and seek an extension for the agreed purpose, and engage in discussion and negotiation about how long it should be. The one thing that we should not do is just set the clock running and say that that will dictate everything that happens from here on.

Sir Oliver Letwin: I agree with the right hon. and learned Gentleman wholeheartedly. Is not the whole experience of dealing with the EU—not just on these matters, but for many years—that because it is a treaty-based organisation, politics and law are much more closely aligned than they are in this country, for example? It is perfectly possible for the members of the European Council, acting as member states, to make decisions that actually become effective. Even if some set of lawyers within the apparatus happen to think it rather odd at first, they adapt themselves to it with heroic adaptability.

Keir Starmer: I absolutely agree. The right hon. Gentleman has probably—like me—been having those conversations with lawyers, officials and politicians across the 27 EU countries. All three of those views have been expressed to me by officials and politicians, including the view that, if it were necessary to go beyond June for an agreed purpose, that could be possible without our being involved in EU elections. I do not pretend for a moment that there are not legal implications, and I do not pretend for a moment that it would be easy, but I do know that this is a discussion that could be had.

Justine Greening (Putney) (Con): I strongly agree with what the right hon. and learned Gentleman is saying. Does this not underline the fact that continuing to delay a decision because the Government are not getting the answer that they want, and their own delay of crucial votes, means that we have a tendency to be overtaken by events? We clearly do not like the prospect of European Union elections, but other events may intervene to complicate the House’s ability to make decisions. We should get on with the process that will unblock the gridlock, so that we can move things forward and move our country forward.

Keir Starmer: I agree with the right hon. Lady. One of the frustrations is that we are now faced with arguments from the Government that the period of time for an extension must be really short for various reasons, yet they ran away from the vote on 10 December. We could have known on 11 December that this deal was never going to go through. We would then have had three and a half months left on the clock before we even got to any question of an extension, and then another three months, even on the Government’s own analysis, to try to sort the problem out. Yet here we are, with 15 days to go, having this discussion about an extension in the worst of circumstances, and we are doing it for one reason. That is that the deal that was signed on 25 November and that could have been put to the vote on 11 December was pulled. Not one word of that agreement has ever changed. All that has happened is that we have been waiting for three-plus months to vote again on the same proposition. We cannot waste another week doing the same thing next week.

Charlie Elphicke: I welcome the fact that the right hon. and learned Gentleman will be opposing amendment (h) tonight, and I will join him and the right hon. Member for Don Valley (Caroline Flint) in doing so. It is right that the House should send a clear message on the matter of the people’s vote. The question should be put to the House tonight, and I hope that it will be defeated so that we can move on.

Keir Starmer: That is not what I said. I did not say that we would oppose it. It is obvious that we are supportive of the principle; it is a question only of timing.

Angus Brendan MacNeil: The right hon. and learned Gentleman says that people have to be clear before the last minute, so I want to ask him a question in the interests of clarity. If other member states of the European Union were to veto an extension of article 50, what would his position be? Would he be for a no deal, or would he be for the sensible option of revocation?

Keir Starmer: One of the advantages of having this debate for four days running is that most of the questions and answers have been well rehearsed. I shall give the hon. Gentleman the same answer that I gave yesterday, which is that we will cross that bridge when we get to it.

Wes Streeting (Ilford North) (Lab): On the subject of amendment (h), may I say, through my right hon. and learned Friend, that he has nothing to be ashamed of in how he has led our party’s position on Brexit? Yelling “Shame on you” across the Chamber does not inspire a great deal of support among Labour Members; I did not think that that was the way to build the new politics. Further to the point made by my right hon. Friend the Member for Exeter (Mr Bradshaw), there is a considerable degree of discomfort among Labour Members who support the principle of allowing the people to decide, not because of anything that my right hon. and learned Friend or the shadow Chancellor, or other leading figures, have said, but because there is not a uniform position on this on the Front Bench. In the event that a
proposal on this comes forward from my hon. Friends the Members for Hove (Peter Kyle) and for Sedgefield (Phil Wilson), as I hope it will, will he clarify that this principle—which I believe is the only way to break the deadlock Brexit—will be wholeheartedly supported by the Labour leadership?

Keir Starmer: Yes. I thank my hon. Friend for his intervention. The point I was trying to make about amendment (h) is this. In the circumstances where the vast majority of those who are campaigning for exactly the same end think that this is not the time for that amendment, is it the case that those who are pushing the amendment genuinely disagree with their co-campaigners, or are they pushing it for another reason?

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): Given the record-breaking defeats suffered by the Government, and their abysmal failure to get a consensus, does my right hon. and learned Friend agree that amendment (e), tabled in the name of the Leader of the Opposition, and amendment (i) tabled by my right hon. Friend the Member for Leeds Central (Hilary Benn), merely provide a vehicle to arrive at consensus? Given that the Government have failed, surely that is the only way in which we can move forward.

Keir Starmer: I agree with that. In the end, stripping away all the amendments, the simple proposition is whether we can vote to extend article 50 today and then, between us, come up with a vehicle or model to help us to break the impasse. That is why we crafted our amendment. We have been clear that we support a close economic relationship, and we also support a public vote. We have offered, as of yesterday, to talk to people across the House to discuss those approaches. That will take time—it is not a silver bullet—but it is the responsible thing to do. It is the way out of the mess that the Government have made. The Government should listen, even at this late stage, and facilitate that process. I urge the House to support our amendment tonight.

2.15 pm
Sir William Cash (Stone) (Con): Alarmingly, during his speech, the Chancellor of the Duchy—[ Interruption. ]

Mr Speaker: Order. The House must calm itself. We are about to hear from the Chair of the European Scrutiny Committee.

Sir William Cash: Thank you, Mr Speaker.

Alarmingly, during his speech, the Chancellor of the Duchy of Lancaster did not answer when I asked him for confirmation that the express repeal of the 1972 Act under section 1 of the European Union (Withdrawal) Act 2018 would be continued. This includes the time and date of our leaving the European Union on 29 March 2019. This is the law of the land, which, despite any motions that might be passed, precludes not only an extension of time but the revocation of article 50. This is what the voters voted for in the referendum.

Moreover, the shadow Secretary of State for Exiting the European Union, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), in his exchanges with me last week, asserted that he wanted the repeal of the 1972 Act itself to be repealed. I would be grateful to hear whether he wishes to contradict that.

Keir Starmer: I am sorry—I only caught the second half of the hon. Gentleman’s point; there is no discourtesy intended. If this is the point that is being put to me, I have always said that fixing a date to repeal the Act on 29 March was a mistake, because we would always need transition, and that we would need the Act to run during that transition. I have always thought that putting a date on the statute was a big mistake, for many reasons, and now we are going to have to put it right before 29 March.

Sir William Cash: I understand that point, but that was not the point on which we had an exchange last week. I am sorry if the right hon. and learned Gentleman did not catch what I was saying. I was asking him whether he wanted a repeal of the repeal of the 1972 Act that is contained in section 1 of the European Union (Withdrawal) Act. He indicated to me last week that he did want that. After all, the Labour party itself voted against the withdrawal Act on Second Reading and indeed on Third Reading, so we can assume that it did not want the repeal of the 1972 Act and that it is therefore committed to a course that is inconsistent with what the voters decided in the referendum. In respect of the position on both sides of the House, the United Kingdom is therefore at a dangerous crossroads in the middle of a fog.

I have done my best over the past 30 years to be consistent and to address the principles that underlie the sovereignty of this Parliament in delivering the democratic wishes of the British people through parliamentary Government, and not through government by Parliament, as is being proposed by certain Members of this House in respect of giving priority to private Members’ Bills, despite the Standing Order No. 14 requirement that Government business takes precedence. I for one believe that this Parliament can deliver the referendum vote; ensure the constitutional integrity of the United Kingdom, including Northern Ireland; fully comply with the vote to leave following the European Union Referendum Act 2015, which was passed by a 61 majority in this House: comply in full with the European Union (Notification of Withdrawal) Act 2017, which so many Members who are now turning into rejoiners, let alone reversers, actually voted for; and comply in full with the European Union (Withdrawal) Act 2018, which received Royal Assent on 26 June last year and which itself includes the provision for exit day to be on 29 March. I say with great respect to my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) that, as I am sure he will recall, he voted for the Third Reading of the Act.

We have had substantial debates about the backstop and, of course, the most recent advice of the Attorney General. My European Scrutiny Committee has issued a critical report of the withdrawal agreement. It came out only last week and I urge the House to read it. We have asked for, but have not yet received, a draft of the withdrawal and implementation Bill, and I say that because that Bill, if passed, would enact the withdrawal agreement in our domestic law—the law of the land. I seek to make some proposals for what would be needed in any such Bill, as enacted, in order to satisfy the fundamental issues, bearing in mind that we have only a few days to go, and to ensure that we actually leave the European Union on 29 March. Given the timescale available for the withdrawal and implementation Bill to
be enacted, we can assume that it will be rammed through with virtually no time to discuss proposals that could be made by way of amendments to it. There will be no proper debate. The law of the land relating to the withdrawal agreement will be rammed through this House.

What do I have in mind? First, we must protect Northern Ireland’s constitutional status in the United Kingdom. Discussions have continued since the Attorney General’s recent advice and will continue on matters relating both to the backstop and to issues arising in international law, including article 62 of the Vienna convention, that are being further analysed by distinguished lawyers. Such matters are important and remain unresolved.

I was extremely glad to hear Arlene Foster confirm this morning that that was the current position, and when that further analysis becomes available, I trust that the Attorney General will take serious note of the points made by that panel of distinguished lawyers.

Kate Hoey (Vauxhall) (Lab): I thank the hon. Gentleman for giving way and for all his work as Chair of the European Scrutiny Committee. He mentioned Northern Ireland. Is he still concerned by what the Secretary of State for Environment, Food and Rural Affairs said yesterday about more power being given to the Irish Government? People sometimes say, particularly in Northern Ireland, that there is no smoke without fire.

Sir William Cash: I entirely agree. I was concerned by what I heard, and I will add that I have always believed, since the backstop’s origin on 8 December 2017, that the bottom line here was that the door would be opened to the prospect of the Taoiseach being able to hold a border poll and to maintain the aspiration for a united Ireland.

Secondly, the Prime Minister has assured me on the Floor of the House that the express repeal of the European Communities Act 1972 contained in the European Union (Withdrawal) Act 2018 would be restated in the withdrawal and implementation Bill, as enacted, including therefore the exit date of 29 March. In respect of any disapplication by the courts under article 4 of the withdrawal agreement, combined with sections 5 and 6 of the 2018 Act, the Bill would need to contain an express exclusion of the power of the courts to disapply the repeal of the 1972 Act and other related Acts. It is dangerous that, according to article 4 of the withdrawal agreement, we have been given an arrangement under the withdrawal and implementation Bill whereby the courts would be able to disapply enactments, even potentially including the 2018 Act itself or aspects of it. The repeal of the 1972 Act is the statutory anchor of the referendum vote.

There are also issues of international law with respect to the compliance of international obligations arising from the withdrawal agreement, which includes the fact in international law that the agreement, as yet unsigned even now, was negotiated in the certain and understood knowledge in the European Union that we had enacted the repeal of the 1972 Act, subject only to the question of exit day, which we are now considering. The repeal itself is paramount, and it also applies to the backstop and the constitutional status of Northern Ireland as an integral part of the United Kingdom. It is essential that the repeal is maintained within the framework of the constitutional integrity of the United Kingdom, as I have repeatedly stated with respect to the question of control over laws. To repeat what I said to the Prime Minister two days ago, she said at Lancaster House—this is a fact and it is law—that we will not have truly left the European Union if we are not in control of our own laws.

Lady Hermon: May I correct the record? I want to make it absolutely clear that the Brexit deal that the Prime Minister has signed actually protects the Good Friday/Belfast agreement on page 307, and it protects the consent principle. The constitutional status of Northern Ireland remains unchanged by the Brexit deal and the political declaration, and it would remain in the hands of the people of Northern Ireland voting in a border poll.

Sir William Cash: I am grateful to the hon. Lady for taking a second intervention so promptly. I just want to repeat to him that the political declaration on the future relationship between the United Kingdom and the EU says in black and white—I have not invented this—that it protects the Good Friday Belfast agreement in all its parts. Is the hon. Gentleman suggesting that the Prime Minister and this Government do not mean and will not keep their word? I will be very concerned if that is what he is suggesting.

Lady Hermon: I am most grateful to the hon. Gentleman. I was concerned by what I heard, and I will add that I have always believed, since the backstop’s origin on 8 December 2017, that the bottom line here was that the door would be opened to the prospect of the Taoiseach being able to hold a border poll and to maintain the aspiration for a united Ireland.

Well, I have to say that on the Chequers deal, for example, we went through the whole ramifications of enacting the 2018 Act including the date of 29 March, but then, on 6 July, we had it completely overturned. That is why I said in a previous debate I had lost trust in the Government and the Prime Minister. That is my point. I am asking a lot of big questions simply because I have grave doubts as to what we will be confronted with. The Bill that will enact into domestic law the arrangements that are supposed to be included in the withdrawal agreement, to which I have been so vehemently opposed because it undermines the sovereignty of the United Kingdom, Parliament and the vote, is my reason for stating now that I retain my concern and my distrust.

Jim McMahon: We need to call out the idea that the Irish Government are trying to deliberately cause problems to push for a referendum to try to get a united Ireland. The Irish government have been trying desperately to make sense of the confusing negotiations led by this Parliament and by this Government, making sure that their own interests of course are aligned. However, it is not the case that the backstop does not provide a
problem for the Good Friday agreement and for Northern Ireland, because it does, and that has been the lion's share of the debate here. If we are not part of the customs union and the single market, we must have a border somewhere. Whether on the island of Ireland or in the Irish sea, it has to be somewhere, and the idea that that can be cast aside as if it is not important is negligent. We cannot continue to have that kind of vacuous debate in here. Let us talk substance.

Sir William Cash: I can only say to the hon. Gentleman that, having been involved in these European issues for about 34 years and having some knowledge of constitutional law and the way in which these things operate in practice, I am not going to trust anybody or anything until I see a copy of the withdrawal agreement and implementation Bill, which will be rammed through this House. If we do not have a chance to look at it beforehand, it would put us at considerable risk. That is my point, and I think we need to take it into account.

I now turn to the framework for our leaving the EU lawfully under the European Union (Withdrawal) Act. Subject only to the extension of time, this is the law of the land and it is how we assert our sovereign constitutional right not merely to reaffirm but to guarantee in law that we control our own laws in this Parliament as a sovereign nation, in line with the democratic wishes of the British electorate in general elections.

The European Communities Act itself was passed on the basis of the White Paper that preceded it. In that White Paper there was an unequivocal statement that we would retain a veto on matters affecting our vital national interests. Gradually over time, since 1973, there has been a continuing reduction, a whittling away, of that veto to virtual extinction.

Leaving the EU, however, in the context of article 4 of the withdrawal agreement raises this question again as an issue of fundamental importance. We are no longer living in the legal world of Factortame—that was when we were in the European Union. When we leave, the circumstances change. We simply cannot have laws passed and imposed upon us, against our vital national interests, by the Council of Ministers behind closed doors during the transition period, or at any time. That would be done by qualified majority voting or consensus and, as I said to the Chancellor of the Duchy of Lancaster in my first intervention in the previous debate, it would subjugate this Parliament for the first time in our entire history, as we would have left the European Union. It would therefore be a radical invasion of the powers and privileges of this House, which I believe would effectively be castrated during that period of time. We would be subjected to total humiliation.

I therefore regard it as axiomatic that, in the withdrawal agreement and implementation Bill, we must include a parliamentary veto over any such law within the entire range of European treaties and laws. As Chairman of the European Scrutiny Committee, I know that we currently have about 200 uncleared European provisions and, in my 34 years on the Committee, we have never once overturned a European law imposed on us through the Council of Ministers.

Just think about it. This House will accept laws by qualified majority vote without our being there and with no transcript. Where we were once in the EU, we will now have left. Leaving totally changes the basis on which we conduct our business. Under our Standing Orders, my Committee has the task, in respect of European Union documents, of evaluating what is of legal and political importance, and it has the right to refer matters to European Standing Committees or to the Floor of the House, particularly where the Government accept the latter.

We can impose a scrutiny reserve, which means that Ministers cannot, except in exceptional circumstances, agree to any proposed law passed in the Council of Ministers in defiance of our scrutiny reserve. However, that is not a veto. Once a matter has been debated, or once the scrutiny reserve has been removed, any such law becomes the law of the United Kingdom and is thereby imposed on our constituents.

Geraint Davies (Swansea West) (Lab/Co-op): The hon. Gentleman seems to be saying that, after we leave at the end of March, there will be a transition period in which we will have no veto over European laws, which is true. Is he therefore arguing that it would be better to crash out? Does he accept there is a risk that we will not agree anything by the end of March, that we will not have an extended date, that we will crash out and that, under the Good Friday agreement, Ireland could vote to reunify? That would be a complete disaster.

Sir William Cash: The hon. Gentleman is a member of my Committee, so he knows exactly what I am saying, and he understands perfectly well that when we leave we leave. When we do leave, the circumstances under which we currently operate, under our Standing Orders, will change.

When we leave the EU, the situation becomes radically different. I therefore propose—in line with the Prime Minister's own suggestions as set out in a carefully crafted pamphlet published in 2007 by Politeia, a think-tank—that the European Scrutiny Committee should, upon our leaving the European Union, be able to make recommendations as to how and when our veto should be invoked, as justified by our national interest.

The alternative is that we will just have laws imposed upon us. That will include, for example—I invite the hon. Gentleman and the House to listen to this—matters relating to tax policy. There are now proposals on the table to change tax policy from national unanimity to majority vote. Defence and defence procurement are also included, as is state aid. The list is endless.

Contrary to some assertions that the EU law-making process takes so long that there would be no problem, the European Union is quite capable of accelerating its procedures, and I believe it would do so by putting us at the mercy of our competitors. One recent well-known example is ports regulation. We fought that in the European Standing Committee and, despite the fact that port employers and trade unions were against it, it went through. This would happen in respect of almost any proposed EU law within the vast swathe of competences in the entire corpus of the European treaties. If that happened, we would have no redress. We would not be able to veto it if we do not get a veto, and we would not be able to affect it properly under our current scrutiny arrangements. Furthermore, the British people would be the ones to suffer, and that would include people in Scotland, too. Do not get the idea that this is a free zone situation for Scotland. SNP Members will also be affected, and they had better start taking it seriously.
Sir John Hayes: My hon. Friend will know that, as shipping Minister, I fought the port services regulation tooth and nail but, because of the limits on my competence, I could not stop it happening. He is making an interesting suggestion about the role of his Committee during the transition period. Would the Committee be recommending to the Executive that they implement the veto? He would not expect his Committee to assume the role of the Government.

Sir William Cash: That is absolutely right, and I am extremely grateful to my right hon. Friend, because he was the Minister responsible for ports regulation, and he has just reconfirmed that there was nothing he could do about it. It will be even worse during the transition period and thereafter. The reality therefore is that, as set out in the proposals I have discussed, the manner in which the veto is pressed is perhaps in recommendation by my Committee, because it would be of such legal and political importance, but obviously it would then have to go to the Government and to the Floor of the House to decide. The exact mechanism would have to be worked out, but to suggest that it would not be a matter of immense and urgent importance to the House is to assume that we in this House are a bunch of fools. It is unthinkable that the EU could impose laws on us by qualified majority voting on any matter within the corpus and range of the European treaties without our having some means of blocking it.

Having repealed the 1972 Act, we must not find ourselves in a customs union or single market, which are themselves within the framework of the Act, not only because our manifesto is the basis on which we were elected, but because leaving the EU includes the repeal of the Act. We must therefore also protect Northern Ireland within the constitutional framework of the UK, whose Parliament—some may find this surprising in the light of what we hear from other sources—inclusively a Northern Ireland. It is represented here as a member of the UK and helps to pass the laws repealing the Act, including section 1 of the EU withdrawal Act.

In conclusion, I can say, without prejudice to any further discussions, that we might shortly be in a position not merely to check out of the Hotel California, but to take the bus to the airport and fly out of the EU altogether.

2.41 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): The UK Government have descended into total farce. The Prime Minister has lost control of her Cabinet, her party and her Parliament. What we witnessed in the House last night was nothing short of absolute chaos. Mr Speaker, have you ever witnessed a Prime Minister whip her own party against her own motion? The Tory party truly is a shambles: more Ministers resigning, a Prime Minister with no authority, a Government incapable of governing. She has lost all control.

The Prime Minister lost a vote on her deal by the largest margin in parliamentary history, lost a second by a near historic margin, and lost a vote on taking no deal off the table, yet she tries to carry on as if nothing has happened. Apparently, we are to vote on her deal again next week. For her, nothing has changed. She does not want a second EU referendum, yet we are offered multiple votes on her deal. We are now on to the third—not the best of three, under her rules, because she only has to win once; we have to win every time to stop her Brexit madness. If she loses next week, do we get a fourth, fifth or even more meaningful votes, until Parliament does what it wants? She has to accept that she is out of time. She has to accept reality. Her deal is a bad deal; no deal is a calamity.

This week, the House of Lords placed an amendment in the Trade Bill to prevent a no-deal Brexit. That is a legislative instrument. The Government must now bring back the Trade Bill before 29 March. This is crucial, and I expect the Brexit Secretary to respond when he sums up. The Prime Minister cannot stifle the legislative process to meet her party political interests. She must accept the will of the House. So much for parliamentary democracy—she ignores what she calls the sovereignty of Parliament. Her actions underline that this truly is a constitutional crisis.

The only way out of this disaster is to put the decision on our EU membership back to the people. The people must take back control. We have an amendment before us on a people’s vote. It is not our amendment; it has come from others. I did not choose the timing, but the fact is, it is in front of us today. The House has its first opportunity—perhaps its only opportunity—to say, on the basis of what we know, on the basis of what has changed since the referendum in 2016, that the people of the United Kingdom deserve to have a people’s vote. We must all reflect on the reality that there is no such thing as a good Brexit. People will lose their jobs.

On a day like today, we expect the so-called official Opposition to get behind that amendment, but you know what’s happened? A shiver has run along the Front Bench of the Labour party looking for a spine to crawl up, but it has not found one. I will say this: the Labour party will pay a price. It is little wonder that in Scotland it has been found out for its behaviour over the past few years, having worked hand in glove with the Conservatives and Better Together to frustrate independence for Scotland. Today, we find again that it is not prepared to stand up with the young people throughout the United Kingdom who are going to lose their rights to work and travel in 28 EU member states.

I reflected a couple of days ago on how the Prime Minister sat and laughed as we talked about that, but then there is a man I have had some respect for, the shipping Minister, I fought the port services regulation, and he has simply flunked this opportunity. The Labour party truly is a disgrace. It is little surprise that it has fallen to third place in Scottish politics. My goodness, it is going to stay there for a considerable time to come.

John McNally (Falkirk) (SNP): If the Prime Minister can allow MPs to change their mind on Brexit, why can she not allow the people of this country to do the same?

Ian Blackford: My hon. Friend is correct. Apparently, we will be coming back here to vote time after time to see if the Prime Minister can get a majority. The reality is, her deal is a bad deal.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op) rose—

Ian Blackford: I should not give the hon. Gentleman the opportunity to embarrass himself, as he has done countless times before, but on you go.
Mr Sweeney: I will do my best not to embarrass myself, speaking as a young person from Scotland. I share the right hon. Gentleman’s support for a public vote, but it is critical that we maximise a majority in the House to secure it, and that will not happen today, because there will not be sufficient numbers. Furthermore, if it were to pass, it would bomb out amendment (i), in the name of my right hon. Friend the Member for Leeds Central (Hilary Benn), which I support and which would extend article 50 and secure control of the Order Paper. That is the risk associated with this vexatious amendment tabled today. We must wait until a time when it could be won.

Ian Blackford: Well, well, well; there we have it—weasel words from the hon. Gentleman. I hope that people in Glasgow see that. He has the opportunity today to stand with the rest of us who want a people’s vote, and what does he do? He does what the Labour party has done year after year; he sells out the people of Scotland. The people of Glasgow North East will extract a price from the hon. Gentleman when at the next election the SNP wins back that seat for the people of Scotland.

Stewart Malcolm McDonald: The hon. Member for Glasgow North East (Mr Sweeney), whom I disagree with, is a friend of mine. However, it is a bit rich for Labour Members—and I include the hon. Gentleman in this—who have spent two years in a period of Herculean self-flagellation over a people’s vote, to come to the House today as though they are some kind of voice of authority on the matter and seek to lecture those of us on the SNP Benches, or indeed the TIGs up at the back, on a people’s vote. I only wish that they were as eloquent on their feet as they sometimes think they are. Does my right hon. Friend agree?

Ian Blackford: Absolutely. I appeal to Labour Members—and I am looking at them now—to show some responsibility. [Interruption.] Yes, they can wave, but this is serious. They should come through the Lobby with us tonight, or be exposed, frankly, for exactly what they are. They have failed at this time of crisis to stand up for the people of Scotland.

Several hon. Members rose—

Ian Blackford: I am going to make some progress. Parliament has repeatedly rejected the Prime Minister’s deal and leaving with no deal. Both those points must be respected. When we said no to her deal, we meant it. Only a fresh referendum can now unblock things. The UK Government must now extend article 50 and set in motion plans to hold a second EU referendum, with remain on the ballot paper. Staying in the European Union is the best deal of all. It is what Scotland voted for. It is the only way to protect jobs, living standards, our public services and the economy. Holding a second EU referendum is the best and most democratic way out of the impasse at Westminster. Westminster has failed, and the people must now have, and will have, their say.

The SNP tabled an amendment that would have got us out of this mess. Our amendment would have seen the Government move to agree an extension to article 50 with the European Union, to provide time to hold a second EU referendum. We know that the EU would consider an extension. Only this morning, Donald Tusk tweeted: “I will appeal to the EU27 to be open to a long extension if the UK finds it necessary to rethink its Brexit strategy and build consensus around it.”

That is the way out for everyone in this Parliament. Our amendment would have ensured that any second EU referendum would include an option to remain in the European Union. That is what is required.

Members must recall the resolutions of the Scottish Parliament and the Welsh Assembly on 5 March 2019, which opposed the UK Government’s exit deal and agreed that a no-deal outcome to the current negotiations on EU withdrawal would be completely unacceptable. This House must wake up to that reality, and to the democratic votes of the institutions of the Scottish Parliament and the Welsh Assembly. Members must recognise that democracy means respecting the will of the people, but that means all the people. Scotland voted overwhelmingly to remain. On that point, I will give way.

Bill Grant (Ayr, Carrick and Cumnock) (Con): I am puzzled by the right hon. Gentleman’s desire for a third referendum. In 2014 he disrespected the outcome. In 2016 he disrespected the outcome. If we had a third referendum, would he respect the outcome then? Would there be a change?

Ian Blackford: It is quite remarkable. I always love to hear from the Scottish Conservatives, who have been sent here temporarily to represent some constituents in Scotland. The hon. Gentleman must recognise that in 2014 we were told that if Scotland stayed in the United Kingdom, our rights as EU citizens would be respected—

Angus Brendan MacNeil: They were guaranteed.

Ian Blackford: Indeed, they were guaranteed by many Conservative Members. The hon. Member for Ayr, Carrick and Cumnock (Bill Grant) must reflect on the fact that Scotland voted overwhelmingly to stay in the European Union, yet we are being dragged out by this House. He and his friends have not stood up for their constituents in Scotland, in every single local authority area. The have been tin-eared to the interests of the Scottish people. [Interruption.] Yes, he can sit and laugh, but they have failed to stand up for their constituents. That has been the case with every single Conservative Member of Parliament.

We in the Scottish National party are not prepared to sit back and see ourselves dragged out of the European Union against our will. The people of Scotland are sovereign, and this House respected that sovereignty when it passed a resolution on the Claim of Right last July. If the hon. Member for Ayr, Carrick and Cumnock believes in democracy, he should reflect on the fact that in the Scottish Parliament there is a majority for a referendum on Scottish independence—it resolved by 69 votes to 59 to allow the Scottish Parliament to have a referendum. I say to all hon. Members that if the First Minister of Scotland, with the backing of the Scottish Parliament, does decide to give the people of Scotland that opportunity to secure our future as a European nation, I would expect this House to recognise democracy.
and the position of the Scottish people, and to recognise that an independence referendum should, must and will take place.

Paul Masterton (East Renfrewshire) (Con): If the right hon. Gentleman is so confident in the views of the Scottish people and that they want a second independence referendum, why does he not suggest to his colleague the First Minister of Scotland to call an early Scottish parliamentary election, stand on a clear and explicit call for a second independence referendum, and put it to the test? The Scottish Conservative party is ready to go and will take the right hon. Gentleman on and will prove that the Scottish people do not want a second independence referendum.

Ian Blackford: Dear, oh dear: talk about bravado! We have a mandate from the people of Scotland and what we are asking is that the Conservatives, if they are democrats, recognise that right of Scotland to determine its own future.

Angus Brendan MacNeil: I am hearing calls from Conservatives for an election. If there was an election, I wonder if those selfsame Conservatives would accept it being fought on independence, and if the SNP were to win a majority of seats we would move to independence on that basis, as Margaret Thatcher said, even without a referendum.

Sir Hugo Swire (East Devon) (Con): On a point of order, Mr Speaker. Interesting and diverting though it is to listen to the internal wrangling of the Scottish independence argument, might it be possible to persuade the SNP spokesman to remember what this debate is meant to be about? [Interruption.]

Mr Speaker: Order. Mr Newlands, calm yourself; you are usually an unassuming gentleman, but you seem to be getting quite carried away.

I accept the thrust of what the right hon. Member for East Devon (Sir Hugo Swire) has just said. Frankly, I think the criticism applies to Members on both sides; a certain tribalism is in danger of enveloping the House, but we must focus on the substance of the debate and there is not that long.

Ian Blackford: Thank you, Mr Speaker, although I may say that all I have been doing is responding to interventions from the Government side.

As I was saying, 62% of Scotland voted to remain; every single Scottish local authority area did so. So if the UK Government and indeed the Opposition believe Scotland is an equal partner, it is time that they showed respect for the will of the Scottish people. Scotland will not be taken out of the EU against its will.

Time and again the SNP and our Government in Edinburgh have sought to achieve compromise; we have suggested solution after solution to protect the interests of citizens in Scotland and across the UK. [Interruption.]

That issue about lack of respect is amply shown here. [Interruption.] I can see the hon. Member for Berwickshire, Roxburgh and Selkirk (John Lamont) laughing away.

The Scottish Government issued a paper, “Scotland’s Place in Europe”, in December 2016 with contributions from a wide number of experts across the land, and the UK Government could not even be bothered to respond. That is lack of respect, which is demonstrated once again this afternoon by those on the Conservative Benches. I hope the people of Scotland reflect on that, because frankly those Members do themselves a great disservice. This Government would not listen. This Prime Minister and the Tory party care only about the interests of England. They talk about nationalists and separatists; the real separatists sit on the Conservative Benches.

The Prime Minister and the Tory party do not care about Scotland’s interests, and the truth is neither does the Leader of the Opposition: neither the Tories nor Labour give a toss about Scotland. Just look at the polls: earlier this week we saw Westminster voting intention for the SNP up 4%; for the Conservatives down 3%; and for Labour down 3%. Even so-called Scottish Tory MPs went through the Lobby last night to keep no deal on the table. They ignored the wishes of the Scottish people; they voted to leave with no deal on the table and the chaos that would ensue—they voted to put leave on the table with the prospect of shortage of medicines.

The Scottish Tories come with a health warning: they risk damaging the health of the people of Scotland. That is true after months and months of ignoring the voices of the people of Scotland and after years of showing nothing but contempt for our Government, our Parliament and our people. I urge MPs across this House, looking to the Scottish Tories and to the Scottish Labour MPs, to ask themselves: “Do you stand with Scotland? Will you stand up for Scotland’s national interests or will you instead stand up for your narrow party interests only?” I appeal to them: the time has come to put party aside. [Laughter.] People will be watching this and reading Hansard. What do we get? We get laughter from those on the Government Benches. That is what Scotland gets: not being taken seriously, but being laughed at, not so much as an afterthought.

The time has come to do what is right, what is necessary. Those Members are duty-bound to the people of Scotland to stand up for their interests, and should do that by standing with the SNP. What about the Secretary of State for Scotland, who abstained on an issue as critical as removing no-deal? He was standing on the sidelines as Scottish jobs are threatened. He ought to have resigned by now, but this really is the last straw. If he has any shred of dignity and possible remorse after having failed again to stand up for Scotland, he should do the right thing—he should resign. [Interruption.]

Ian Murray: I have tremendous respect for the right hon. Gentleman for giving way during his speech. He has to be careful that he does not tar everyone with the same brush. When I wrote to the First Minister of Scotland in July last year to ask whether she and the SNP would support a public vote, she wrote back to me and said no. I am therefore glad that come late October the SNP did support a public vote and I am glad that we will be voting likewise on that. Can he confirm to the House—[Interruption.] It is funny that I still get barracked even when I agree with him. Can he confirm to the House that his support for a public vote is completely unconditional and does not include a condition of holding an independence referendum?
Ian Blackford: I am genuinely fond of the hon. Gentleman, but I have to say to him that if he wants to write to someone to ask whether a leader is going to support a people’s vote, he should be writing to his own leader. I can tell him that every SNP Member will be going through the Lobby today to vote for a people’s vote. I say to him: come and join us. He will be very welcome in doing that, and I would applaud him for doing that.

The way Scotland has been ignored throughout the Brexit process means that the case for independence is now stronger than it has ever been. I respect that our amendment has not been selected today, but had it been taken it would have been the best way to protect the will of the Scottish people, as it sought to stop Scotland being dragged out of the EU against our will. That can best be avoided by the people of Scotland exercising their sovereign right to choose their own constitutional future as a full, equal, sovereign, independent member state of the European Union. We did not ask for this Brexit crisis. The people of Scotland do not want this chaos. The damage and destruction caused to British polities has been the fault of Conservatives and Labour alone. Make no mistake: the United Kingdom is facing a constitutional crisis. Decades of neglect by consecutive Labour and Conservative Governments have seen our people let down, and have seen the economy grow weaker and smaller, with wages stagnating, communities divided and public services on their knees. This is broken Britain. The cracks appeared before Brexit, but Westminster has failed to fill them in. Now, Britain is shattering; divisions are deeper, politically and socially. This is not a Union that we want to be part of.

I look instead to our work in Scotland, and how devolution has developed our society and how our Scottish Government have built up our communities and broken down barriers. Our constituents get free education and free prescriptions; our children get the best start in life, regardless of their family circumstances; our society looks out to the world; and we welcome EU nationals to become part of our communities.

Peter Grant: My right hon. Friend has commented previously on the Government’s abortive failure to seek any kind of cross-House consensus in the almost three years since the referendum. I do not know whether he is aware that as recently as 22 February this year, the Irish Government introduced an omnibus Bill consisting of no fewer than 15 pieces of legislation across the responsibilities of nine Government Departments. Yesterday, just three weeks later, it was unanimously approved by the Irish Senate with cross-party support. Is that an example of what might have been achieved in this place had we had a Government who were willing to follow the example of our friends and relatives across the Irish sea?

Ian Blackford: My hon. Friend makes a good point. When the Prime Minister called the election and lost her majority, one would have thought she would have reflected on the fact that minority government meant she needed to work with other parties and build a consensus, yet all that time has been lost.

The choice is clear. Scotland is already a fairer, healthier, happier nation. We feel closely bound to our historic bonds with Europe. We in the SNP will fight to keep Scotland moving forward. We will not be dragged down by the narrowness of Westminster. We want to build an independent nation—a nation that welcomes everyone, that works for everyone and that believes opportunities should be for everyone. Brexit will not stop Scotland.

Several hon. Members rose—

Mr Speaker: I am sorry to inform the House that with immediate effect we will need to have a six-minute limit on Back-Bench speeches. How long that limit lasts will depend on colleagues.

3.6 pm

Sir Christopher Chope (Christchurch) (Con): In following the right hon. Member for Ross, Skye and Lochaber (Ian Blackford), may I tell him that the people of the United Kingdom will not be kept in the European Union against their will? I hope that he will support and respect that.

In June 2016, the people of the United Kingdom demonstrated our collective common sense and self-confidence by voting to take back control of our national destiny and to reassert our parliamentary sovereignty. The people’s vision expressed in the referendum result was that of a strong United Kingdom, holding its head high, free from the shackles of the European Union, while promoting international free trade as the key to future national prosperity and the best antidote to global poverty.

We should be expecting to leave the EU in 15 days and there should be an air of excitement about all this, but I detect a certain gloom, because today Parliament is being asked to endorse what is no less than an act of national humiliation—to renege on the decision it took two years ago triggering article 50 and to repeal or amend the Act it passed last year to leave the European Union on 29 March. By dishonouring the decision on article 50 and the result of the referendum, the Government motion before us is a gross betrayal.

As a member of the Exiting the European Union Committee, I have witnessed at first hand on our visits to Brussels the extent to which the Government are now a laughing stock. The most serious criticism of the UK is focused on our Prime Minister for signing up to a deal that she has subsequently disowned. They see that in Brussels as an act of bad faith, which is one reason why they have refused to make changes to the withdrawal agreement.

My amendment (g) is on the Order Paper. It has not been selected for debate, but had it been, it would have allowed the Government to seek to agree with the European Union an extension of the period specified in article 50(3) until 22 May, for the specific purpose of replacing the United Kingdom negotiating team. We need to replace our current team because it has gone back on so many of its promises to Parliament and to the people. The only way to regain self-respect is to have a fresh team of negotiators. I include among that team its head—one none other than the Prime Minister.

Two years ago the House endorsed the Prime Minister’s negotiating approach as set out in the Lancaster House speech. The Prime Minister contemplated a scenario of the European Union imposing a punishment deal on us. That is why at the time she waxed eloquent about the benefits of no deal over a bad deal, which included delivering our freedom to negotiate trade deals and, ultimately, enabling us to set out our own economic model to deliver prosperity and growth.

Ian Blackford: I am genuinely fond of the hon. Gentleman, but I have to say to him that if he wants to write to someone to ask whether a leader is going to support a people’s vote, he should be writing to his own leader. I can tell him that every SNP Member will be going through the Lobby today to vote for a people’s vote. I say to him: come and join us. He will be very welcome in doing that, and I would applaud him for doing that.
The Prime Minister promised that the divorce settlement and the future relationship would be negotiated alongside each other, that nothing was agreed until everything was agreed, and, on the substance, that we would leave the single market, the customs union and the jurisdiction of the European Court of Justice. None of that is guaranteed in her deal. For all her protestations, the Prime Minister’s deal does not meet her own criteria, and her negotiations have sadly resulted in the punishment deal that she feared. Her insistence that her deal is a good deal is not accepted by the House; indeed, the House has overwhelmingly rejected it on two occasions. But instead of accepting the verdict of the House, she is stubbornly continuing to assert that her deal is a good deal, and now she is holding a pistol to our heads by threatening that we will lose Brexit altogether. It is intolerable that the Prime Minister is asking those of us who oppose her deal to tear up our manifesto commitments, and to break our word to our constituents and electors.

Graham Stringer (Blackley and Broughton) (Lab): I agree with the hon. Gentleman’s analysis that the Prime Minister’s negotiating position and skills have been pathetic. If the Opposition table a motion of no confidence, will the hon. Gentleman vote for it, because it is the logic of his position?

Sir Christopher Chope: Frankly, I would seriously consider that issue. I expressed no confidence in the Prime Minister when we had a vote within our own parliamentary party and my considered opinion now is that, were a similar vote to be held, there would be an overwhelming vote against the Prime Minister and an expression of no confidence in her. One then thinks about the logical extension of that. I am not going to make any promises to the hon. Gentleman now, but obviously it would need the Leader of the Opposition to initiate such a move. I think that Government Members who felt that they were being betrayed would then actually look at the implications flowing from that.

Obtaining a parliamentary majority for the Prime Minister’s deal is now beyond reach. It is pure fantasy to think otherwise. The Prime Minister’s deal does not even satisfy the requirement, for which the Prime Minister herself voted, of replacing the backstop. Nor does it provide a legal answer to the Attorney General’s concern that the Prime Minister’s deal would leave the UK with “no internationally lawful means of exiting the Protocol’s arrangements, save by agreement.”

Who would want to sign up to that? It means that we would have less ability to leave the agreement than we have at the moment to leave the European Union. How can the Prime Minister think that we are seriously going to support that?

Our current negotiating team no longer enjoys the trust of Parliament, the European Union or even many members of the Government, as was graphically illustrated last night. The feeling on the Conservative Benches now is really strongly against the Prime Minister and her team. She has lost control, and at this most critical moment in our modern peacetime history, we need to change the general. If we were to change Prime Minister now, there would be a case for a short extension to article 50, but in no other circumstances.

3.13 pm

Hilary Benn (Leeds Central) (Lab): I will speak to amendment (i), which stands in my name.

Our country faces a crisis: we have rejected the Prime Minister’s deal twice; we have affirmed that we will not support leaving the European Union without an agreement in any circumstances; and it is now inevitable that the Government will apply for the extension to article 50. Amendment (i) seeks to do two things. The first is to set out the purpose for which an extension would be sought, and that is, very simply, to enable the House of Commons to find the way forward that can command majority support. That should not be contentious. Indeed, I am somewhat surprised that that was not included in the Government’s own motion. The second aim is to enable the House of Commons next Wednesday to discuss how we are going to organise that process.

It would be preferable if the Government, in response to recent defeats they have suffered, had come forward to propose their own specific plan, but they have not yet done so. I listened very carefully to what the Minister said about reaching out in the two weeks after the March Council, but he seemed to be saying that the Government would only do that if it were a long extension rather than a short extension. I do not understand, for the life of me, why it could not happen with a short extension, because the problem is not that the House does not want to try to find a way forward—I think we all understand the responsibility we have—it is that the House has never been given the chance to do so.

We all recognise, however, that whatever view we have about what should happen next—there is a multiplicity of views in the House, and every one of them should be listened to—we have to find a way of agreeing a plan that can command majority support. The Prime Minister is correct when she says that, in the end, the House must be in favour of something. There are a number of different ways in which that can be done, including holding a series of votes on different options—as the Brexit Committee, among others, has recommended, and I support that approach—but the amendment does not specify what the method should be. That would rest with the motion to which the amendment seeks to give priority next Wednesday—a motion that would need to win widespread support to appear on the Order Paper. Members are not being asked to agree the precise process today. All the amendment seeks to do—I am afraid, in the current jargon—is to book a slot so that we have the chance to debate how we are going to resolve this.

In response to the objections raised by the Minister—he read out his speech diligently but I was not entirely sure that his heart was entirely in it—the amendment is not seeking to usurp the role of the Executive. Indeed, if the Executive were doing their job right, then the amendment would not be necessary. It is about enabling the House to debate a way forward and then vote on it. Doing that can never—never—be described as undemocratic; it is us doing our job as Members of Parliament.

The requirement in paragraph (3) of the amendment that at least 25 Members from at least five different parties would need to back a motion is not constructed to deny anybody a voice. As I made clear to the Minister when he kindly took an intervention from me, anyone can put down an amendment to that motion, but the amendment is worded in that way to encourage different
Members from different parties to come together to propose a way forward that can win the support of the House.

Robert Halfon (Harlow) (Con): I welcome the right hon. Gentleman’s speech and I have some sympathy with this amendment. Can I confirm whether he will support the amendment tabled by the hon. Member for Manchester Central (Lucy Powell) in terms of its proposed time limit for when we leave the European Union?

Hilary Benn: I will indeed be happy to accept that amendment, which I understand is going to be voted on separately. I say that because, if the House does not reach an agreement and still does not want to leave without a deal, it may, at some point, ask for a further extension.

The reason we need to do this today is the way that section 13 of European Union (Withdrawal) Act is structured. The Government’s draft withdrawal agreement and political declaration were of course defeated on Tuesday. Under section 13(4) of the Act, the Government are required to make a statement on how they propose to proceed and then to propose a motion in neutral terms that can be amended. The problem, particularly because the Government have not yet specified when they propose to bring that forward, is that the Act gives the Government 21 days from the day on which the House of Commons decided not to approve the deal, which was this Tuesday, and then a further seven Commons sitting days from the date of the statement to lay a motion in neutral terms. What that means, very simply, is that the Government will not be obliged to give the House a chance to amend any proposals on a way forward until after 29 March. Clearly, given the crisis we face, that will not do. I hope that Members will feel able to support this amendment, not least given the cross-party support that it has attracted.

I turn now to the extension of article 50. It is of course essential that we achieve that, because without it, the House would be faced with only one choice if it wishes to avoid a no-deal Brexit on 29 March. That would be to revoke article 50, unless between now and then the political declaration can be amended in a way that commands the support of the House. Given that, for more than two and a half years, the House has not really been given the opportunity to express its view on what it would support, that is very unlikely to happen in the two weeks that are left. That is why this amendment is needed.

We must be honest about the difficulty that we face. The leaders of the EU are paying close attention to our deliberations. They want to see a purpose. We have a responsibility to demonstrate that this Parliament can and will do its job.

Several hon. Members rose—

Mr Speaker: Members rose—

Mr Speaker: I concur with the Minister. Shocking. I call Neil Parish.

3.21 pm

Neil Parish (Tiverton and Honiton) (Con): Perhaps their loss is my gain, because I am speaking a little sooner.

It is a great pleasure to speak in this debate because I feel that we have somewhat lost the plot here in Parliament. I have done a lot of canvassing throughout my constituency—in all my major towns such as Honiton, Tiverton, Cullompton, Seaton and Axminster—and as far as people are concerned, they voted in 2016 to leave. They had the people’s vote and they decided. What they cannot understand is why we have not actually left or will not leave on 29 March. They really do not understand it at all. What I cannot understand from one or two of my hon. Friends is why, when we have a strong economy and growing employment and we want to spend money on the health service, education and police, we do not just get on with it and leave the EU.

I was a remain voter, but in the end the EU is becoming more federal and an institution that we will want to leave. But we want to leave with a deal and a trade deal. You would have thought that we could have done it, that we could have all joined together. In the past I have supported the Prime Minister because, first, I believe that she is right and, secondly, I cannot go into the opposite Lobby.

I have a great deal of time for the right hon. Member for Exeter (Mr Bradshaw), and if he was here I would say the same thing. He stands in the Lobby like a big spider, and we know what spiders do to flies—spiders eat flies. So our Members who take an extreme position on a different type of deal for Brexit walk into the same Lobby as the right hon. Member for Exeter. But the right hon. Gentleman is clear that he does not want to leave the EU. He wants to revoke article 50 and remain in the EU. My colleagues going in there with this spider want a much tougher Brexit; they do not like the deal that is on the table. They are completely contrary positions.

This Parliament and my party have to decide whether they want to go along, rightly, with what the British people said. I stood on a manifesto to deliver Brexit, like all my colleagues, and Labour Members all did the same. All we are doing is thwarting Brexit. People might wrap it up in all sorts of different clothes, but that is exactly where we are. Therefore, we have to come together and vote, believe it or not, for the Prime Minister’s deal.

The Prime Minister’s deal is a withdrawal agreement. It is not a trade agreement. It leads to the trade agreement. It means that we leave in an orderly fashion. It means our businesses can trade across borders—we will not have the problem in Northern Ireland and the Republic of Ireland that a tariff may be charged on lambs coming into Northern Ireland but not on going out, or vice versa—and it will deal with all of the problems that can happen to our businesses. Travel arrangements are covered by the withdrawal agreement so that we can travel. Human rights, workers’ rights and all of those things are in this withdrawal agreement.

All we spend our time in this House doing is nit-picking just to see what we can find wrong with the withdrawal agreement. It is a bit like selling a house, Mr Speaker.
You take ages trying to sell a house because you cannot get the price for it, but as soon as you have sold it, a whole load of people come along and say they would have paid you more for it. Everybody’s got a different idea, but they are not actually doing the negotiations.

As far as my residents are concerned—and, I reckon, most residents in most constituencies in this country—they just want the deal done. They believe that we just make it complicated. They believe that the majority in this House voted for remain, and that therefore we will not carry out the wishes of the people. I voted remain, but I will carry out the wishes of the people, because I believe we need to leave, and leave with a deal.

We like to lambast the Prime Minister all the time in this place. Again, I go out all the time and talk to my residents on the streets, and I assure hon. Members that the Prime Minister is actually very popular still. They think she was dealt a very bad hand of cards, and all we have done is to make it more difficult. Believe it or not—hon. Members will all laugh at me when I say this—I think the withdrawal agreement will come back once more, and I actually believe that it might well go through this House, because the British people expect us to leave on 29 March.

Dr Sarah Wollaston (Totnes) (Ind): I rise to speak to amendment (b) in my name and that of the hon. Member for Central Ayrshire (Dr Whitford). It seeks an extension to allow us to obtain the consent of the British people to whatever deal is approved by this House, with an option to remain.

Many of us believe that consent is at the heart of this argument. We are repeatedly told that the Prime Minister’s deal is the will of the people. The truth of the matter is that it is not the will of Parliament. It has been voted down by this place by 230 at the first time of asking, and by 149 at the second time of asking. However, I would say that there is no evidence that it is the will of the public either. It is certainly not the will of the 48%, nor is it the will of a very significant number of those who voted to leave—both in this place and outside—because I believe we need to leave, and leave with a deal.

The truth is that the great Brexit charlatans have been exposed for the lies they perpetrated during the campaign. This Brexit is nothing like the sunlit uplands that they were promised, and I would ask people how many of them would have voted for this dog’s Brexit if it had been presented to them at that time.

Dr Philippa Whitford (Central Ayrshire) (SNP): My hon. Friend is talking about consent, and there has been discussion about that. As a surgeon, I have always had to have explicit, signed, informed consent, and such a discussion is always based on risks and benefits. We did not have that debate before the referendum, and we have had it only now, so it is only now that people have had the chance to learn how this Brexit deal will affect them.

Dr Wollaston: I thank my hon. Friend for that, and she is absolutely right. For someone to be able to consent to something, they need to know what they are consenting to. Let us face it: the risks and benefits of the various versions of Brexit are very different. The risks and benefits of no deal, WTO, the Prime Minister’s deal, Norway and Norway plus the customs union are very different procedures, if we talk about this in strictly clinical terms.

The other thing about consent is that nobody would seriously proceed on the basis of a consent form that was signed nearly three years ago. Furthermore, young people in this country face being wheeled into the operating theatre for major constitutional, social and economic surgery based on a consent form that was signed by their grandparents nearly three years ago. This is the point: given the sheer weight, significance and implications for all of their futures, what is the constitutional outrage or the democratic outrage about pausing to check that we have their consent?

I say to those on the Government Front Bench that they will never be forgiven for the consequences of Brexit, unless they have taken the time to pause and ask for explicit consent for their version of it. Even if the House were to approve a Norway-style Brexit, with or without a customs union, that will still not represent what many people out there thought Brexit should be. There is therefore a compelling case for all hon. Members to be honest about the way people feel about this issue, and to pause to ask for explicit consent. If the Prime Minister were a surgeon, she would be struck off if she proceeded without consent.

Tim Loughton (East Worthing and Shoreham) (Con): Perhaps I could butt in on this medical love-in. When making her diagnosis, the hon. Lady seems to ignore that the patient is the EU. Does she seriously think that the health of the EU has improved so much after the last three years that the view of the public in this country would be any more endeared to it, given that 75% of the eurozone is in recession? It is Europe that has changed, not us.

Dr Wollaston: I thank the hon. Gentleman for his intervention—I still consider him a friend, even though I am on the Opposition Benches—but I gently point out that it is good he is not a surgeon if he cannot recognise who the patient is.

Many Members have made the point that now is not the time for this amendment and that we should table it later, but it has been a bit like “Waiting for Godot”. “Now” will never be the right time, and we are just 15 days from falling off the cliff. I was there in the summer with 700,000 people who marched through the streets. Their call was: “We demand a people’s vote”. When did they want it? They wanted it now. They were not saying, “We want it when it is convenient for the Labour Front Bench”.

I am sorry—I say this with great sincerity to Labour colleagues—but there was a clear promise to move to support a people’s vote, and it is simply no good to keep backtracking on that. Today is the time for us to vote for this amendment. It may fail—I accept that—but there is nothing to stop us bringing it back and voting for it again.

James Heappey (Wells) (Con): Will the hon. Lady give way?

Dr Wollaston: I am afraid I am not able to give way. I urge all colleagues who know that they support a people’s vote to vote for this amendment today, and again when
they get the opportunity. If people never demonstrate that they supported a people’s vote that will be their greatest regret, and I am afraid the chances are that those on the Labour Front Bench will never move to wholeheartedly and unequivocally support a people’s vote, unless there is significant pressure to do so. Those of us, from many parties, who have come together to press for a people’s vote will support the amendment today. We urge hon. Members to join us, and to support it again next week.

3.33 pm

Sir John Hayes (South Holland and The Deepings) (Con): Above all else, Brexit is about reclaiming power from the globalist elite. We owe a great debt to the 17.4 million people who voted for Brexit. Not only did they bravely risk taking back control of our sovereign governance; our laws, our borders and our economy, but they exposed an arrogant self-serving elite in this nation, some of whom sit in this Chamber. As the hon. Member for Totnes (Dr Wollaston) spoke about her day out on the march for a people’s vote, I could just imagine it: Glyndebourne, the Henley regatta, and the people’s vote march—it is all part of the season for certain kinds of people. Following their democratic defeat in the biggest vote—

Anna Soubry: Will the right hon. Gentleman give way?

Sir John Hayes: I will just make a little progress. I want to flesh out my case against the elite—[ Interruption. ] Not quite yet. I may give way later when I have finished fleshing out my case against the elite, which the right hon. Lady has decided to join. I say join, because she was not born to it.

Following that democratic defeat in the biggest vote for anything in British history, much of the liberal establishment has responded with stunned entitlement and deafening hysteria. The essence of the reason for that hysterical reaction is that these people are not used to being told that they are not right. They are not used to having their sense of entitlement challenged. That sense of entitlement is not just a material thing—an advantage in terms of place and progress—it is also the self-serving entitlement that prohibits views other than those of us, from many parties, who have come together to press for a people’s vote will support the amendment today. We urge hon. Members to join us, and to support it again next week.

Anna Soubry: Will the right hon. Gentleman give way?

Sir John Hayes: I will happily give way to the right hon. Gentleman—[ Interruption. ] Not quite yet. I may give way later when I have finished fleshing out my case against the elite, which the right hon. Lady has decided to join. I say join, because she was not born to it.

Following that democratic defeat in the biggest vote for anything in British history, much of the liberal establishment has responded with stunned entitlement and deafening hysteria. The essence of the reason for that hysterical reaction is that these people are not used to being told that they are not right. They are not used to having their sense of entitlement challenged. That sense of entitlement is not just a material thing—an advantage in terms of place and progress—it is also the self-serving entitlement that prohibits views other than those of us, from many parties, who have come together to press for a people’s vote will support the amendment today. We urge hon. Members to join us, and to support it again next week.

Anna Soubry: Will the right hon. Gentleman give way?

Sir John Hayes: I will tell the right hon. Lady what happened in Redcar the last time we had a people’s vote—for we have had a people’s vote in this country: it was called the referendum—since she draws attention to Redcar: 66.2% of the people who voted there voted to leave the European Union. In Middlesbrough, Redcar, Bassetlaw, Ashfield, Mansfield, Hartlepool, Stoke-on-Trent, Barnsley, Kingston upon Hull and Blackpool—I could go on—more than 65% of the population who voted in the biggest ever reference to the people voted to leave the European Union. They expect this House to deliver on that.

When this House chose to delegate its authority to the people—I do not say that that should be done lightly; I am not a great fan of referendums, frankly, because they create binary choices about what are very complicated arguments—we, by nature, invested our faith in what the people decided. To break that faith now, to break that promise, would undermine confidence in the democratic process in a way that scarcely anything has done before.

Heidi Allen: I feel fortunate that I did not actually hear what the right hon. Gentleman called me. Regardless, I just wanted to check whether it was an act of chivalry not to allow the good people of Redcar, Barnsley and Nottingham to have their voice again. Is it an act of chivalry not to allow them to say how they feel today?

Sir John Hayes: The hon. Lady must understand that once you have agreed to have a referendum, which is what this House did by an overwhelming majority, and once you have stood on a manifesto that pledged—as both Labour Members and she did, by the way—to honour the result of that referendum, if you then choose to delay, defer, obfuscate or dilute that commitment, you will be seen to have breached the trust in which people deserve to hold those they choose to speak for them in this mother of Parliaments.

Anna Turley (Redcar) (Lab/Co-op): Will the right hon. Gentleman give way?

Sir John Hayes: I am not going to give way again. I am conscious that others want to speak, I have a short time limit, and it is interrupting my lovely flow.

The truth is that there are people here who campaigned for remain—many Opposition Members and many Government Members—who respect the result of the referendum, who want to honour the pledge that we made, who want to do the right thing by the people and who want to leave the European Union, but there is a minority who are unreconciled to the result of the referendum and who are using every means at their disposal, fair and foul, to frustrate its result. They are hiding behind all kinds of improbable and incredible excuses for so doing, and frankly, the people’s vote campaign is among them.
You need to know, Mr Speaker, and I am sure the House needs to know too, that some of us stand resolute in opposition to this further reference to the people—as if we've not had a people's vote. If we were to agree to it, what if, on a lower turnout, people voted to remain? What if it was a marginal decision once again, by a smaller margin than last time? Would we have a third referendum to settle the matter? Is it going to be the best of three, the best of five, or perhaps the best of seven? How many referendums must we have before the settled will of the people is established?

I stand for the people, of the people and by the people. I am proud to have got to this place from where I began, but unlike some hon. Members. Members, I have not forgotten my origins and will stick by the people, and the people want to leave the European Union on time, lock, stock and barrel.

3.41 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Normally it is a pleasure for me to follow the right hon. Member for South Holland and The Deepings (Sir John Hayes), and normally he is warm and inclusive, but I must say to him that I think that was a divisive speech that was not the right one to make in these circumstances. I will refrain from asking him whether the global elite, he meant Eton-educated millionaires at the heart of a European Research Group campaign for no deal who can afford to move their assets around, because that is the kind of discussion we get into when we start those sorts of speeches. I do not actually think that is going to help us to come together, and we are going to have to come together somehow, somewhen.

In fact, it is the failure of the Government to attempt to bring people together since the referendum that is why we are in this mess now. It is the failure of the Government and the Prime Minister to put any deal to this House until 22 of the 24 months of article 50 were already run down. They have been running down the clock, just putting the same deal back to us again and again and enables us all to come together. I hope that we can find a way forward that respects our constituents and enables them to have a say.

The issue of the European elections is important. It makes no sense for a state that is in the middle of article 50—a departing state—to have to hold European elections. A letter from President Juncker suggested that we would have to hold elections if the extension went beyond 23 May, which is clearly an inappropriate approach. That is why I think that what has been said, and tweeted last night, by Eleanor Sharpston, an advocate general at the European Court of Justice, is so significant. I urge Members to look at that tweet if they want to see the details. She has said that “were there to be an extension of the Article 50 period, it would (clearly) be inappropriate for the UK to hold EP”—

European parliamentary—
“elections in May”.

However, there are precedents; there are approaches that could be taken. Eleanor Sharpston says that article 50 is the mirror provision of article 49, which was used as a basis for special arrangements for Croatia so that it did not have to hold European elections at the time of its accession. She points to other possible mechanisms as well.

None of this is easy, and I wish that we were not in this position, but the reason we are is the way in which the Prime Minister has handled things up to now. We must find a way forward that respects our constituents and enables us all to come together. I hope that we can do that, rather than just going round in the same circles time and time again.

Several hon. Members rose—

Mr Speaker: Order. A four-minute limit on Back-Bench speeches now applies.

3.46 pm

Justine Greening (Putney) (Con): This is an important debate, but I think that most members of the public who are listening to it or watching it are probably losing the will to live, as I am. Yet again Parliament has confronted a long-term issue, on this occasion Brexit, and has failed to find a long-term path forward. I think that the only difference with Brexit is that there was a
deadline for it, and today we are discussing the fact that that deadline is about to be missed, because we are simply not prepared for a departure on 29 March.

There is gridlock in this place, and we must find a way through it. I am sorry to say that while I think there may be a consensus here, I also think that the steps the Government have taken to keep bringing back so-called meaningful votes have actively got in the way of Parliament’s finding a consensus on a way forward. Ministers need to understand that there is no point in calling those votes meaningful any more, because they are actually meaningless.

**Tim Loughton:** Although we are on different sides of the argument, I have great respect for my right hon. Friend, but does she not remember that the “meaningful votes” considerations were inserted in the legislation not at the will of the Government but at the will of Back Benchers, and that the House agreed to the 29 March deadline across all parties? Now, for some reason, some of those Members do not want to agree to it.

**Justine Greening:** Indeed, and the purpose of the meaningful vote was to ensure that Parliament could give its assent to a path forward, which was a very sensible step.

The original deadline of 29 March was part of the outcome of the Lancaster House speech, in which the Prime Minister said, “We will have agreed a future partnership by the end of the two-year article 50 process.” That, of course, has not happened. The speech also set out for the first time the Government’s position that no deal was better than a bad deal—“no deal!”, in that context, referring to a future partnership. We are effectively leaving with no deal, and that is one of the reasons we have reached the point today of having to discuss the fact that we still cannot find a route forward, although we absolutely need to. After last night, it is clear that there is little appetite in the House for leaving with what I would now call a double no deal—in other words, no future partnership, and no agreement on how we even withdraw from the European Union itself.

A meaningful vote 3.0 is, as I have said, an oxymoron in the context of the votes that the Government plan to bring forward. Yet again, it will risk Parliament failing on a long-term issue, because achieving consensus on one vote at one moment does not achieve real consensus. It is a fake consensus that will simply unravel, again disappointing the public, who want to see us get behind a real route forward. The Government now need to understand that their deal is simply not popular, either here in this House, for very valid reasons, or with the public.

**Heidi Allen:** I appreciate the right hon. Lady allowing me an intervention. The repeating of meaningful votes seems somewhat ironic, in that Parliament can vote repeatedly on the same deal yet the British public cannot do so, but let us gloss over that for a moment. Does this not do a disservice to Parliament? Surely the 52:48 referendum result and the disastrous 2017 general election result are the only reasons needed to prove that this Government are in office but not in power, as we saw again last night. This House has a job to do, but we are being deprived of our ability to do that job for our constituents and to be involved in finding a solution.

**Justine Greening:** I agree that we need collectively to find a way forward. Party politics and both Front Benches have got in the way of our doing that. In the context of the steps we now need to take, I agree that we need to have votes on the alternative proposals—common market 2.0, Malthouse or whatever—so that we can test whether there is consensus behind any of them, but those votes should be free votes. Brexit is not about party politics. The party machine constantly whipping votes does not serve our country or this vitally important issue well, and it is getting in the way of the House genuinely finding out whether we can agree on anything apart from the fact that we do not like the Prime Minister’s deal.

I personally think that the way to achieve this is to recognise that there is a spectrum of opinion in this House. People hold their views in totally good faith. They represent very different communities and they themselves have different views on Brexit. This is perhaps one of those naturally binary and quite divisive topics, and we have to confront that fact. That is why I do not think we will reach a conclusion on this gridlock. We have to stop circling around the issue. Ministers now need to show some leadership and unblock a route forward with parliamentarians in this place.

Frankly, I would be happy for people to pick from a spectrum of very different outcomes for this country’s path forward. The reality is that we had a referendum about leaving the European Union, not about where we were going to go. We cannot agree on what people think the destination should be, and we therefore need almost to finish off the referendum. We need to go back to the people with a further one to find out where they actually want to go. That is the choice. We will end up with a public vote on Brexit. It is a question of whether it will be a general election, which I do not think will resolve the issues that this House continues to grapple with, or a public vote on Brexit—the actual issue at hand, on which we desperately need to find a direction for our country.

If an extension allows us the space to finally come up with a strategy for a route forward, it will have been worth it purely for that. From my perspective, it should be the shortest possible extension that will give the House the space to do that. It should not be an open-ended extension that would simply give us the chance to go round in circles, achieving nothing and destroying investment in this country.

3.53 pm

**Geraint Davies (Swansea West) (Lab/Co-op):** I wonder why the Conservative Benches are so empty. Is it because Conservative Members are all at the Uxbridge Unicorn Tavern being sold Golden Brexit beer? And when they taste it, does it taste so awful that they spit it out in the street, only for Boris the barman to say, “No, no, no—you ordered it, you’ve got to drink it?”

I stand here speaking on behalf of people in Swansea who voted leave because they were told they were voting for good things such as more money, more trade, more jobs and more control. They are now finding that they are not going to get any of those things. They are going to have to spend another £40 billion on the divorce bill, and the economy is shrinking by 10%. Trade is going to shrink, and we are going to be outside Team EU when
they negotiate with China, with Trump and with other countries. We are going to get a worse deal, not a better deal. They voted to control immigration, but immigration will not be controlled with an open border in Northern Ireland. Of course, the risk that we will not have an open border may also put the peace process at risk.

Frankly, any Brexit will make us poorer, weaker, more divided and isolated and will risk environmental rights and workers’ rights, so to go ahead with it, given all the knowledge that we now have, would be a collective act of wilful negligence. It would be a betrayal of those who voted leave and a crime against democracy not to give the people the opportunity to judge whether they are getting what they ordered. If we do not give them that opportunity or just simply revoke article 50, we will never be forgiven. Some say that there will be anger if there is another vote—a vote on the deal as opposed to a vote on the principle—but people will be completely enraged if, having voted leave for more money, more jobs and so on, they find that they lose their jobs. There will be turmoil and carnage, and we will never be forgiven.

We have had referendums throughout Britain over the years, including on Wales, Scotland, mayoral elections and so on, and the people have subsequently changed their minds. In the referendum on whether to have a mayor in Manchester, the people voted not to have one, but the Government imposed one. These referendums are advisory, and the Brexit one was characterised by cheating, lying, betrayal and broken promises. In the name of democracy, the people expect to have a vote and to move forward.

It may be the case that we cannot reach an agreement, and it is obvious that people do not agree with the current deal, because there is either too little or too much alignment with the EU. That is why we keep failing to get an agreement. We are running towards the end, and if we say, “Let’s have an extension,” what if the EU says, “You can’t have an extension because you cannot make your mind up”? The choice will then be between crashing out without a deal, with all the carnage, medicine and food shortages and laws not working that would entail, or revoking article 50 and continuing as usual. I have supported a public vote on the deal to give the people the final say, but if we end up with the choice that I just outlined, we need to revoke article 50 and stay where we are. The people now know how good the EU is, what a good deal we are getting and what we stand to lose.

In conclusion, we need to have faith in the people to decide on what is now on the table. If they do not want it, we should keep the existing deal, which is a very good one.

3.57 pm

Mr David Jones (Clwyd West) (Con): To say that we have arrived at a moment of constitutional crisis is, if anything, to understate the seriousness of the position in which we find ourselves. The moral authority of this Parliament, which is the keystone of our constitutional arrangements and our democracy, is rapidly ebbing away. All those who participated in the referendum, not least the 17.4 million who voted leave, will be watching our proceedings with a mixture of despair and revulsion.

They are the people who were unequivocally told by the Government in the leaflet circulated to every home in the country:

“This is your decision. The Government will implement what you decide.”

Every man and woman who voted in the referendum was entitled to take the Government at their word and to trust the Parliament that set up the referendum. However, they now see a political class apparently intent on reneging on the promise made by the Government, trying every trick in the procedural book, and even some others, to frustrate the will of the people.

Mr Edward Vaizey (Wantage) (Con): I think the people now see a political class that has twice voted against the Government’s commitment to implement the referendum result. We have tried twice to get it through Parliament, but it is that political class that has stopped the will of the people being implemented.

Mr Jones: The vote was on whether we wished to leave the European Union or remain. It did not refer to any particular deal, and it is this Parliament that has voted the deal down. The intention of all this is to stop Brexit. The plain and simple fact is that Parliament contracted out the decision on whether to remain in the European Union to the people of this country, and the decision of the people was absolutely clear: they wanted to leave. Parliament has put in place the legislation to enable us to leave, with a clear departure date that is now just over two weeks away. I remind all hon. Members that that is what this House voted for.

Yet today we have arrived at a point where the Government motion before us seeks to delay the date of our departure. That is after more than 100 repeated assurances by the Prime Minister that we will certainly be leaving on 29 March. We are told that the way to avoid any delay is to support the deal that the Government have concluded with the European Union, yet this House, as my right hon. Friend just mentioned, has twice rejected that deal—most recently only two days ago. The deal is dead. It cannot be resurrected. There is no deal.

The legal position of what this House voted for is that we now leave without a deal on 29 March. That is the law, but that is what the Government’s own motion shamefully seeks to frustrate, and I believe that every Member who supports the motion will equally be acting shamefully. He or she will be expressing, as clearly as possible, contempt for the outcome of the referendum and for all those who voted to leave the European Union. Those voters will see what is behind the extraordinary exercise that has taken place over the last three days: a determined attempt by people inside and outside this House to halt Brexit and impose on the British people a second referendum in the hope that Brexit will be stopped altogether. I have no doubt that that ambition is not shared by the people who sent us here.

I am absolutely convinced that people out there are sick and tired of the gyratory antics of parliamentarians. They want an end to the apparently interminable Brexit process. They know the law provides that we leave on 29 March, and they expect this House to do its best to ensure that we do. They have made their decision, and they expect that decision to be implemented.
If we break our promise to the British people, which we will be doing if we pass the motion this evening, we will risk completely destroying the already fragile trust that the people of this country have in this country’s constitutional arrangements, in its political institutions and, to be blunt, in each and every one of us. That would be a profoundly dangerous state of affairs. No Member of this House should be willing to put that trust at further risk, which is why I urge the House to reject this motion.

4.2 pm

Chris Bryant (Rhondda) (Lab): If I am honest, all this just reminds me of the Muppets. It is that moment when Gonzo, I think it was, sings “The Windmills of Your Mind.” As he sings and runs faster and faster, with his legs wheeling like the Isle of Man’s coat of arms, he becomes wilder and wilder and goes out of control. We are “like a circle in a spiral, like a wheel within a wheel, never ending or beginning on an ever spinning reel”. It is just going on and on and on, and every two weeks we come around on the merry-go-round and we make the same speeches all over again, and we still ride our own hobby horses. Frankly, it is not doing us or the nation any good medically or emotionally.

My amendment is a simple one, and it tries to put a stop to all this gyratory nonsense, as the right hon. Member for Clwyd West (Mr Jones) rightly mentioned. My amendment is the embodiment of a very old principle of this House. When James I became King in 1603—do not worry, I am not going to do every year—he summoned Parliament, and that Parliament became so fed up with MPs constantly bringing back issues on which it had already decided that the House expressly decided on 4 April 1604:

“That a question being once made, and carried in the affirmative or negative, cannot be questioned again, but must stand as a judgment of the House.”

That has been our rule.

James Heappey: Will the hon. Gentleman give way?

Chris Bryant: No, I will not give way. I am terribly sorry, but there is not much time and I am sure we have already decided the matter anyway, so it stands as a judgment of the House.

This ruling has been repeated many, many times. On 30 June 1864, Sir John Pakington wanted to give more money to nursery schools—hoorah! On 17 May 1870, Mr Torrens wanted to relieve poverty by enabling the poor to emigrate to the colonies. On 9 May 1882, Henry Labouchère wanted to allow women to vote. On 21 May 1912—this one would probably have the support of every Member—George Lansbury wanted to allow women to vote.

On every single occasion, the Speaker—Speaker Brand, Speaker Peel, Speaker Denison and Speaker Lowther—said, “No, you can’t, because we’ve already decided that in this Session of Parliament.” That is why I believe the Government should not have the right to bring back exactly the same, or substantially the same, measure again and again as they are doing. It is not as if the Government do not have enough power. They decide every element of the timetable in the House. They decide what we can table and when. They decide when we sit. They can prorogue Parliament if they want. They have plenty of powers. The only limit is that they cannot bring back the same issue time and again in the same Session because it has already been decided.

What do the Government not understand about losing a vote by more than 200 and losing it a second time by 149? For me, the biggest irony of all is that the Government repeatedly say, “The people can’t have a second vote”, but the House of Commons? “Oh, we’ll keep them voting until they come up with the right answer”. We should stand by tradition—Conservatives should be a bit more conservative about the traditions of the House—and stop this ludicrous, gyratory motion.

Several hon. Members rose—

Mr Speaker: Order. A three-minute limit on Back-Bench speeches now applies.

4.6 pm

Charlie Elphicke (Dover) (Con): As ever, it is a pleasure to follow the hon. Member for Rhondda (Chris Bryant), who rightly pointed out the importance of tradition. I backed remain in the referendum, but there is a tradition in our country of democracy and of respecting public votes, which is why I respect the two thirds in my constituency who voted to leave the EU and why I believe we should get on with it and not extend article 50. To do otherwise would badly undermine public trust in our democracy.

James Heappey: The hon. Member for Rhondda (Chris Bryant) made the point very eloquently that we should not consider the same matter again and again. Does my hon. Friend think that the same should apply to the repeated putting of questions about second votes—

Mr Speaker: Order. I am immensely grateful to the hon. Gentleman, but he has not been here for most of the debate—

James Heappey indicated dissent.

Mr Speaker: Order. It is not very courteous to make long interventions that slow things up.

Charlie Elphicke: My hon. Friend is quite right, and I will come to that in a minute.

First, let me underline the importance of honouring the referendum. This was the biggest democratic exercise in our history, and 17.4 million people made the clear decision that we should leave the EU, yet amendment (h) seeks yet another referendum—a so-called people’s vote. It is not a people’s vote; it is a losers’ vote, because it is promoted by the very people who lost last time. I completely agree with the Labour Front-Bench team when they say that they cannot support the amendment; I agree with the right hon. Member for Don Valley (Caroline Flint), who made a point of order earlier on this subject; and I agree, I hope, with a majority of the House in thinking that we should vote on this amendment and reject it. We should put to bed the idea of further referendums and delays and get on with leaving the EU and dealing with the future of this country. We cannot have endless Brexit.
I hear that the Independent Group, under pressure, might wish not to press the amendment. It will be interesting to see what the Liberal Democrats and the SNP, who are also signatories to the amendment, will do. Will they have the courage of their convictions and see it through, or will they be frit and run away, as they are asked—begged—to do by the Labour party Front Bench? We do not need to extend article 50. We need to get on with it. We do not need a referendum of the losers. We need to listen to the British people. A snap poll today by YouGov finds that a majority want to get on with it: 43% to 38%. The 43% want MPs to vote against delay. The British people are as sick of endless Brexit as most people in this House. That is why I shall be voting against every amendment tonight, and against the main motion, making it clear that we need to honour and respect the verdict of the referendum.

We also need to put maximum pressure on the European Union to provide an exit from the backstop, either unilaterally or through a sunset provision. We must not have the affront of European parliamentary elections, which would see Nigel Farage and Tommy Robinson elected. The hon. Member for Ilford South (Mike Gapes) would be elected as well. What we need is true democracy. We also need to see some integrity; not only should we honour and respect the result of the referendum, but those Members who wish to set up a new party should have the integrity and courage of their convictions and put to the people, in a true public vote, the question of whether they should continue to be Members of this House. They should face the people in a by-election, rather than running away from them. They should honour our democracy, as we should honour the referendum result.

4.10 pm

Lucy Powell (Manchester Central) (Lab/Co-op): I will try to keep my remarks brief. Thank you, Mr Speaker, for selecting my hurried, last-minute manuscript amendment to amendment (i), which stands in the name of my right hon. Friend the Member for Leeds Central (Hilary Benn).

As other Members have said, what a mess we are in. We really are not covering ourselves in glory right now. My hon. Friend the Member for Rhondda (Chris Bryant), in what I thought was an amazing speech, referred to the muppets. He is right, but to me this also feels like the last scene in “Thelma & Louise”, with the Prime Minister pressing down ever harder on the accelerator pedal as we head towards the cliff, with banners coming off the back of her car saying, “It’s my way or the highway.” She just keeps putting up these false choices. This really has to stop, because it is now beyond a joke.

We need to find out once and for all—we have been asking for this for months now—whether there are other directions of travel that the House could agree on. Amendment (i) is now the only way—we can no longer trust the Government to bring forward the process—to allow Parliament to express its view.

Whether or not we want a second referendum, we still need to resolve what leaving the EU looks like and what Parliament says it should look like. For most people, that is about addressing the political declaration that sits alongside the withdrawal agreement and that could be done in good time. There is no reason why that should take very long at all. The Minister for the Cabinet Office seemed to contradict himself earlier. He suggested that indicative votes or votes next week would mean a delay of a year. Well, if the Government think that, and if the amendment is agreed to tonight, they need to bring forward an extension for that time. That is up to them to determine.

The reason for my hurried manuscript amendment is to try to maximise support in this House, because I know that many colleagues are concerned about the forthcoming European elections and about a long extension to article 50. But let us just remember that, if this amendment is passed tonight and we say that we want an extension to article 50, it is up to the Government to come forward with the necessary legislation, with the date therein, to decide how long it should be for. I hope that the House will agree to my amendment to my right hon. Friend’s amendment, so that we can maximise support for that process and allow us, at long last, to have a say on the way forward.

4.13 pm

Chris Green (Bolton West) (Con): It is astounding to me that we are in this position. The British people made their decision in June 2016, yet here we are in March 2019 debating by how long we should be extending article 50, or even whether we should have a second referendum. We need to get on with this. We need to leave decisively on 29 March. That is the democratic expectation across the country, because 29 March 2019 is a date in so many people’s heads across the country. Millions of people, whether they voted to leave or to remain, or indeed whether they abstained, are expecting us to leave on that date.

It is not just good for democracy to deliver our promises; it is also good for business. If there is a suspension, whether short or long, or a series of suspensions, that will be bad for business planning, whether in manufacturing, clinical trials, life sciences or in the universities sector.

Just look at the EU’s approach to science to see why it is not working now and will not work in future. The clinical trials directive was thought of in 2001 and introduced in 2004. The EU wanted to change it to the clinical trials regulation in 2016. Thus far, it has failed to make that change and we do not know when it will be delivered. The failure to change from the directive to the regulation is holding back trials. If trials do not go ahead, life-saving or life-enhancing treatments will not be invented and brought to market to serve people’s interests.

The EU is still going in the same direction. Against the advice of the advocate general, the European Court of Justice decided to treat gene editing as the creation of genetically modified organisms, which means that that technology will be held back in the EU. Professor Nigel Haldrow said:

“If adopted by the Council and Parliament the decision could set back agbiotech in Europe by another 20 years. We are already a generation behind. Young scientists interested in agbiotech are likely to move to places where common sense and scientific evidence prevail”.

That is not the European Union. I believe the EU is 1950s politics applied to the 21st century. We need to leave on 29 March this year.
James Frith (Bury North) (Lab): The Prime Minister is not alone in failing us. The Government Back Benches are full of former Ministers who claimed, “I am the man who can!” The first Brexit Secretary said he could, but he could not. The former Foreign Secretary said he could, but he could not. The second Brexit Secretary said he could, but he could not. Now, they join the hardliners on their Benches who all say they can, but we know they cannot. It is not just the Prime Minister who has been let down by their mis-selling. The country has been misled, and now the plan has been mislaid. Ultimately though, this comes down to a failure of the Prime Minister—her leadership, her incapacity to build consensus or to hear what is said, and most alarming of all, her contempt for Parliament. This Parliament has been voted in more recently than the referendum. This Parliament is a more recently anointed authority than the referendum result. My town sent me here as someone who did not trigger article 50—many of my constituents did so because of that fact. We are a Parliament more representative of the changing picture we see.

On at least three occasions, in normal times the Prime Minister’s record would have cost her her job. Those three occasions were opportunities for her to change tack: to offer the UK a tonic, with a deal that united the country through unity in this House. We are told that Parliament needs to decide what it is for, but we have been given no chance to decide. We have pored over this, many of us spending time doing the heavy lifting to understand why the people felt so deprived of a say, so overlooked, that they pulled the leave cord in 2016 to stop the show.

We must extend article 50 and establish what we are for, through indicative votes and a process of gathering the way forward. Fill a deal with content that speaks to the support in this House for a deal—one with a customs union and a direction to deal with the world and the protection of our people and our planet. Then take this deal and seek further permission on it, not from the pomp in the Tory party but from the public. Go back and seek further instruction from the people. Let them hold it up to the light, for their final say. Let Britain have her last word—to stick or twist, to back it or keep what we have.

Britons voted to leave or remain in their millions, then this changed Parliament was ushered in. Division is still palpable, and all the doorsteping and polling in the country tells us that there is no magic healing number. Compromise is a must. So the content of a deal with the permission of the public marry this changed Parliament to the changing picture we see—and of course everyone reserves the right to vote the same way again. At that point, I will support a deal before arguing we don’t know what we’ve got till it’s gone.

Tom Brake (Carshalton and Wallington) (LD): I want to say a few words about the legal advice from the European Parliament. I have great respect for the deputy Prime Minister, but I have concerns about the representation that he has made of the legal advice that he has received on the question of whether the European Parliament elections do or do not need to take place. I simply restate that in the legal advice I have seen it is the case that, if the UK did not hold elections, the new European Parliament could validly be constituted. That seems to me to be in complete contradiction to what the deputy Prime Minister said earlier. I hope that when the Minister responds he will clarify what the Government’s position is on that.

The spokesman for the official Opposition, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), said that he thought there were people here who were pushing a people’s vote amendment for “another reason”. I do not think he specified what that reason was, but if I am pushing a people’s vote, as are many of the people here today, because we want there to be a people’s vote and we want people to support that. This will be the opportunity to do that and, frankly, we are running out of time in which to express support for a people’s vote. That is the only reason we are doing this.

I wonder whether there is any sense of humility or embarrassment from leading Brexiteers about the chaos and political maelstrom that they have created. This is their responsibility through and through. They cannot blame remainers, civil servants, the weather or the Turks—they cannot even blame their nanny. The blame rests fairly and squarely on their shoulders. This is chaos that they have created.

Mr Vaizey: Will the right hon. Gentleman give way?

Tom Brake: I will not give way. The question today is not whether we have an extension or not, because I think everyone here knows that we need one. When I asked the Prime Minister about this a couple of days ago, she said that she was going to work with the usual channels “to see what is necessary in relation to getting legislation through the House.”—[Official Report, 12 March 2019; Vol. 656, c. 224.] All of us here know exactly what that means. It means that she accepts that there will have to be an extension, so the question really is whether we are having a short extension or a meaningful extension—one that will facilitate the will of Parliament, which has expressed a clear desire to find a different deal. I hope it will be an extension that will allow for a people’s vote. A short one would be to enable the Prime Minister to tie up her loose ends after she has bludgeoned us black and blue with her baneful deal and her robotic mantra of, “It is my deal or no deal.” I hope that we will secure a meaningful extension. Of course, if that is not granted by the European Union, we will, as others have said this afternoon, simply need to revoke article 50.

4.22 pm

Toby Perkins (Chesterfield) (Lab): I was struck, as I reflected on the huge frustration my constituents feel with the way this process is going, by the speech by the hon. Member for Christchurch (Sir Christopher Chope), who is not in his place. He described our Government as a “laughing stock”—a laughing stock in Europe and in this country. I think about why that is. I think it is because of the path that he and his colleagues have taken this Government down. They have absolutely held this Government to ransom. Having argued for a long, long time for things that we all knew were not going to be achievable, they won the referendum and are now blaming the Government for failing to achieve them. As my hon. Friend the Member for Bury North (James Frith) said just a few minutes ago, the Prime Minister
put in charge of these negotiations the very people who had promised us how easy this was going to be. Of course, they entirely failed to deliver on the referendum result and on what they had promised in the campaign.

I will support this motion to have a delay, but it occurs to me that Vote Leave said throughout the campaign that this would be “a careful change”, that there would be time for it to be made and we would not be leaving the EU until our future relationship was resolved. I am now confused as to why they seem to be in such a rush for us to leave, given that it is so clear that we have not got a deal on which we can agree.

As for what my constituents ask for, it seems that Labour’s deal fulfills the vote that 60% of Chesterfield constituents cast. It would enable us to continue trading with the customs union, but it would also ensure that we were not a part of the single market and we were able to have control over immigration. We all know that that was so powerful; it was the issue of immigration that enabled what had been previously a minority concern—the European Union—to become so powerful; the campaign was run on the issue.

Despite the fact that I hugely regret the fact that we are leaving the European Union, I will vote for Brexit and I will do so by voting for Labour’s deal. When I vote for Labour’s deal, I will be voting for something that would enable us to leave on 29 March. I will be able to go to my constituents and say, “If only the Government would back Labour’s deal, we would be able to leave the European Union on 29 March, as we have said all along.” It is important that that message gets across, because there are people on the Government Benches who suggest that the only way to fulfil the referendum result is to vote for the Government’s deal. We all know that there are other ways we could leave the European Union, if only the Government supported the Labour party deal.

Several hon. Members rose—

Mr Speaker: Order. If Members who now speak take interventions, they will do so knowing that they are preventing colleagues from speaking, so I hope they will not.

4.25 pm

Anna Soubry (Broxtowe) (Ind): It is a pleasure to follow the hon. Member for Chesterfield (Toby Perkins). I rise to support amendment (h), tabled by my hon. Friend the Member for Totnes (Dr Wollaston) in support of a people’s vote.

The people’s vote is not about the four of us who attended the event just over a year ago when we launched the People’s Vote campaign, although I am proud that the hon. Members for Oxford West and Abingdon (Layla Moran), for Brighton, Pavilion (Caroline Lucas), for Streatham (Chuka Umunna) and I will all tonight be true to our word and vote for a people’s vote. At the launch we were members of four parties; we are now, of course, in different positions. But as I say, it is not about us. We are not the people’s vote.

The people’s vote is not even Susan and Linda, who go out every weekend as members of the Nottinghamshire People’s Vote campaign, not only in West Bridgford, where we were on Saturday, but in all weathers and all circumstances. They have been to Ashfield and to Mansfield. They have stood and made the case for a people’s vote, not only in bad weather but, frankly, in other adverse conditions, and they do it with a burning passion. They do it because they believe that our great nation has made a mistake, but they do not do it to thwart Brexit. They do not do it to stop Brexit; they do it as I do, and as I know many other Members do: because we believe with passion that this matter must now go back to the British people. It is the only way through the mess.

It may be when I am long gone, but there will undoubtedly be an inquiry into what happened and how this great country came to find itself in a position of leaving the European Union—and, notwithstanding last night’s vote, I still gravely fear that we could do so without a deal. The inquiry will record that there was a lack of honesty, courage and leadership, not only in this place but among journalists and businesses—among people who said things in private but simply failed to do the right thing in public when it was needed for our country.

The moment is now. I apologise if I caused offence by crying out “Shame” earlier, but I say gently to colleagues in the Labour party, many of whom I have huge respect for—they know that I work cross-party with them on all manner of campaigns and will always continue to do so—that they know in their hearts the courage of my friend the hon. Member for Redcar (Anna Turley). Her constituency voted leave in the numbers it did, but she has led in her constituency and persuaded the people of her constituency to back a people’s vote. She has shown courage, honesty and leadership. We cannot wait for the Labour Front-Bench team—they are Brexiters. They do not want a people’s vote because they are frightened that the people will change their mind. If we do not do the right thing, that will be our legacy, knowing that people did not want it. We cannot let it happen.

4.28 pm

Janet Daby (Lewisham East) (Lab): Since I became an MP, many people have asked me what it is like in this House at this time. I have always said to them that it is a very difficult and painful time in the House. There are not only Divisions in the Lobbies, but divisions within our own parties, in terms of our thoughts and feelings around Brexit, and our frustrations and energies. The disturbing feeling that we have is how it feels for the public. What plays out in here is often how the public feel, and vice versa. These are difficult and trying times, not only for us as a nation but for individuals, for our communities, for our constituencies and for our nation. It is a very difficult time.

The weight and seriousness of the decisions that we have to make mean that we cannot take them lightly. We need to show leadership and direction for our country, and we need to make the right and the best decisions. It is not good enough for us just to throw out our own—sometimes selfish—views and strong opinions, and to think only about ourselves and not the wider context. We must consider that point.

I agree that we should have voted down the deal in the meaningful vote, as we did the first time and the second time. But there is no point in bringing it back to the House a third and a fourth time. It would be a waste of time in this Chamber and it should not happen.
We should be mapping a way forward, and the way forward is to extend article 50 and then consider how to progress. There is no other way.

In our conversations, we are failing to tackle some of the issues that we need to. People in our country are suffering and in grief because we are missing these matters—because we are not discussing them and decisions are not being made in this Chamber. These are real tangible issues such as in-work poverty, the housing crisis, the climate change crisis and improving our education system. We need to be thinking about these things and so many others, including public services and tackling serious youth violence. It is not good enough just to invest in the police; it is a partnership, and we should be investing in partnerships to tackle this problem. I will therefore be supporting an extension to article 50 and I invite others to join me.

4.34 pm

Matt Western (Warwick and Leamington) (Lab): I rose in support of amendments (e), (i) and (j).

The Prime Minister has made a huge mistake. She has not sought to unify this country—to reunite us—but to reunite her party. Since 10 December, it has been abundantly clear that there is not a majority in this House for the Prime Minister’s deal. Three months on, she still insists it is her deal or no deal. Her approach has been flawed from the start, and it is what has led to us being in this humiliating, disastrous mess. Rather than reach out across the country and across Parliament, she asserted her infamous red lines and just focused on securing her legacy. Now we must exhaust other realistic options, in a short timeframe, to understand where there is a majority in this House for some form of Brexit. We owe it to this country, which has been misled not once but twice: first, by the promises of the leave campaign; and secondly, by the disingenuous claims of the Prime Minister that hers was the only way of delivering Brexit.

For several months, I have been making it clear that I believe it incumbent on those of us in this House, as representatives of a currently very divided nation, to work collaboratively to find solutions to this impasse, with the primary aim of seeking to heal these divisions. We must work to determine the forms of Brexit that are, first, realisable, and secondly, least damaging to the UK and to Europe. To enable this, it is essential that we extend article 50. As I said very publicly back in mid-November, we must do that, confirm it with the EU, and then decide which of the Brexit options has the most public support.

Let me be clear: yes, I support a public vote, as I have said before. This place cannot decide what form of Brexit we follow, and the public must confirm what they want versus remain. Today’s votes are all about achieving an extension to article 50 that will facilitate the right outcome that is in the best interests of this country. If won, we must then agree across this House the mechanisms for achieving this, and amendment (i) does that. Again, let me be clear: yes, I voted remain and I favour remain. As someone who sits on the International Trade Committee, it is obvious to me that coming out of the European Union on 29 March is the first paragraph of the first chapter of a very long book. It will last for eight to 10 years. For that reason, and, more importantly, with the ambition of trying to reunify this country of ours, and for the reasons of avoiding the economic catastrophe so well described by business leaders, the CBI, the Society of Motor Manufacturers and Traders and the Federation of Small Businesses, we must extend article 50 and find majority agreement across this House.

4.37 pm

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Before I explain my party’s position, I would like to add my voice to those who have been calling for the House of Commons to have a full portfolio of votes on the various options. On 15 January, I wrote an article for The Huffington Post making the case for using a voting system designed to create a majority. I was delighted to see the Father of the House bring forward an amendment to that effect a few weeks ago. I hope that if amendment (i) passes this evening, that will be looked at in all seriousness.
The key question that will face us after this evening if we support an extension to article 50 will be this: for what purpose? Without finding a purpose for the extension, we still face the prospect of no deal by default. The publication of the Government’s tariff proposals gave us a good idea of what that would mean. It would be a disaster for Welsh agriculture, in particular, because if we set very high import tariffs, that would be reciprocated in terms of exports. Half of all Welsh lamb goes to the European Union, and that sector would be decimated. In keeping an open border between the Republic of Ireland and the north of Ireland, the British Government signalled their intention to sink the ports of my country.

Our amendment (a) would extend article 50 to cover phase 2 of the Brexit process. That would help to deal with the backstop. Although I do not share the concerns of hon. Members in relation to the backstop, that issue would be dealt with by our suggestion. It would deal with the problems of a blind Brexit. It would deal with the problem of no deal. It would encourage a more sensible approach to other trade negotiations. There is something for everybody in our suggestion, apart from those who seem obsessed with leaving on 29 March.

I look forward to voting for amendment (b). I say to Labour colleagues that the right moment does not always come in politics—there is only the moment, and the moment is now.

Mr Pat McFadden (Wolverhampton South East) (Lab): When the Prime Minister set out the timetable for this week a couple of weeks ago, she did not say that the vote on an extension was to be linked to acceptance of the deal. When she set out those arrangements, the premise was that we would come to this point after the defeat of her deal, which is what has happened. Now we find, from her reaction to the vote last night, that the Government’s proposal to extend article 50 is linked to the backstop. It would deal with the problem of no deal. It would encourage a more sensible approach to other trade negotiations. There is something for everybody in our suggestion, apart from those who seem obsessed with leaving on 29 March.

The amendments that I will support tonight are the amendment tabled by my right hon. and hon. Friends on the Front Bench or the amendment tabled by my right hon. Friend the Member for Leeds Central (Hilary Benn). They seek to remove that conditionality and to extend instead for the purpose of clarifying our future direction. That is the reason why we should extend. For four months we have been having the wrong conversation with Europe. Instead of disappearing into five different levels of legality over the backstop, which looks to the rest of Europe as if we are trying to wriggle out of our commitment to no hard border in Northern Ireland and to supporting the Good Friday agreement, we should have been having the conversation that we need to have about what Brexit really means, what the choices are and what the trade-offs are. Let us not pretend that the reason that has not happened is that somehow it is impossible until we leave. The reason it has not happened is that to do so would expose the deep divisions within the Conservative party, but the public deserve better than that. That is why extension should be for the purpose of clarification.

As for timing and other conditions, far too often in our discussions we forget that there are two sides at the table. An extension has to be applied for and agreed unanimously. It will not just be up to us how long it is for. Whatever happens in the votes tonight, it is important that we understand that.

I understand the public impatience with politics right now. It is our job to get stuff done, but the leadership response to parliamentary votes matters. We heard a great speech yesterday from my hon. Friend the Member for Birmingham, Yardley (Jess Phillips), who defended parliamentary democracy. It is just a pity that our Prime Minister, the leader of our country, never defends parliamentary democracy. Continually setting Parliament against the people is at best disappointing. It is thoroughly irresponsible and it is not the leadership that we need through these troubled waters.

Mr Speaker: As the clock strikes 4.44, the hon. Member for Ilford South (Mike Gapes) must sit down.

Mike Gapes (Ilford South) (Ind): Two years ago when we debated article 50 and I voted against invoking it, I said that we would get on an escalator with no brake and no way of getting off. I now understand why the Prime Minister invoked it at that time. It was because she wanted to stop a European Parliament election. The timetable of agreeing an article 50 process 18 months before the Government had even got an agreed position, which lasted about three days before the resignations, was driven by fear inside the Conservative party. They did not want UKIP to come back in a European election, so they triggered article 50 at that point.

The reality is that the Government are now trying to get us out as quickly as possible, and amendments that refer to the end of June are also trying to get us out quickly because people fear a European election. The reality is that if we do not have a European election, we will have no voice, no say and no vote within the councils of Europe when we may still be in a transition. That will give us a great period of weakness in any future framework negotiations.

In the 1970s this country was the sick man of Europe. We are now the joke of Europe.

Mr Speaker: Kneeling while speaking is a new phenomenon in the House of Commons.

Paul Blomfield (Sheffield Central) (Lab): We are in a desperate position. That has been reflected in many serious speeches today—too many to list—but that of my hon. Friend the Member for Rhondda (Chris Bryant) was a real highlight, and we support his amendment (j).

In her closing remarks yesterday, the Prime Minister said that the House needed to say not what it did not want, but what it did want. It is a fair point, but the problem we face is due to her refusal to give us that opportunity at the start of the process. She herself went to the EU27 not with clarity on what she wanted, but with red lines on what she did not want. Those red lines boxed her into a corner and produced this damaging deal that fails the country and has been rejected twice by historic margins.

What is the Prime Minister’s reaction? To try again. It was my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) who coined the
phrase “meaningful vote” when seeking to ensure that Parliament had a role in this process, and it is a phrase that the Prime Minister has embraced. We have had meaningful vote 1 and meaningful vote 2, but how, as the right hon. Member for Putney (Justine Greening) asked, can meaningful vote 3 be meaningful in any sense of the word?

On 26 February, the Prime Minister set out the process for this week: vote on her deal, vote on no deal and then vote on an extension. She set out the options to be considered at that stage—her deal, no deal, another deal or a public vote. This week we have ruled out two of those options, so we should now be looking at the other two and seeing what consensus can be built, as was pointed out by the hon. Member for Eddisbury (Antoinette Sandbach), my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) and my hon. Friends the Members for Bury North (James Frith) and for Lewisham East (Janet Daby), among others.

The Chancellor was right when he reminded the nation on the radio this morning that the 2016 referendum decision was carried by a narrow margin—a painfully narrow margin—and was not the overwhelming mandate that some Conservative Members claim. It was a vote to leave, but not an instruction to rupture our relationship with our closest neighbours and allies. If there was any doubt, the Prime Minister gave the people a second vote: she called a general election, accusing this House of trying to thwart her plans and seeking a mandate for a hard Brexit—and she lost her majority. She could then have reached out to build a consensus.

The Prime Minister could also have done so after her deal was defeated in January, but she did not. Yes, she spoke to people across the House, but she did not listen to what they had to say. She focused on the backstop, which may be an obsession of the party within her party, but is not the primary concern of the majority of the 432 MPs who voted against her deal. Of far more concern to us is the way that deal damages our economy, damages jobs, damages livelihoods and damages public services, and does not offer the certainty that businesses need. The political declaration is deliberately ambiguous, and we know there are those on her Benches who intend, if she gets her deal over the line, to remove her and rip it up.

Last night, the Prime Minister had another chance to reach out and build consensus, to deliver on the expectations that she had given the House, and to create the opportunity to explore all the options and find a way forward. The Government’s shameful decision to go back on their word and frustrate our democracy with this motion should be rejected by the House. Our amendment (e) provides the way forward that this House expected and wanted, and it would not have been necessary, as my right hon. Friend the Member for Leeds Central (Hilary Benn) pointed out, if the Government were doing their job.

The Prime Minister should also listen to her Chancellor. However much he proclaims support for her deal, he recognises that it is dead and that she should reach out across the House to look at the sort of deal that might be forged around a customs union, single market alignment, membership of the agencies and partnerships we have built together and, indeed, a further public vote between a credible leave option and remaining in the European Union—a vote that we support. An extension needs clear purpose—a purpose of building a consensus, which the Prime Minister has failed to do. An extension should be as short as possible but as long as necessary, because we have seen the folly of fixed deadlines.

We warned the House and the Prime Minister that throwing red meat to her Brexit extremists by fixing 29 March in law was a mistake. Now she must legislate to remove that date. We should also reject her new bullying tactic, which states that failing to back her deal means UK participation in the European elections. It does not, as many Members—notably the right hon. and learned Member for Rushcliffe (Mr Clarke)—pointed out. Powerful legal voices have been cited, but let me quote a Minister on this issue. The Advocate General for Scotland said in another place on 27 February that “the noble Lord’s point that the EU Parliament could sit without the UK having had an election...is correct”.—[Official Report, House of Lords, 27 February 2019; Vol. 796, c. 292.]

We must not be deflected by threats. We cannot succumb to the Prime Minister’s obstinacy. Her deal has been rejected. No deal has been rejected. We must now seek the extension of article 50 that is needed to move on and consider the remaining options: a different deal, or a further public vote.

4.51 pm

The Secretary of State for Exiting the European Union (Stephen Barclay): The shadow Secretary of State opened this debate, and he has long indicated his commitment to a second referendum and to remaining in the European Union. I disagree with him, but I respect the integrity with which he holds that position. Other Members of the House, such as the hon. Member for Nottingham East (Mr Leslie), have been prepared to make the difficult decision to leave their parties and make the case for a second referendum, and few doubt the sincerity with which they hold their views.

Amendment (e), in the name of the Leader of the Opposition, does not reflect such principle or integrity. It is fundamentally flawed. As the European Council statement of 12 March makes clear, any extension to article 50 must be on the basis of providing clarity about its duration and credible justification for it. The amendment tabled by the Leader of the Opposition purports neither of those tests. First, it does not clarify the duration of the extension that it seeks. Perhaps that is because the right hon. Member for Islington South and Finsbury (Emily Thornberry)—she is not in her place—said on Saturday that Labour would back an extension to article 50 only until July, because it would be inappropriate for us to stand for the European Parliament. Just the next day, however, the shadow Chancellor contradicted her and said that any extension should be “as long as necessary”. To be fair, the manuscript amendment tabled by the hon. Member for Manchester Central (Lucy Powell), which would amend amendment (i), tabled by the right hon. Member for Leeds Central (Hilary Benn), does address the duration of the extension, but the Leader of the Opposition’s amendment fails to do so.

The Leader of the Opposition does not set out a credible justification for his extension, as demanded in the EU statement on 12 March, and merely calls for “a different approach”. That different approach is based on a fiction that he can deliver his deal, while also securing participation in EU trade policy and full participation in EU security, and holding his own position on state aid—all things that the EU has ruled out as non-negotiable. He speaks about the Prime Minister’s
red lines, but what are his red lines when he puts forward completely unrealistic ideas? Indeed, his commitment to a second referendum is so strong that in his statement on Tuesday he failed to mention it once.

Wes Streeting: Will the Secretary of State give way?

Stephen Barclay: Of course I will. Perhaps the hon. Gentleman can explain why the Leader of the Opposition failed to mention a second referendum. I am sure that those who defected from his party would like an answer to that question.

Wes Streeting: I am very grateful to the Secretary of State for giving way, but may I gently point that whatever problems he may have with Labour’s propositions for Brexit, they do at least have the advantage of not having crashed to such a big defeat as the Government’s own proposition?

Stephen Barclay: We thought the hon. Gentleman used to support a second referendum, but he failed to even mention it in his intervention.

The Leader of the Opposition called this week for cross-party consensus, but he refused even to meet the Prime Minister. [Interjection.] He met her once, after weeks of delay, and he has blocked the Labour Front Benchers from engaging with the Government. When he talks of cross-party consensus, perhaps what he really means is having meetings with the hon. Member for West Bromwich East (Tom Watson). There are no limits to the inconsistencies of his approach. He talks of listening to this House, yet when the House spoke on Monday 25 March, it is clear Government policy to resist a second referendum. That policy has not changed.

Ian Blackford: Will the Secretary of State give way?

Stephen Barclay: I have two minutes left, and I have given way a couple of times already.

It was Tony Blair who said that the way to stop Brexit was first to vote against the Prime Minister’s deal, then to vote against no deal, then to seek a long extension. In his votes on Tuesday, Wednesday and tonight, that is the precise script followed by the Leader of the Opposition. Perhaps he could share with us whether it was Tony, Peter or Alastair who wrote it for him. How proud those envoy of the elite must be with his late conversion to the cause. His approach has become more Davos than Don Valley.

Some Members will remember the Banksy painting that went through the shredder. Indeed, my hon. Friend the Member for Ribble Valley (Mr Evans) had it on his Christmas card. The reality of the Leader of the Opposition’s approach this week is that he is shredding the votes of 17.4 million people by turning his back on the referendum, going back on his word in his own manifesto and failing to listen even to his own Front Benchers. The hon. Member for Ashton-under-Lyne (Angela Rayner) said just last night:

“I think that it would be disastrous for us as Members of Parliament to go back to the people”.

That is the very issue that others in his party are campaigning for.

This is a time for responsibility, yet we have a motion from the Leader of the Opposition that ducks the choice, ducks the time, ducks the clarity and ducks any sense of national responsibility. It is time for this House to act in the national interest. It is time to put forward an extension that is realistic. I commend the Government motion to the House.

5 pm

The Speaker put the Questions necessary for the disposal of the business to be concluded at that time. (Order, this day).

Amendment proposed: (h), to leave out from first “House” to end and add “instructs the Prime Minister to request an extension to the Article 50 period at the European Council in March 2019 sufficient for the purposes of legislating for and conducting a public vote in which the people of the United Kingdom may give their consent for either leaving the European Union on terms to be determined by Parliament or retaining the United Kingdom’s membership of the European Union.”—(Dr Wollaston.)

Question put. That the amendment be made.

The House divided: Ayes 85, Noes 334.

Division No. 360

[5 pm]

AYES

Allen, Heidi
Antoniazzi, Tonia
Bardell, Hannah
Berger, Luciana (Proxy vote cast by Mr Chris Leslie)
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Brake, rh Tom
Brock, Deidre

AYES
UK’s Withdrawal from the European Union

14 MARCH 2019

UK’s Withdrawal from the European Union

Brown, Alan
Cable, rh Sir Vince
Cameron, Dr Lisa
Carmichael, rh Mr Alistair
Chapman, Douglas
Cherry, Joanna
Chwyd, rh Ann
Coffey, Ann
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creasy, Stella
Daby, Janet
Davey, Sir Edward
Davies, Geraint
Day, Martyn
Docherty-Hughes, Martin
Duffield, Rosie
Edwards, Jonathan
Farrell, Paul
Farron, Tim
Fellows, Marion
Gapes, Mike
Gibson, Patricia
Grady, Patrick
Grant, Peter
Gray, Neil
Grogan, John
Hendry, Drew
Hiller, Meg
Hobhouse, Wera
Hosie, Stewart
Jardine, Christine
Kellen, Geraint
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Law, Chris
Leslie, Mr Chris
Linden, David
Lucas, Caroline

NOES

Adams, Nigel
Afolami, Bim
Alijie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Austin, Ian
Bacon, rh Sir Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Stephen
Baron, Mr John
Barron, rh Sir Kevin
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

MacNeil, Angus Brendan
Mc Nally, John
McDonagh, Siobhan
McDonald, Sir Edward
McDonald, Stuart C.
McMorrin, Anna
Monaghan, Carol
Moran, Layla
Murray, Ian
Newlands, Gavin
O’Hara, Brendan
Owen, Albert
Russell-Moyle, Lloyd
Saville, Roberts Liz
Sheppard, Tommy
Shuker, Mr Gavin
Siddiq, Tulip (Proxy vote cast by Vicky Foxcroft)
Smith, Angela
Smith, Owen
Sobel, Alex
Souby, rh Anna
Stephens, Chris
Stevens, Jo
Stone, Jamie
Swinson, Jo
Thelwiss, Alison
Thomas, Gareth
Umnuna, Chuka
West, Catherine
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Wishart, Pete
Wollaston, Dr Sarah
Zeichner, Daniel

Tellers for the Ayes:
Joan Ryan and
Stephen Gethins

Cooper, Rosie
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanojly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle

Tellers for the Ayes:
Joan Ryan and
Stephen Gethins

Tellers for the Ayes:
Joan Ryan and
Stephen Gethins

Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Herm, Lady
Hinds, rh Damian
Hoare, Simon
Hoe, Kate
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Hopkins, Kevin
Howell, John
Huston, 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
Jennic, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Jones, Andrew
Jones, rh Mr David
Jones, Helen
Jones, rh Mr Kevan
Jones, Mr Marcus
Kawczyński, 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
Leefroy, Jeremy
Leigh, rh Sir Edward
Leitwin, rh Sir Oliver
Lewell-Buck, Mrs Emma
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Liddingon, rh Mr David
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Madders, Justin
Man, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, John
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Mcloughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalf, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O’Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Peacock, Stephanie
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, rh 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 (Proxy vote cast by Tracey Crouch)
Rowley, Lee
Rudd, rh Amber
Russell-Moyle, Lloyd
Rutley, David
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, Mr Keith
Skidmore, Chris
Smeeth, Ruth
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, Royston
Snell, Gareth
Soames, rh Sir Nicholas
Spears, rh John
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Streeter, Sir Gary
Stride, rh Mel
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, rh Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohill, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Twig, Derek
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, rh 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
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim
Maynard, Paul
Churchill, Jo
Tellers for the Noes:

Manuscript amendment proposed: (i), leave out from “Article 50 (3)” to end and add
“to enable the House of Commons to find a way forward that can command majority support;
2. orders accordingly that on Wednesday 20 March—
(a) Standing Order No. 14(1) (which provides that government business shall have precedence at every sitting save as provided in that order) shall not apply;
(b) precedence shall be given to the motion specified in paragraph 3;
(c) the Speaker shall interrupt proceedings on any business before the motion specified in paragraph 3 at 1.30 pm and call a Member to move that motion;
(d) debate on that motion may continue until 7.00 pm at which time the Speaker shall put the questions necessary to dispose of proceedings on that motion including the questions on amendments selected by the Speaker which may then be moved;
(e) any proceedings interrupted or superseded by this order may be resumed or (as the case may be) entered upon and proceeded with after the moment of interruption; and
3. the motion specified in this paragraph is a motion in the name of at least 25 Members, including at least five Members elected to the House as members of at least five different parties, relating to the Business of the House on a future day or days in connection with matters relating to the United Kingdom’s withdrawal from the European Union.”—[Hilary Benn.] Amendment proposed to manuscript amendment (i): before “to enable the House of Commons” add “for a period ending on 30 June 2019”.—[Lucy Powell.] Question put. That the amendment to the amendment be made.

The House divided: Ayes 311, Noes 314.

Division No. 361] [5.16 pm]

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allen, Heidi
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Bailey, Mr Adrian
Bardell, Hannah
Bebb, Guto
Beckett, rh Margaret
Benn, rh Hilary
Benyon, rh Richard
Berger, Luciana (Proxy vote cast by Mr Chris Leslie)
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Boles, Nick
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 Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Champion, Jenny
Charalambous, Bambos
Cherry, Joanna
Clarke, rh Mr Kenneth
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyne, Neil
Crausby, Sir David
Crawley, Angela
Creeagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
UK's Withdrawal from the European Union  
14 MARCH 2019  

**Ayes:**

\[\text{Names of Members voting Aye}\]

**NOES:**

\[\text{Names of Members voting No}\]

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**Tellers for the Ayes:**

Jeff Smith and Nick Smith

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**NOES:**

Badenoch, Mrs Kemi  
Baker, Mr Steve  
Baldwin, Harriett  
Barclay, Stephen  
Barron, Mr John  
Barron, rh Sir Kevin  
Bellingham, Sir Henry  
Beresford, Sir Paul  
Berry, Jake  
Blackman, Bob  
Blunt, Crispin
Question put, That amendment (i) be made.

The House divided: Ayes 312, Noes 314.

Division No. 362] [5.32 pm

**AYES**

Abbott, rh Ms Diane  
Abrahams, Debbie  
Ali, Rushanara  
Allen, Heidi  
Allin-Khan, Dr Rosena  
Amesbury, Mike  
Antoniacci, Tonia  
Ashworth, Jonathan  
Bailey, Mr Adrian  
Bardell, Hannah  
Bebb, Guto  
Beckett, rh Margaret  
Benn, rh Hilary  
Benyon, rh Richard  
Berger, Luciana (Proxy vote cast by Mr Chris Leslie)  
Betts, Mr Clive  
Black, Mhairi  
Blackford, rh Ian  
Blackman, Kirsty  
Blackman-Woods, Dr Roberta  
Blomfield, Paul  
Boles, Nick  
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 Sir 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  
Cowan, Ronnie  
Coyle, Neil  
Crausby, Sir David  
Crawley, Angela  
Creag, Mary  
Cresay, Stella  
Cruddas, Jon  
Cryer, John  
Cummins, Judith  
Cunningham, Alex  
Cunningham, Mr Jim  
Daby, Janet  
Dakin, Nic  
Darea, rh Sir Edward  
David, Wayne  
Davies, Geraint  
Day, Martyn  
De Cordova, Marsha  
De Piero, Gloria  
Debonnaire, Thangam  
Dent Coad, Emma  
Dhesi, Mr Tanmanjeet Singh  
Djonganly, Mr Jonathan  
Dochtery-Hughes, Martin  
Doods, Anneliese  
Doughty, Stephen  
Dowd, Peter  
Drew, Dr David  
Dromey, Jack  
Duffield, Rosie  
Eagle, Ms Angelia  
Eagle, Maria  
Edwards, Jonathan  
Elford, Clive  
Elliott, Julie  
Ellman, Dame Louise  
Elmore, Chris  
Esterson, Bill  
Evans, Chris  
Farrelly, Paul  
Farron, Tim  
Fellows, Marion  
Fitzpatrick, Jim  
Fletcher, Colleen  
Fovargue, Yvonne  
Foxcroft, Vicky  
Freeman, George  
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, Patricia  
Grant, Peter  
Gray, Neil  
Green, Kate  
Greening, rh Justine  
Greenwood, Lilian  
Greenwood, Margaret  
Grieve, rh Mr Dominic  
Griffith, Nia  
Grogan, John  
Gyimah, Mr Sam  
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  
Hill, Mike  
Hillier, Meg  
Hobhouse, Wera  
Hodge, rh Dame Margaret  
Hodgson, Mrs Sharon  
Holern, 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, Aftab  
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  
Letwin, rh Sir Oliver  
Lewell-Buck, Mrs Emma  
Lewis, Clive  
Lewis, Mr Ivan  
Linden, David  
Lloyd, Stephen  
Lloyd, Tony  
Long Bailey, Rebecca  
Lucas, Caroline  
Lucas, Ian C.  
Lynch, Holly (Proxy vote cast by Mark Tami)  
MacNeil, Angus Brendan  
Madders, Justin  
Mahmood, Mr Khalid  
Mahmood, Shabana  
Malhotra, Seema  
Marsden, Gordon  
Martin, Sandy  
Maskell, Rachael  
Matheson, Christian  
Mcknally, John  
McCabe, Steve  
McCarty, 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  
Means, 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  
Oon, Melanie  
Onwuah, Chi  
Osamor, Kate  
Owen, Albert  
Peacock, Stephanie  
Pearce, Teresa  
Pennycook, Matthew  
Perkins, Toby  
Phillips, Jess  
Phillipson, Bridget  
Pidcock, Laura  
Platt, Jo  
Pollard, Luke  
Pound, Stephen  
Powell, Lucy  
Qureshi, Yasmin  
Rashid, Faisal  
Rayner, Angela  
Reed, Mr Steve  
Rees, Christina  
Reeves, Ellie  
Reeves, Rachel  
Reynolds, Emma  
Reynolds, Jonathan  
Rimmer, Mrs Marie  
Robinson, Mr Geoffrey  
Rodda, Matt  
Rowley, Danielle  
Ruanne, Chris  
Russell-Moyle, Lloyd  
Ryan, rh Joan  
Sambach, Antoinette  
Saville Roberts, Liz  
Shah, Naz  
Sharma, Mr Virendra  
Sheerman, Mr Barry  
Sheppard, Tommy  
Sherriff, Paula  
Shuker, Mr Gavin
NOES

Adams, Nigel
Afolami, Bi
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argrar, Edward
Atkins, Victoria
Austin, Ian
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Barron, rh Sir Kevin
Bellingham, Sir Henry
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burs, Conor
Burt, rh Alastair
Caim, rh Alun
Campbell, Mr Gregory

Tellers for the Ayes:

Jeff Smith and
Nick Smith

Ellwood, rh Mr Tobias
Ephicke, Charlie
Eustice, George
Evans, Mr Nigel
Evvenett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Field, rh Mark
Flint, rh Caroline
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Franois, rh Mr Mark
Frazser, Lucy
Freer, Mike
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnler, Mark
Gauke, rh Mr David
Ghan, Ms Nusrat
Gibb, rh Nick
Gillian, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffiths, Andrew
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
Hart, Simon
Hayes, rh Sir 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
Hoey, Kate
Hollingbery, George
Hollinrake, Kevin
Hollon, Mr Philip
Holloway, Adam
Hopkins, Kelvin
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jennic, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczykni, Daniel
Keegan, Jillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Leffroy, Jeremy
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, rh Brandon
Lewish, rh Dr Julian
Liddell-Grainger, Mr Ian
Lindington, 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
McLaughlin, rh Sir Patrick
McPartland, Stephen
McVe, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalf, 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 Sheryl
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Ross, Douglas
Rosindell, Andrew
Robinson, Mary
Robinson, Gavin
Stephenson, Andrew
Rees-Mogg, Mr Jacob
Spelman, rh Dame Caroline
Redwood, rh John
Smith, Royston
Smith, rh Julian
Quince, Will
Poulter, Dr Dan
Pow, Rebecca
Perntis, 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
Rossell, Andrew
Ross, Douglas (Proxy vote cast by Tracey Crouch)
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, Mr Keith
Skidmore, Chris
Smith, Chris
Smith, Henry
Smith, rh Julian
Smith, Royston
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stewart, Bob
Stewart, Iain
Stewart, Rory
Streeter, Sir Gary
Stride, rh Mel
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, sir Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohill, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Mr Shashele
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
Williamson, Sammy
Wood, Mike
Wrag, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Noes:
Jo Churchill and
Paul Maynard

Question accordingly negatived.
Amendment proposed: (e), leave out paragraphs (2) and (3) and add:

“(2) notes that this House has decisively rejected the Withdrawal Agreement and Framework for the Future Relationship laid before the House and the proposition that the UK should leave the European Union without a Withdrawal Agreement and a Framework for the Future Relationship; and (3) therefore instructs the Prime Minister to seek an extension to Article 50 in order to avoid exiting the EU on 29 March without a ratified Withdrawal Agreement and a Framework for the Future Relationship; and to provide parliamentary time for this House to find a majority for a different approach.”

(Jeremy Corbyn.)

Question put, That the amendment be made.

The House divided: Ayes 302, Noes 318.

Division No. 363] [5.52 pm

AYES
Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Stewart, Iain
Stewart, Rory
Streeter, Sir Gary
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, Sir Desmond
Swire, Sir Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohill, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Anne-Marie
Truss, Sir Elizabeth
Tugendhat, Tom
Vara, Rh Shashele
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
Wood, Mike
Wrag, Mr William
Wright, Rh Jeremy
Zahawi, Nadhim

Antoniacci, Tonia
Ashworth, Jonathan
Bailey, Mr Adrian
Bardell, Hannah
Beckett, Rh Margaret
Benn, Rh Hilary
Berger, Luciana (Proxy vote cast by Mr Chris Leslie)
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, Rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burghart, Richard
Butler, Dawn
Byrne, Rh Liam
Cable, Rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, Rh Sir Alan
Campbell, Mr Ronnie
Carden, Dan
Carmichael, Mr Rh Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clarke, Rh Ms Kenneth
Clywd, Rh Ann
Coaker, Vernon
Coffee, Ann
Cooper, Julie
Cooper, Rosie
Cooper, Rh Yvette
Corbyn, Rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Craddas, Jon
Cryer, John
Cummings, Judith
Cunningham, Gex
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
Docherty-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliot, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrell, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flint, Rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Fumiss, 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
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
Hill, Mike
Hiller, Meg
Hobhouse, Wera
Hodge, Rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hosie, Stewart
Howarth, Rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, Rh Mr Kevan
Jones, Sarah
UK’s Withdrawal from the European Union

14 MARCH 2019

UK’s Withdrawal from the European Union

Tellers for the Ayes:
Jeff Smith and Nick Smith

Tellers for the NOES:

Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodd, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Downen, Oliver
Doyle-Price, Jackie
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evelyn, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazier, Lucy
Freeman, George
Freer, Mike
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffiths, Andrew
Hair, Kirstene
Halloween, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen

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
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly (Proxy vote cast by Mark Tami)
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Mahotra, Seema
Mann, John
Marsden, Gordon
Martin, Tony
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorin, Anna
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Moris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Tessa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip (Proxy vote cast by Vicky Foxcroft)
Soubry, rh Anna
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul
Swinson, Jo
Tami, rh Mark
Thewliss, Alisson
Thomas, Gareth
Thomas-Symonds, Nick
Thomson, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Derek
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catterall
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Adams, Nigel
Afolami, Bim
Afrije, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argr, Edward
Atkins, Victoria
Austin, Ian
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Stephen
Baron, Mr John
Barron, rh Sir Kevin
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, Suelia
Breerton, Jack
Bridge, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Connor
Burt, rh Alistair
Cains, rh Alun
Campbell, Mr Gregory
Cardridge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehan
Chope, rh Sir Christopher
Clark, Colin
Clark, rh Greg
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Trouth, Tracey
Davies, Chris
Davies, David T. C.
Wollaston, Dr Sarah
Woodcock, John
Yasmin, Mohammad
Zeichner, Daniel

NOES

Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodd, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Downen, Oliver
Doyle-Price, Jackie
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evelyn, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazier, Lucy
Freeman, George
Freer, Mike
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffiths, Andrew
Hair, Kirstene
Halloween, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen

**Division No. 364** [6.8 pm]

**AYES**

Abrambles, Debbie  
Afzal, Grahame  
Aldous, Peter  
Allin, Hywel  
Allin-Khan, Dr Rosena  
Amess, Mike  
Anderson, Andrew  
Andrews, Alun  
Avery, Dr Sam  
Bell, Mark  
Becknell, Christopher  
Beckford, rh Ian  
Beckett, rh Margaret  
Beverley, Andrew  
Benn, rh Hilary  
Bercow, rh Sir John  
Berger, Luciana  
Betts, Mr Clive  
Bhola, Mr Faruk  
Blackford, rh Ian  
Blackman, Kirsty  
Blackman-Woods, Dr Roberta  
Trevelyan, Anne-Marie  
Truss, rh Elizabeth  
Tugendhat, Tom  
Vaizey, rh Mr Edward  
Vara, Mr Shai  
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  
Wood, Mike  
Wragg, Mr William  
Wright, rh Jeremy  
Zahawi, Nadhim  

**Tellers for the Noes:**  
Jo Churchill and  
Paul Maynard

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*Question accordingly negatived.*

**Mr Speaker:** We now come to amendment (j) in the name of the hon. Member for Rhondda (Chris Bryant).

**Chris Bryant:** I do not think there is any need to move this amendment and push it to a vote, is there?

**Mr Speaker:** Amendment (j)—J for Jemima—is not moved.

**Main question put.**
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Cartidge, James
Chalk, Alex
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambo
Cherry, Joanna
Clark, rh Greg
Clarke, rh Mr Kenneth
Clwyd, rh Ann
Coaker, Vernon
Coffee, Ann
Coffee, Dr Thérèse
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Costa, Alberto
Cowen, Ronnie
Cox, rh Mr Geoffrey
Coyle, Neil
Crabb, rh Stephen
Crausby, Stephen
Crapandi, Anneliese
Dabin, Ian
Dabin, Crystal
Dabin, James
Dabin, John
Dabin, Nick
Dabin, Paul
Dabin, Sarah
Dabin, Tony
Dabin, Tim
Hollinrake, Kevin
Hosie, Stewart
Howarth, rh Mr George
Howell, John
Hunt, rh Mr Jeremy
Huq, Dr Rupa
Hurd, rh Mr Nick
Hussain, Imran
James, Margot
Jardine, Christine
Jarvis, Dan
Javid, rh Sajid
Johnson, Diana
Johnson, Joseph
Jones, Andrew
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keegan, Gillian
Keelley, Barbara
Kendall, Liz
Kennedy, Seema
Kerr, Stephen
Khan, Atzal
Killick, Gedd
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lancaster, rh Mark
Lavery, Ian
Law, Chris
Lee, Karen
Lefroy, Jeremy
Leslie, Mr Chris
Letwin, rh Sir Oliver
Lewell-Buck, Mrs Emma
Lewis, rh Brandon
Lewis, Clive
Lewis, Mr Ivan
Liddington, rh Mr David
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly (Proxy vote cast by Mark Tami)
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Masterton, Paul
Matheson, Christian
May, rh Mrs Theresa
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhan
McDonald, Andy
McDonald, Steward Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGlenn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McLoughlin, rh Sir Patrick
McMahon, Jim
McMorris, Anna
Meirns, Ian
Miliband, rh Edward
Miller, rh Mrs Maria
Milton, rh Anne
Mitchell, rh Mr Andrew
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, rh Nicky
Morgan, Stephen
Morris, Graham
Mundell, rh David
Murray, Ian
Nandy, Lisa
Neal, Robert
Newlands, Gavin
Newton, Sarah
Nokes, rh Caroline
Norris, Alex
O'Hara, Brendan
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Parish, Neil
Pawsey, Mark
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Penrose, John
Perkins, Toby
Perry, rh Claire
Phillips, Jess
Phillipson, Bridget
Podcock, Laura
Platt, Jo
Pollard, Luke
Poulter, Dr Dan
Pound, Stephen
Pow, Rebecca
Powell, Lucy
Prentis, Victoria
Quin, Jeremy
Qureshi, Yasin
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
UK’s Withdrawal from the European Union

14 MARCH 2019

UK’s Withdrawal from the European Union

Rudd, rh Amber
Russell-Moyle, Lloyd
Rutley, David
Ryan, rh Joan
Sandbach, Antoinette
Saville Roberts, Liz
Seely, Mr Bob
Shah, Naz
Sharma, Alex
Sharma, Mr Virendra
Sheerman, rh Mr Barry
Sheppero, Alec
Sheriff, Paula
Siddiq, Tulip (Proxy vote cast by Vicky Foxcroft)
Simpson, rh Mr Keith
Skinner, Mr Dennis
Slaughter, Andy
Smith, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Nick
Smyth, Karin
Snell, Gareth
Soames, rh Sir Nicholas
Sobel, Alex
Soubry, rh Anna
Spellar, rh John
Spelmen, rh Dame Caroline
Stammer, rh Keir
Stephens, Chris
Stephens, Joe
Stevenson, John
Stewart, Rory
Stone, Jamie
Streeter, Sir Gary
Streeting, Wes
Stride, rh Mel
Sweeney, Mr Paul
Swinson, Jo
Swire, rh Sir Hugo
Tami, rh Mark
Thewlis, Alison
Thomas, Graham
Thomas-Symonds, Nick
Thomorry, rh Emily
Tomlinson, Justin
Tredinnick, David
Trickett, Jon
Turley, Anna
Turner, Karl
Twygg, Derek
Twygg, Stephen
Twist, Liza
Urmunna, Chuka
Vaizey, rh Mr Edward
Vaz, rh Keith
Vaz, Valerie
Walker, Mr Robin
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Wright, rh Jeremy
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Mike Freer and
Mr Alister Jack

Adams, Nigel
Afridiye, Adam
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Bacon, rh Mr Richard
Badenoch, Mrs Kemi
Baker, rh Mr Steve
Baldwin, Harriett
Barclay, rh Stephen
Baron, Mr John
Bellingham, Sir Henry
Berry, Jake
Blackman, Bob
Blunt, Crispin
Bradley, Ben
Brady, Sir Graham
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Bruce, Fiona
Burghart, Alex
Burns, Connor
Cairns, rh Alun
Campbell, Mr Gregory
Ellis, Michael
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Foster, Kevin
Fox, rh Dr Liam
Francois, Mr Mark
Fyah, Mr Marcus
Ghani, Ms Nusrat
Girvan, Paul
Glen, John
Goldsmith, Zac
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Griffiths, Andrew
Hair, Kirstene
Halfon, rh Robert
Hall, Luke
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heappey, James
Heaton-Harris, Chris
Hepburn, Mr Stephen
Hoey, Kate
Hollowbone, Mr Philip
Holloway, Adam
Hudsonston, Nigel
Hughes, Eddie
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Jones, rh Mr David
Jones, Mr Marcus
Kaczynski, Daniel
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Latham, Mrs Pauline
Leadsom, rh Andrea
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
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
Maynard, Paul
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Milling, Amanda
Mills, Nigel
Moore, Damien
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morton, Wendy
Murray, Mrs Sheryll
Morrison, Dr Andrew
Norman, Jesse
O’Brien, Neil
Oford, Dr Matthew
Paisley, Ian
Patel, rh Priti
Paterson, rh Mr Owen
Penning, rh Sir Mike
Percy, Andrew
Philp, Chris
Pincher, rh Christopher
Pritchard, Mark
Pursglove, Tom
Quince, Will
Raab, rh Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, rh Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas (Proxy vote cast by Tracey Crouch)
Rowley, Lee
Scully, Paul
Shannon, Jim
Shapps, rh Grant
Simpson, David
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Royston
Spencer, Mark
Stephenson, Andrew
Stewart, Bob
Stewart, Iain
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Symes, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Michael
Tracey, Craig
Trevelyan, Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Wallington, Giles
Whately, Helen
Wheeler, Mrs Heather

Cash, Sir William
Caulfield, Maria
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Collins, Damian
Courts, Robert
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Dinenage, Caroline
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Douglas, rh Mr Nadine
Double, Steve
Doyles-Price, Jackie
Duddridge, James
Duncan Smith, rh Mr Iain

NOES

Adams, Nigel
Afridiye, Adam
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Bacon, rh Mr Richard
Badenoch, Mrs Kemi
Baker, rh Mr Steve
Baldwin, Harriett
Barclay, rh Stephen
Baron, Mr John
Bellingham, Sir Henry
Berry, Jake
Blackman, Bob
Blunt, Crispin
Bradley, Ben
Brady, Sir Graham
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Bruce, Fiona
Burghart, Alex
Burns, Connor
Cairns, rh Alun
Campbell, Mr Gregory

649 650
Mr Speaker: Amendments will be considered at the point at which the Bill returns. That is the factual situation, and there is nothing that I can add at this stage.

Hilary Benn: On a point of order, Mr Speaker. In the light of the important announcement made by the Secretary of State for Exiting the European Union in his closing speech that the Government intend to bring the neutral motion required under section 13 of the European Union (Withdrawal) Act to the House by Monday 25 March, I wonder if, given the nature of the business that has already been announced for next week, the Leader of the House, who is present, may wish to indicate to the House whether the Government might be inclined to table that motion before Monday 25 March? We really need to get on with the process of trying to agree a way forward.

Mr Speaker: I thank the right hon. Gentleman for his point of order, which, of course, is not a matter for the Chair. The Leader of the House can respond if she wishes.

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

Mr Speaker: Oh, very well, Dr Lewis. Spit it out quickly, man.

Dr Lewis: On a point of order, Mr Speaker. As one whom you described as a relatively new Member, I was rather puzzled when the Leader of the Opposition said something about a people’s vote. Is there any way in which to register, within the rules of order, that as more than half the House of Commons voted against a second referendum tonight, the fact that so many Members abstained has nothing to do with it, and the matter is completely dead?

Mr Speaker: Well, the right hon. Gentleman has registered his view with his usual force, and we are grateful to him. I do not think that he is interested in a response from me, and he will be pleased to know that he is not getting such.

Laura Smith (Crewe and Nantwich) (Lab): On a point of order, Mr Speaker. Thank you for allowing me to make it. It concerns a matter unrelated to today’s proceedings, but I believe that it is of the utmost importance.
Yesterday the right hon. Member for Uxbridge and South Ruislip (Boris Johnson) made disgusting comments on LBC radio, saying that investigations of historical sexual abuse were a waste of money. His exact words, Mr Speaker, were

“spaffed money up the wall”,
“spaffed” being a well-known colloquialism for ejaculation.

I represent a constituency where many survivors of sexual abuse at the hands of the predatory paedophile Barry Bennell live. I represent a constituency where men such as Gary Cliffe and Steve Walters, and many others, spoke about the abuse that they suffered, which resulted in the imprisonment of Barry Bennell. They did so after decades of struggle in dealing with the shattering consequences of being abused. I represent a constituency—

Mr Speaker: Order. I have got the thrust of it, but I cannot allow a great speech to be made. I am sorry. If there is a request, the hon. Lady should please make it. She has made her point with considerable force and eloquence, but I know that she is approaching her last sentence.

Laura Smith: I understand that the Member did not make the comments in the House, but that should not place him beyond reproach. What advice can you give me, Mr Speaker, that I can pass on to those affected in Crewe and Nantwich on how best to proceed to hold this Member to account for his actions, which in my opinion fall far below the standards expected of parliamentarians?

Mr Speaker: I thank the hon. Lady for her point of order. My answer to her is twofold. First, she can, and I suspect will, engage with the Member concerned, perhaps by correspondence, to register very forcefully her views. Secondly, if she wishes to approach that Member directly—in a very seemly but robust way—she can do that. She can also send her constituents a copy of today’s Official Report, in which her very forceful and clear point of order and my response to it will be recorded. By the way, in interrupting her, I intended absolutely no discourtesy to her. I just wanted to expedite proceedings. She has made her point with great force, and it will be communicated to her constituents and to those at whom it was directed.

Luke Graham (Ochil and South Perthshire) (Con): On a point of order, Mr Speaker—

Mr Speaker: Oh, very well. Go on. Blurt it out, man!

Luke Graham: Thank you very much, Mr Speaker. I ask for your guidance on a security matter. Last night, two individuals approached my constituency office and banged on the windows and shouted at the one member of staff who was in there. She was on her own, and she approached the individuals. She was told:

“In an independent Scotland, all of you will be hanging and we will be there at the front cheering on.”

They also said:

“I can’t wait to come and drag you from this office and get you to the noose.”

My member of staff was on her own. If she were here now, she would say that she was a tough St Ninians woman who was happy to take them on, but she should not have to do that. May I ask for your guidance on what we can do in this House to ensure that everyone is as respectful as possible, both in this place and on social media, and what can be done to help the security of our staff in constituencies?

Mr Speaker: I say to the hon. Gentleman that that behaviour was despicable and should be condemned unreservedly, as it will be by all right-thinking people in this House and beyond. I am sorry for the ghastly experience that his staffer has undergone. It should not happen to anyone. In terms of what we do, these are difficult watchwords, and none of us observes them unfailingly, myself included, but my watchwords in terms of how we all conduct ourselves would be these: political difference, personal amiability. It ought to be possible and the norm—as exemplified by, for example, the Father of the House—to express a robust view and to play the ball rather than the man or woman. People who think that because they disapprove of somebody’s views they have a right to subject them to bile, calumny, vituperation and threat, not to mention actual violence, need to be shown that that is not acceptable and that where they are breaking the law, its full force will be applied to them. I thank the hon. Gentleman for raising that point of order, and the hon. Member for Crewe and Nantwich (Laura Smith) for raising hers.
Clyde House and A2Dominion

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

6.34 pm

Justine Greening (Putney) (Con): I want to raise an issue that has been raised by residents who live in Clyde House in my constituency. It is a block.—(Interruption.)

Madam Deputy Speaker (Dame Eleanor Laing): Order.

It is not fair that the right hon. Lady cannot be heard at all. Let us just have a moment while everyone leaves the Chamber a little more quietly. That is better. Thank you.

Justine Greening: Thank you, Madam Deputy Speaker. Clyde House is a block of flats where residents have experienced problems pretty much from the word go after it opened several years ago. The issues came to a head several weeks ago when a huge water leak from the heating system rapidly spread through the electrics, causing huge concern for residents, who were worried about the inevitable health and safety issues. As the local MP, I did my best to see what I could do to get A2Dominion, the agent that manages the property, to respond more promptly to residents’ concerns, but residents have experienced major issues in trying to get urgent repairs done. I have encountered similar problems and was initially unable to find someone at A2Dominion who was prepared to take some responsibility to ensure that the necessary repairs were done.

I have held three meetings for residents of Clyde House and have had the chance to inspect some of the flats. I saw potential electrical faults, water damage close to electrical fittings, and severe condensation due to poor ventilation, which residents told me had been a problem right from the start. Those are just a few of several issues with the block. Another problem is that the lifts that serve the flats were extremely unreliable to the extent that, on several occasions, elderly and disabled people have been literally unable to get into their homes because the lifts were not working. They could not even be carried or get upstairs in any other way, which is totally unacceptable. Other families have been worried about health and safety issues, and some with children who suffer asthma have suspicions that it had been brought on by the damp and mould.

After those three meetings, we did get a plan of work from A2Dominion, and it was vital that the organisation finally responded to the issues that Clyde House residents were experiencing. Since then, although some deadlines were initially missed, which only led to concerns being raised even further in the first week that we were trying to get some action, I can tell the House that more progress has been made. To be even about A2Dominion’s record, it has now done much more to address the urgent and broader issues affecting Clyde House.

Justine Greening: Indeed, and I will come on to what I think could be some of the solutions. The hon. Lady highlights one of the other issues that came out of the experience of Clyde House residents, which is that nobody is willing to take responsibility. On the one hand, A2Dominion said initially that the responsibility for rectifying some of the major urgent issues was down to the developer, which was responsible because it had built the building. On the other hand, the developer was clear with me that it had handed over that responsibility and that the issues within the footprint of the building itself had been passed on to A2Dominion, which is responsible for maintenance. While that discussion was happening between those two organisations, my constituents were left with no action, from which there are lessons to be learned.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): I thank the right hon. Lady for securing this debate. She is making a clear case about the lack of responsiveness and responsibility from the housing association, A2Dominion. It is incredible how common these issues and stories seem to be.

Over the past two months I have had an issue with a broken lift at Camellia House in Feltham, where the issue has been between A2Dominion and FirstPort, with neither seeming to take responsibility for resolving the issue as quickly as it could be. There has been poor communication with the developers throughout the process. They also said that a fob was available for an alternative lift, which was not available to all the residents.

Where people have been affected, whether they are families with young children or people with disabilities, it has become even more of a stress and a strain at the beginning and end of every day. Does the right hon. Lady agree that we need to do much more to ensure there is transparency of service charges and accountability so that housing associations work in the interest of residents, and not in their own interest?

Justine Greening: The hon. Lady is absolutely right. The work now under way at Clyde House will steadily make a difference to residents. Communal areas on all the floors will be redecorated, and fresh flooring will be put down. Work is beginning on upgraded CCTV, and the entrance doors will be much friendlier for disabled people who will now not have to reach the doors to open them—the doors will open automatically with a fob. A whole series of improvements will be made, which is welcome, but it should not have reached a crisis point for my local community and residents before action was taken. They should not have had to call me, as their local MP, to step in and force the issue to get action.

I will briefly address some of the possible solutions, because it strikes me that people see housing and homes as the ultimate public utility, yet whatever expectations
we have of any other utility, whether mobile phones, water or energy, we have a completely different approach to the one on which we are most reliant, the home we live in. Who built it and to what standard?

I know the Government are looking at how we can have a more streamlined approach, but I will finish by setting out where positive differences could have been made in the case of Clyde House. First, when buildings are completed, obviously an independent inspection is needed to sign them off. My suggestion is that there should be a further follow-up inspection in, say, one to two years to consider whether issues have emerged since the building was finished and occupied that simply were not there to be identified at the beginning.

In cases like ours, the issues were clear from the first three months of residents moving in, but there was no independent person to pick them up. This suggestion would allow the industry to take quick action before problems become worse and more costly to rectify. It should also happen on an independent basis so that residents have the reassurance that somebody entirely separate from both the developer and the managing agent is able to come in and look at whether the building is performing and being maintained as expected.

I thoroughly agree on the need for more transparency on service charges and the whole range of costs that residents often experience in such homes. I do not know why we cannot have an approach like our approach to energy ratings, which is more consistent and transparent across buildings, wherever they are in the country, so that residents can get a sense of whether the various charges they are being asked to pay to live in their flat are at the high end or the low end for an average flat of the same nature. People are used to seeing that for other utilities and should be able to see it for the flat they live in.

We need a more pan-regulatory system that allows us to identify issues that are not just specific to a particular residence but symptomatic of an organisation with failings. Based on what other MPs have said to me about A2Dominion—I must repeat that it has now responded to the issues at Clyde House and is working hard to resolve them—my sense is that my constituents are not the only ones who have had issues. Organisations such as A2Dominion need to consider whether particular issues are in fact symptomatic of wider organisational problems around promptness, the efficacy of what they do and whether they follow up to make sure residents are content with the work done.

From what I can gather, the ventilation at Clyde House might not have been the best approach for that building, given its circumstances. Where such issues are systemic—for example, if the developer at Clyde House is repeating them in block after block—we need an approach and a regulatory system that can pick that up so that developers can learn from building mistakes and suboptimal approaches and get them rectified and so that the industry as a whole can rectify problems. It would be an anachronism for the Government to identify a property to find out whether it was built by someone who tends to get these buildings right or someone who tends to get them wrong.

We urgently need a broader review of this area. It is unacceptable that people are living in the sorts of conditions I saw in Clyde House. It does not matter on what basis they are living in those conditions. People should know they have redress to get urgent action taken, and taken effectively, so that they do not have to live like that for long.

Seema Malhotra: The right hon. Member is making an important point about the need for a wider review and rightly draws a distinction with developments where there have been positive experiences. On the management of properties, particularly where there is shared ownership, is it not also important that there is fairness in the system—that people feel they are being treated fairly—and that the system works for those doing their best to have a home they can feel secure in, not exploited in?

Justine Greening: Indeed. It is really important that residents have access to redress, independent oversight of the quality of the work and somewhere to go when there are issues, and it is important that the system be streamlined so that it is simpler for residents. They should not need to have access to expensive lawyers to get proper advice about how to get their problems sorted out.

This is important. I was shocked at the kinds of environments that Clyde House residents were having to live in. I am pleased that A2Dominion is now responding to them, but the situation has raised some systemic issues and it would be good to hear from the Minister about what action the Government can take to ensure they are addressed.

6.48 pm

The Minister for Housing (Kit Malthouse): I congratulate my right hon. Friend the Member for Putney (Justine Greening) on securing this important debate. I understand her concerns and those of her constituents about the terrible situation at Clyde House, the state of their homes and how this has been addressed by the landlord, A2Dominion. I also congratulate her on the obviously pivotal role she played in resolving the situation. It is obvious from events that her intervention has brought A2Dominion up short and made them acknowledge its mistakes and errors. Indeed, I read in The Guardian that the director of property services had issued an apology saying:

“We recognise that things are not right and we’re going to put them right. We haven’t performed well, and you have my personal apology.”

She no doubt has the gratitude of her constituents and my congratulations as the Minister and those of the many Members who deal with these sorts of issues on a daily basis, as I do in my constituency.

Let me first make it clear that everyone has the right to be safe and to feel safe in their home, and they should expect their complaints to be dealt with promptly and effectively. The Government have taken steps to ensure that happens. Last year we published our social housing Green Paper, which sought views on how to improve redress for social housing residents in particular, and on a number of other issues that my right hon. Friend has raised this evening.

We engaged extensively with residents to inform and shape the Green Paper. We heard that residents want redress quickly when things go wrong, and for processes to be clearer and simpler. The Green Paper asked a range of questions on how we could deliver that, including a question on the future of the democratic filter, which
is the process whereby a complaint is referred to the ombudsman via a designated person, or the complainant must wait eight weeks, which can further delay the complaints process.

The Green Paper also set out proposals to hold landlords to account more. To that end, we are reviewing the regulatory system for social housing so that the regulator can take action when a landlord consistently fails its residents. We want to rebalance the relationship between landlords and residents, and we will underpin that with a robust regulatory framework. We will publish our response to the Green Paper and the outcome of the review of regulation in due course.

I held roadshows across the country with hundreds of residents, particularly in social and affordable housing. I made a pledge that at some point before the summer we will publish that action plan. It will have a clear sense of direction and a clear timetable, because I was asked repeatedly by residents whether it was worth attending the roadshows, and whether they will actually see some change. I have made that pledge. How long I will be in this job, I am not sure—Housing Ministers do see some change. I have made that pledge. How long I will try.

I also want to mention the other actions that the Government are taking to help all tenants. The Homes (Fitness for Human Habitation) Act 2018 will strengthen all tenants’ rights and protect them from poor practice. The Act, which comes into force on 20 March, will empower all tenants, both private tenants and those in social housing, to take their landlord to court if their property is unfit for human habitation. Under the Act, landlords must ensure that their properties are fit from the start and throughout the tenancy. If they do not do so, the tenant has the right to take legal action. We have published guidance for tenants to help them understand their rights and responsibilities under the Act, and guidance for landlords and local authorities on how the Act might affect them.

Seema Malhotra: Can the Minister clarify whether, under the new arrangements, which I think we are all pleased to see coming into force, if a resident takes a landlord to court and wins, there are any circumstances in which they might be required to pay the landlord’s legal fees?

Kit Malthouse: That is a very good question, to which I do not actually have the answer, but I will make inquiries and write to the hon. Lady. In most cases, as I am sure she knows, it is at the judge’s discretion where costs fall, and often it is decided on the merits of the case.

The 2018 Act does not place any additional responsibilities on social landlords, as they are already required to maintain their homes to a decent standard; it will act only as a backstop. We expect any problems with properties to be resolved far before they reach that stage.

The first step for residents with a complaint is to report problems to their landlord. The regulator expects all social landlords to have in place a complaints process that deals with issues promptly, politely and fairly. The onus is on individual landlords, working with residents, to set their approach and timescales for handling their residents’ complaints. I want to stress that if any hon. Member, acting on a constituent’s behalf, is unhappy with the response provided by a registered provider once their internal complaints process has been exhausted, that hon. Member may take the matter further.

Social housing residents can also approach the Housing Ombudsman Service at any time to seek advice. However, in order to refer a complaint formally to the ombudsman, a resident’s complaint must pass through the democratic filter. That involves referring a complaint to a designated person—a local councillor, a Member of Parliament or a tenant panel—for them to deal with the complaint or to refer it to the ombudsman, or waiting eight weeks after their landlord’s complaints process has been exhausted. If the ombudsman determines that a complaint falls within its jurisdiction, it will investigate the complaint to determine whether there has been maladministration by the landlord. It will then issue a determination letter, which may include orders and recommendations to resolve the dispute. The landlord is expected to follow any orders within a specific timeframe.

Ruth Cadbury: A2Dominion is one of a number of large housing associations that, by definition, are charities, and yes, it is a registered social landlord. Almost all of its residents, certainly in my constituency, are either social rent tenants or leaseholders under the shared ownership scheme, many of whom are on fixed incomes. I see again and again seriously poor management practices and lack of repairs, such as those the right hon. Member for Putney (Justine Greening) has described. These residents do not have the time or energy to go through the process that the Minister has just set out. What they want is a decent-quality housing service that is at least as good as the local authority, and it should be as good as anyone would expect.

Kit Malthouse: I completely agree. I have a large number of housing association properties in my constituency, too, and my postbag as a constituency MP is filled with similar complaints. When I first became a Member of Parliament, I was astonished and dismayed to find I was effectively the postbox for local housing association’s complaints service. Were I the chief executive of such an organisation, I would be mortified if local Members of Parliament were receiving the level of correspondence that some of us do, and I would be taking action.

We have recently seen some large housing associations acknowledge their failures: A2Dominion has acknowledged its particular failure in Clyde House, and L&Q, one of the G15, has come out very publicly and acknowledged its failure. Action has been taken—for example, in the past couple of years on Circle Property, which also failed on service—but there is more we can do, particularly on regulation, about which the Green Paper will say more. We can swing the pendulum of regulation toward a sense of customer service and away from purely financial regulation. As I say, there is more to come.

Sometimes things go wrong, and where that happens it is of the utmost importance that any safety concerns are resolved as soon as practicable. All registered providers of social housing must comply with the safety standards set by the Regulator of Social Housing. That includes ensuring that all their properties meet and are maintained at the decent homes standard, which means
that homes should be free of any category 1 hazards, in a reasonable state of repair, have reasonably modern facilities, and provide a reasonable degree of thermal comfort. The regulator’s standards also require landlords to provide a repairs and maintenance service that responds to the need of tenants and offers them choices. The objective is to get repairs and improvements right the first time.

**Justine Greening:** It would be helpful if my hon. Friend covered the question of compensation. Often there are very serious problems with people’s properties, and they may even need to be moved out. Those are extremely disruptive times for families with young children, and they end up living in hotels. Will the new framework provide more redress to compensate people who are affected by bad performance, as my constituents have been?

**Kit Malthouse:** My right hon. Friend poses a good question. I do not want to front-run the publication of the plan document, but she can be assured that one of the critical issues for the Government is to make sure that tenants are dealt with professionally and quickly, and that their problems are sorted out the first time. We are considering devising a performance framework for housing associations and other registered social landlords, making performance transparent to tenants, which might be useful to them when comparing landlords.

Where landlords do not provide a proper repairs and maintenance service, tenants should complain and have the right to expect that something is done. If my right hon. Friend’s constituents consider that their property has serious hazards that present a risk to health and safety, they can report that to their local council, which can inspect and assess the property using the housing health and safety rating system. If the local council becomes aware of a serious category 1 hazard, it has a duty to take appropriate action to address it. Hazards can include, among other things, damp, excess cold or heat, poor sanitation and fire risks. Councils have a range of powers to ensure that landlords take appropriate action to rectify the problem; in extreme cases, the council can take emergency remedial action itself and charge the landlord to do the work.

**Justine Greening:** My hon. Friend has reminded me that it was remiss of me not to give thanks to Wandsworth Council for the work it did when issues of safety in Clyde House were raised. I put on record my thanks to the inspectors who went and made sure that health and safety measures were in place.

**Kit Malthouse:** I am grateful for my right hon. Friend’s intervention. I am pleased to hear that the system is working and that Wandsworth Council has played its part in resolving what was obviously a difficult and trying time for the residents of Clyde House. I hope the work we are doing on the social housing Green Paper and on shifting regulation generally more towards consumer standards and away from financial regulation will mean that the time in question will become a piece of history that we can all forget.

I thank my right hon. Friend again for securing this valuable debate. I have tried to set out the arrangements that are already in place to protect tenants, and I hope I have also made clear my commitment to improving things further. Nevertheless, there are valuable lessons to be learned from the issues at Clyde House, and I will be asking A2Dominion to come into the Department to explain what happened, what went wrong and where things might be improved. I would be more than happy to sit down with my right hon. Friend to discuss her ideas so that we can feed them into our work on the social housing Green Paper. As I have said, I am committed to ensuring that everyone can seek timely and effective solutions when they have a housing problem and can live in a home of which they can be proud.

*Question put and agreed to.*

7 pm

*House adjourned.*
Mr Speaker: In respectful memory of the 49 people who horrendously lost their lives in the terrorist attack in Christchurch, New Zealand, and of the apparently dozens who were injured in the attack on the two mosques, as well as in solidarity with the people of New Zealand and Muslims around the world, I humbly suggest to the House—I know that both sides of the House are on the same page as me in this regard—that we hold one minute’s silence at 11 am. I think that some colleagues will want to say something about this matter now, before we get on to today’s business, sitting in private or any of that. I therefore call Minister Ben Wallace.

The Minister for Security and Economic Crime (Mr Ben Wallace): Let me say to the House on behalf of the Government that we send our sincere condolences to the victims and people of New Zealand for their loss, and that they have our offer of any assistance required to deal with this repugnant attack. The UK stands shoulder to shoulder with New Zealand against terrorism, and we will not falter in our commitment to uphold the values of tolerance, religious freedom and democracy that we both hold so dear.

Later today, the Home Secretary and I will be speaking to police counter-terrorism leaders and the security services to discuss what further measures we can take to protect our mosques and communities from any threat here in the United Kingdom. No one should be in any doubt that our police and security services treat all threats the same and all terrorists the same. No matter what community, religion or background they come from, a terrorist is a terrorist, and we shall deal with them exactly the same.

Mr Speaker: I thank the Minister for the clarity and passion with which he has addressed the House. Colleagues will not be surprised to know that I intend to write to my opposite number in New Zealand and that I will be able to do so conveying the sympathies of the House and the collective outrage of the House at this bestial slaughter.

Wes Streeting (Ilford North) (Lab): As the co-chair of the all-party parliamentary group on British Muslims, I thank you, Mr Speaker, for what you have just said. I also thank, most deeply and sincerely, the Security Minister for what he said about reassuring our own Muslim community in this country. Any of us who understand the Muslim community will understand why what has happened in Christchurch will be felt deeply by Muslims in this country and right across the world, but we do not have to be Muslim to understand their loss, and their sense of grief and fear; we just have to be fully paid-up members of the human race.

Mr Speaker, I warmly endorse what you and the Security Minister have said. Through you, may I express our solidarity with the Prime Minister of New Zealand, all the people of New Zealand and Muslims right across the world? In the wake of Islamophobia and anti-Muslim prejudice not just in this country but right across the world, let us say plainly and simply that we are not blind to what is going on: we have been here before on many different fronts and in the face of many different types of prejudice.

Let me also say, I think on behalf of the whole House, to the people of New Zealand: you are not alone in confronting hatred and prejudice. We understand what happens when people are bystanders to hatred and prejudice, so we walk alongside you and with you. Being a good ally is not just knowing when to stand with or beside you; sometimes it is knowing when to stand in front of you, when there is a battle to be fought.

It is time for all of us in this House, across the country and around the world to think about the hatred and prejudice facing not only Muslims but lots of minorities, and to understand what it genuinely means to be an ally and never to be a bystander. As we have seen painfully in Christchurch, this is where hatred and prejudice lead, but this is not necessarily how it needs to end.

Sir Christopher Chope (Christchurch) (Con): May I, on my behalf and that of my constituents, express our sympathy and solidarity with the citizens of our twinned city of Christchurch in New Zealand? This grotesque manifestation of religious hatred is beyond comprehension, but as the Minister intimated, it requires us all to redouble our efforts to promote the virtues of tolerance and religious freedom as the best weapons against the outrage of terror.

Mr Speaker: I am very grateful to the hon. Gentleman.

Thangam Debbonaire (Bristol West) (Lab): I stand in solidarity with all those who have spoken, and I thank you, Mr Speaker, for your words. I have the great honour and privilege of representing a constituency where there is a large faith community of many faiths. I want to say to the Muslims in my constituency, as Jacinda Ardern said this morning to Muslims in New Zealand: we are you, and you are us, and this hatred is not us; it is not for us. I know the pain that my Muslim constituents will feel. The thought that people could walk into a place of prayer and face this is unbearable. It will give my constituents comfort that you have extended your thoughts to them, Mr Speaker, and that...
the Security Minister is attending to this. I wish to add my thanks to him and ask him to do everything he can to ensure that those in mosques across this country feel safe not just today but forever, and that they are welcome, because they are us and we are them.

Mike Kane (Wythenshawe and Sale East) (Lab): On behalf of the Labour party and Opposition Members, I wholeheartedly concur with the Minister and all Members who have expressed their deepest sympathies to those in New Zealand. As you said, Mr Speaker, we should all stand shoulder to shoulder with the Government of New Zealand, the people of New Zealand and Muslims there, here and across the world. The Jewish theologian Martin Buber said that solidarity cannot be found in a mosque, synagogue or temple, but is found in the space between people. It is the duty of all of us, in every legislature across the planet, to reduce the space between people so that the great Abrahamic religions can operate in peace together across the world.

Mr Speaker: Thank you.

Tim Loughton (East Worthing and Shoreham) (Con): I beg to move, That this House agrees with Lords amendment 1.

Mr Speaker: Said with alacrity and buoyancy. With this it will be convenient to take Lords amendments 2 to 6.

Tim Loughton: First, I echo the comments made by you, Mr Speaker, and all other Members on the senseless and brutal murder in New Zealand. New Zealand might be one of the furthest countries from the United Kingdom, but at times like this we stand shoulder to shoulder with our close cousins in all communities in New Zealand and express our sincere condolences and sympathy after this terrible tragedy.

Said with alacrity indeed, Mr Speaker, because today is quite an exciting day. In fact, it is so exciting that I got halfway to my office in the Commons this morning before I realised that I had non-matching jacket and trousers on and had to return. I have quite a nice tie on, and I am taking it personally that I was not singled out for such an accolade, too.

Mr Speaker: It is an admirable tie.

Tim Loughton: Thank you so much, Mr Speaker. Having made the journey back home, I eventually got to my office to realise that I had left my mobile phone in my jacket that I had taken off, so things can only get better today.

We have before us technical amendments. The Bill has had a long journey. It had its First Reading on 19 July 2017—those heady days when we had a relatively stable Government and could get legislation through the House. Today is a culmination of that, with ping-pong, which I hope will be solely ping and leave no pong.

Members will remember that when my Bill left the Commons last year, it contained my last-minute amendment obliging the Government to bring in the legislation on civil partnerships within six months of the Bill achieving Royal Assent. Curiously, although the Government at that time were not supportive of it, when it came to the possibility of a vote, a rather curious new parliamentary term was coined by the Immigration Minister, who said that the Government were not “actively” opposing my amendment. Hopefully that has now transmogrified into the Government supporting it.

While the wording of clause 2 has changed since the Bill left this House, I want to assure Members that the intention of the clause—to create equality between same and opposite-sex couples in their ability to form a civil relationship—remains. I amended my Bill on Report, before it left this House, to give the Government the ability to extend civil partnerships to opposite-sex couples, rather than just review the possibility of an extension. The Government, although slightly belatedly, came to
support the principle of opposite-sex civil partnerships, perhaps spurred on by the Supreme Court judgment in a case last June. I accept that there were technical deficiencies in the drafting of my original amendment.

Since then, I have worked with the Government and the noble Baroness Hodgson of Abinger, to whom I pay great tribute. She guided the Bill through the Lords as a private Member’s Bill virgin, as she described herself, but did so skilfully and with great deftness, steering it on an even course so that it is back here with us today. Baroness Hodgson was able to correct those deficiencies and improve the drafting of the Bill. She then tabled and successfully moved the revised clause 2 and related changes in Committee in the other place, despite some rather indulgent attempts by certain peers in the other place to add their own agendas to the Bill, which were, alas, defective and would have had the result of scuppering the whole Bill. I pay tribute to the way that Baroness Hodgson steered those through potentially choppy waters to avoid the Bill being holed below the water line.

Lords amendments 1 and 2 replace my earlier version of clause 2. The new clause now requires the Secretary of State to amend by regulations the eligibility criteria of the Civil Partnership Act 2004 so that two people who are not of the same sex may form a civil partnership. The Bill requires that these changes be made so as to come into force no later than 31 December. That will mean, as we have agreed with Ministers in the other place, that the legislation needs to be in place by 2 December, because notification of a clear 28 days is required before a ceremony can actually take place. There was an undertaking that civil partnerships would be available before the end of 2019, and I look forward to a series of invitations to civil partnership ceremonies on new year’s eve.

Sir Christopher Chope (Christchurch) (Con): Many congratulations to my hon. Friend on steering this Bill through so successfully and on getting his timing absolutely right so that it could incorporate the decision of the Supreme Court. May I ask him whether he is concerned about the fact that subsection (1) of the new clause says: “The Secretary of State may, by regulations” thereby indicating a certain discretion, but subsection (2) says that if he exercises that discretion under subsection (1) then he “must” do so before 31 December? Is my hon. Friend suspicious that the contrast between “may” and “must” in subsections (1) and (2) could be used by the Government to undermine what he has just asserted?

Tim Loughton: I know my hon. Friend is always vigilant, rather than suspicious. Having sat through many Committees over many years in this House arguing the toss over whether the word “may” should be replaced by the word “must”, I have to say that I am not concerned about the wording of the Bill. I have had many conversations with the Ministers responsible, and the Government are absolutely committed to delivering on the undertakings in this Bill. It had to be put together in such a way to give some leeway to Ministers to be able to produce the right legislation at the right time. That involved a degree of discretion, which I know my hon. Friend and others in both Houses were concerned about. A number of undertakings were therefore added to the Bill and were given orally, not least a sunset clause, so that this clause, which I know my hon. Friend has had concerns about in the past, could not be used for other purposes as something of a Trojan horse. I entirely appreciate his observation, but I do not share his concern that this will not actually be produced. I think it will be produced in a fairly short space of time. Goodness knows, we tried for long enough to get mothers’ names on marriage certificates.

Sandy Martin (Ipswich) (Lab): Fairly shortly after being elected, I was approached by several opposite-sex couples who are determined to have a civil partnership, and tens of thousands of people around the country would like to have such a civil partnership. Does the hon. Gentleman share my confidence that, were the Government to try to renege on it at this very late stage, such demand would be enough of an incentive to make sure the Secretary of State actually followed through on this?

Tim Loughton: As I will come on to say shortly, there have been some ups and downs with getting this Bill through. Back in October, on the civil partnerships clauses, the Prime Minister herself, in an article in the London Evening Standard, made it clear that Government policy was now firmly in favour of extending civil partnerships to opposite-sex couples. That was a clear undertaking, which was almost unanimously supported by Members of this House and very largely supported by Members of the other House. We have factored in the legislation in such a way that it can be brought in this year, which is really important and means it will also comply with the Supreme Court judgment. If there are people who have not entered into a civil partnership—presuming there are those who want it, and I know there are—before the end of this year, I shall be more than a little peeved, but I shall also be greatly surprised. That is not a problem I anticipate.

James Cartlidge (South Suffolk) (Con): I think this is an excellent Bill in principle, but I want to clarify one specific point. Subsection (2) of the new clause says: “The Secretary of State must exercise that power so that such regulations are in force no later than 31 December 2019.” Presumably, that does not stop them coming in earlier. Has my hon. Friend any expectation that they will do so?

Tim Loughton: That is a very good point. I appreciate my hon. Friend’s support in saying that the Bill is very good in principle, but I also think it is very good in practice. If he remembers, the amendment that I added on Report said that the Government needed to implement this legislation within six months of Royal Assent. That was actually quite a tall order and, for all sorts of reasons, the Government were not as prepared as they might have been for this change in the law, which the Prime Minister finally gave her complete assent to in October. I was therefore content to let the six months slip, but the principle that it needs to happen by the end of the year is very important. As I will mention in a minute, a number of consultation exercises still need to take place to make sure that we get this absolutely right. Let us remember that this legislation does not give rise to the specific changes in the law; it enables the Secretary of State to bring in the changes that will enable opposite-sex couples to enter into a civil partnership. An awful lot of detail still needs to go with that, although I am glad to say that a lot of work has now been done by civil servants.
Tim Loughton: Everybody wants to chip in, and of course I will give way to my right hon. Friend.

Sir Greg Knight: I am grateful to my hon. Friend. Friend, who has the second best tie in the House, for giving way to the person wearing the best tie. Subsection (6) of the new clause imposes a duty to consult. Who does he expect to be consulted, and is he in any way concerned that this consultation process may lead to a further delay?

Sir Greg Knight: I am grateful to my hon. Friend. Friend give way?

Sir Greg Knight: I am grateful to my hon. Friend. Friend, who has the second best tie in the House, for giving way to the person wearing the best tie. Subsection (6) of the new clause imposes a duty to consult. Who does he expect to be consulted, and is he in any way concerned that this consultation process may lead to a further delay?

Sir Greg Knight: I am grateful to my hon. Friend. Friend give way?

Sir Greg Knight: I am grateful to my hon. Friend. Friend, who has the second best tie in the House, for giving way to the person wearing the best tie. Subsection (6) of the new clause imposes a duty to consult. Who does he expect to be consulted, and is he in any way concerned that this consultation process may lead to a further delay?

Tim Loughton: I am going to come on to the consultation, but, absolutely, that cannot lead to further delay because we now have a timeline in the Bill. There is some detail still to agree—I absolutely appreciate that—but that should not prevent this new legislation from coming in before the end of this year. Again, my right hon. Friend is right to be slightly suspicious, and I am very grateful to him for taking the time to be here today. I am not sure how much longer he is staying, but I hope he does not get a ticket on his car—if he is parked on a line or somewhere on private property.

Subsection (3) of the new clause enables the Secretary of State to make other provisions by regulations if this is appropriate in view of the extension of eligibility. The current civil partnership regime is bespoke to same-sex couples, and this subsection enables the Secretary of State to ensure that a coherent scheme can be introduced for opposite-sex couples. Subsection (4) sets out some of the areas in which regulations will be needed, including matters such as parenthood and parental responsibility, the financial consequences of civil partnership and the recognition of equivalent opposite-sex civil partnerships entered into overseas.

Subsection (5) enables the Secretary of State to make regulations relating to the conversion of a marriage into a civil partnership and vice versa. At present, same-sex couples are able to convert a civil partnership into a marriage, and in implementing an opposite-sex civil partnership regime, the Government will need to consider what conversion rights should be given to opposite-sex couples. That is actually an important point about the practicalities of how this will be brought in. If hon. Members remember, the original Civil Partnership Act came in back in 2004-05 and then there was the Marriage (Same Sex Couples) Act 2013, but there was a delay between same-sex marriage becoming available and conversions from same-sex civil partnerships becoming available. Interestingly, however, according to the last figure I saw, only about 15% of same-sex civil partnerships chose to convert into a same-sex marriage after that became available.

Kevin Hollinrake: I congratulate my hon. Friend. Friend on bringing forward this very important Bill, which I fully support. I am very impressed by his presence in introducing this Bill a year before the Supreme Court decided that this was a very good idea. He mentioned the power in subsection (3) of the new clause to make “any other provision”. Will he detail what kind of provision that might be in that particular part of the clause?

Tim Loughton: Is my hon. Friend talking about civil partnerships?
they have consulted on them. He need not worry that this Bill will be costly—indeed, I assure him that parts of it will save money.

Subsection (7) allows the Secretary of State to make regulations that protect the ability to act in accordance with religious belief. That could include, for example, ensuring that religious organisations are able to decide whether to host opposite-sex civil partnerships on religious premises, which should remain a decision for an individual religious organisation—I am not proposing any changes there. Subsection (8) enables the regulations made under the new clause to amend, repeal or revoke primary legislation, and amendments to clause 5 will ensure that those regulations are subject to the affirmative resolution procedure—I know that right hon. and hon. Members will be concerned about that. That will ensure that the regulations receive proper parliamentary scrutiny and are debated in this House and the other place.

Amendments 3, 4 and 5 make the necessary changes to the supplementary provisions for making regulations in clause 5, and amendment 6 changes the long title of the Bill to reflect the fact that clause 2 no longer relates to the publication of a report on civil partnerships, and instead relates to the extension of civil partnerships to opposite-sex couples—that is how it was when the Bill first started out, before the Government wanted me to change it. We are back where we were originally, but there has been a lot of good fun in the process.

Other clauses in the Bill that attracted widespread support across the House and beyond are completely intact, helped by various assurances given in the Lords by Baroness Hodgson and Baroness Williams, particularly about the consultation on moves to extend the power of coroners to investigate stillbirths. Other parts of the Bill add mothers’ names to marriage certificates—that has not been available in England since 1834—enable coroners to investigate stillbirths where appropriate, and oblige the Secretary of State for Health and Social Care to review how we might register stillbirths before 24 weeks, which are technically referred to as late-term miscarriages. A working party has already started work on that. It has slightly ground to a halt since last autumn, but it will be obliged to report under provisions in the Bill. A lot of work still needs to be done on that difficult subject, about which hon. Members heard many emotional testimonies during the passage of the Bill.

Perhaps I may crave the House’s indulgence before I conclude my remarks, because this will hopefully be the final hurdle for a Bill that started in this House on 2 February 2018, not knowing whether the Bill would receive its Second Reading, and we had to make a number of last-minute compromises. We had a lot of help from Baroness Hodgson and Baroness Williams, and other organisations that have fought tirelessly for this Bill, such as the Equal Civil Partnerships campaign—its members are looking down from the Gallery very sedately and excitedly, ahead of the celebration that we will have later on—as well as other organisations, such as the Campaign for Safer Births, and I particularly pay tribute to Nicky Lyon, Michelle Hemmington and Georgie Vestey. A few other institutions were not quite as supportive, but we got the Bill through anyway and I will not name them.

James Cartlidge: I was pleased to speak on Second Reading, but I think one question was not covered—forgive me if it was. It will be interesting to see what happens to civil partnerships before we break up the fundamental partnership that we are currently debating, but what is the impact on nationality rights for those in civil partnerships compared with those in a traditional marriage? Is it the same, because that issue will be important in the coming months for those in a civil partnership with an EU citizen?

Tim Loughton: As I think I said rather unfairly to one of our colleagues who made a not-dissimilar slightly technical point on Report, nobody likes a smart-ass. [Interruption.] My hon. Friend and I are very good friends, Mr Speaker, and I am grateful to him because he raises a good point. I have had a number of emails from people who live abroad or who have had ceremonies in other jurisdictions, and part of the consultation and final details that need to be added to the Bill are on such matters. The principle is to replicate absolutely the rights and opportunities that are available for same-sex couples. If the Bill does not try to achieve complete equality, or as close to it as is physically possible, it will not have achieved what it tries to achieve. This is all about equalities and equal opportunities.

Neil O’Brien (Harborough) (Con): Having heard my hon. Friend’s observations on my hon. Friend the Member for South Suffolk (James Cartlidge), I am loth to ask a question, but I wonder if he will reflect on the Lords debate on civil partnerships between siblings, and say how he feels about that.

Tim Loughton: My hon. Friend, who attended previous debates as assiduously as my hon. Friend the Member for South Suffolk (James Cartlidge), I am loth to ask a question, but I wonder if he will reflect on the Lords debate on civil partnerships between siblings, and say how he feels about that.
clearly disadvantageous. I have a great deal of sympathy with that, but my response—Baroness Hodgson spoke to Lord Lexden and others about this—is, first, that the Bill is not the place to address that situation, because it is essentially a financial matter.

The Bill is about families and partnerships; that situation is about fair financial treatment between blood relatives who are committed to each other. If it were to be addressed in a finance Bill or a similar measure, I would have some sympathy for it. I think it should be judged on that basis. I am talking about couples who come together and may have children. I know there are some special circumstances, for example where a couple of sisters may be looking after a niece or nephew of a deceased sibling. It is complicated, but essentially it is a matter of financial unfairness and I would like to see it dealt with in financial legislation.

**Julian Knight (Solihull) (Con):** On that specific point about financial matters, does my hon. Friend therefore think that that should also apply to pensions and the passing on of pension rights?

**Tim Loughton:** Again, that is a good point. As the law is framed at the moment, they would not qualify. Some generous schemes might recognise that there was a dependent relationship, but those issues need to be looked at in greater detail, with the wisdom and scrutiny of officials and Ministers from the Treasury and the Department for Work and Pensions. I would certainly suggest that the Government, or any other Member whose name comes up in the private Member’s Bill ballot, look at the issue separately. Private Members’ Bills cannot be used for financial matters, so there might be a problem there, and that is why this Bill would not be the most appropriate vehicle to deal with it.

Hundreds and hundreds of mothers and fathers of potential civil partners have written to me and other hon. Members in support of the Bill on its long journey. There have been some heart-rending accounts, particularly from those who have suffered the trauma of stillbirth. I have to say that at times the progress of the Bill has been in spite of the Government, rather than with their support, although I think they have come to realise that the Bill always was the best and the speediest vehicle to deliver civil partnerships and marriage certification with mothers included, especially after many abortive attempts.

If I could just single out one Minister it would be the Under-Secretary of State for Justice, my hon. Friend the Member for Charnwood (Edward Argar). He wanted to be here today. He has a lot of skin in the game with many of the issues in the Bill that he has championed in this House. He has gone above and beyond. He stepped in to bash heads together in Departments to find a way through and he has done a lot of work within his own Department on preparing for the power to go to coroners to investigate stillbirths. When the Bill becomes law, I think there will be a short space of time before it is put into effect. I pay particular tribute to him and give him my thanks for all the help he has given in some uncertain waters that we have charted on the Bill’s journey.

Lastly, I would like to thank the officials. A number of officials have also suffered sleepless nights. They have pulled their hair out and sent me emails at some very antisocial hours as they battled to ensure we got this through the Lords in particular. It is invidious to single them out, but if I could just mention Ben Burgess in the House of Lords, whose quiet but skilful diplomacy in convincing certain Members of their lordships’ House that less is more kept the Bill on an even keel. I would also like to mention the redoubtable Linda Edwards from the Home Office, whose combination of energy, cajoling, diplomacy and forthrightness has been the absolute making of the Bill. I am convinced that without her guiding it through as the lead official in her role in the Home Office, we would not be where we are today. I pay tribute to them.

It has been a long journey. I first raised this issue in 2013 via an amendment on civil partnerships during the passage of the Marriage (Same Sex Couples) Bill. It would have prevented an awful lot of angst if at that stage the Government had agreed to full equality by agreeing to amendments, which were supported by many Members on both sides of the House, to bring about equal civil partnerships for opposite-sex couples. The genesis of the Bill is even longer than Brexit, but unlike with Brexit today we will have closure and a reason to celebrate.
personal testimony and it just so happens that she is also my parliamentary researcher. She is Councillor Harriet Steer and she has given me this testimony to share with my hon. Friend. She will be getting married in May. She says:

“We would have chosen a civil partnership if the option was available to us. The main reason being that traditional marriage carries a lot of archaic rhetoric that does not sit comfortably with us as a couple, or with me as a woman and Gustaf as a Swedish man brought up to believe fully in equality. This in no way diminishes our desire to commit ourselves to the relationship and each other.”

This is key. She goes on to say:

“We want to cement our commitment for a number of reasons, including that if we were to have children, they would be part of a committed family structure. I have grown up with the security of knowing that my parents are committed to one another and our family, and that provides a level of security that I would wish to afford to our children in the future. It is also a celebration of the fact that we have spent nearly a decade with each other, and that this is a historic moment and that this option will bring focus in future to what happens on someone’s national identity if they have a civil partnership as opposed to marriage. It is not just the idea that people in a marriage have varied views compared with those in civil partnerships. Those entering into marriage will have varied views. I view it as an act of union before God, whereas those getting married at a local registrar office may take a very different view. It is about what it means to the couple and the individuals concerned.”

Neil O’Brien: Does my hon. Friend agree with his researcher that marriage has sexist connotations?

James Cartlidge: I am reading out her personal and passionately held views. I certainly would not make any judgment on them. The interesting thing is that when my researcher passed me this note, she said that she was discussing the Bill last night with friends. She is in her mid-20s. They all said that they would prefer this route than marriage. I think that that is profoundly interesting.

Victoria Prentis (Banbury) (Con): I have heard equally powerful testimonies from those who are the product of broken marriages and who come to the idea of marriage with a lot of baggage. Is that something my hon. Friend recognises?

James Cartlidge: That is an excellent point. Frankly, whatever form the legal joining takes, we cannot legislate for humanity’s various ways of working positively and negatively and interacting with one another. There will be breakdowns in civil partnerships just as in traditional marriages. I hope that having this structure means that more people bring more stability for their children and to their lives in a way that they find amenable. I think that this is a historic moment and that this option will become very common. I do not know how assessment or predictions have been made of the likely take-up—who can possibly say?—but I think that this change will have a very significant impact.

Julian Knight: My hon. Friend makes a very powerful speech and it is really interesting to hear the thoughts of his parliamentary assistant, who feels similar to me. Does he agree that people of faith—I am a person of faith—also have to have strength in their faith to understand others who do not have that faith and perhaps to allow them complete equality under the law?
to a marriage, and so on. However, there are finer legal minds in the Chamber today to comment on these matters, and I will leave that to them.

On timing, it is interesting that my researcher would have chosen the option under the Bill. The sooner that it can be available, the better, because there really are people on whose lives the Bill would impact and who would choose to go down this route. It is satisfying to know that the very latest that the provisions may be used is new year’s eve. I imagine that if that is when there is the first civil partnership under the Bill, there will be quite a party.

Finally, I note that amendment I refers to the “financial consequences” of civil partnership. In my experience, there is a lot of complexity around inheritance tax regulations, pensions and so on, and I hope that others may be able to clarify the implications of some of those points. I am very happy to support the Bill. Not only is it a very good Bill in the areas that it covers, such as marriage certificates and others, but I think it will be a great example of how Back-Bench MPs can work with Government to bring about change, and it is possibly also an example of why we think that a deal is better than no deal.

I also welcome the reassurance in subsection 7 that the decision to host an opposite-sex civil partnership on religious premises will remain a decision for individual religious organisations. I know that the Bishop of Oxford made an extremely thoughtful contribution when the matter was discussed in the other place last week.

Victoria Prentis: It is a great pleasure to follow my hon. Friend the Member for South Suffolk (James Cartlidge), who spoke very passionately. I echo what he said at the beginning of his speech: it is relevant, when, on Fridays, we consider important, life-changing events, that we think about people around the world recovering in the aftermath of a horrific attack in New Zealand. I think today about my constituents going to Friday prayers at our two mosques in Banbury. That will be a difficult and worrying experience for people all around the world and it is right that we should think of them.

This is the third time that I have risen to support the Bill. We could view it as hatched and matched, and now is the time to dispatch it to the wider world. I am very glad to see that the Lords considered it in such detail and to be here today for its return to the Commons. I appreciate the Bill’s far-reaching scope, but it has come a long way since it was introduced by my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton)—my good friend. It is customary on Fridays for us all, at this point in the dispatching process, to praise to the skies the hon. Member who has brought the Bill to its dispatching moment, but as he did that so well himself, I do not know that I need to add much, apart from to congratulate him on ultimately getting dressed this morning and to thank him for the persistence and good humour with which he has involved very many people in both Houses in the production of the Bill.

Looking around the Chamber, I see my hon. Friend the Member for Solihull (Julian Knight), who I remember had a very emotional debate in Westminster Hall when we first arrived in this place about mothers’ names on marriage certificates. I think that, like me, would like to pay tribute to our other right hon. Friend the Member for Meriden (Dame Caroline Spelman), who has worked particularly hard on that issue, which really is irritatingly long overdue.

In all seriousness, I pay great tribute to my hon. Friend the Member for East Worthing and Shoreham, who has worked hard, even if he knows it himself. I wish all parts of the Bill well. It has had cross-party support and I hope that we can come to an agreement today so that it can get through its remaining stages and receive Royal Assent before the end of the parliamentary Session. I also hope that Members in the Chamber continue to push. We may have achieved consultations and we may have got the Government to agree to look at things, but we want to deliver on all the Bill’s promises, so that dispatching means fruition rather than the sadder meanings of the word.

The focus of amendments from the Lords centre around extending civil partnerships to other couples. We have moved from a position where the Government were going to undertake unspecified work on how that could be done to putting an obligation on the Minister for Women and Equalities to prepare a report on the subject. We find ourselves today with a real commitment to bring in the necessary regulations before the end of the year. This is a great example of how Back-Bench MPs can work with Government to bring about change, and it is possibly also an example of why we think that a deal is better than no deal.

I also welcome the reassurance in subsection 7 that the decision to host an opposite-sex civil partnership on religious premises will remain a decision for individual religious organisations. I know that the Bishop of Oxford made an extremely thoughtful contribution when the matter was discussed in the other place last week.

Victoria Prentis: I thank my hon. Friend for his intervention. I am forever indebted to him for his sterling work on parental bereavement leave. That is, of course, something else that we should have thought about earlier, but the fact is that we used not to talk about baby loss, or indeed death, in the way that we are now beginning to be able to. I think that the conversation about death is one that we need to have in a grown-up way.

I am proud to support my hon. Friend the Member for East Worthing and Shoreham again today. He has done sterling work, and we should all support him.
Julian Knight: Thank you for calling me so early in the debate, Mr Deputy Speaker. Let me add my comments to those of other Members about the tragedy—the abomination—that has been unfolding in New Zealand overnight. As one who represents a very diverse community in Solihull, I have seen at first hand just how disgusting religious intolerance is: not so long ago, a pig’s head was left at a mosque. I shall be writing to and communicating directly with leaders of the Muslim community in Solihull. We really must stamp out this religious intolerance.

I pay tribute to my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), who has been very modest during the debate. He is noted for that. [Laughter.] I pay tribute to him for the way in which he has persevered relentlessly with the Bill, in the face of some opposition at times, for the way in which he has worked across parties, and for the way in which he has put his case. All that has been an example of true, fine parliamentary activity.

I am sure that I speak for the great majority of Members when I say how pleased I am to see this important Bill making such fine progress. As my hon. Friend said, it is an ambitious Bill. It tackles several social wrongs at once, and does so with great precision and attention to detail. Many of its provisions, especially those updating the law on marriage, are long overdue, and will do much to bring that ancient institution into line with the evolving values and mores of British society today.

The absence of mothers from marriage certificates is an absurd anachronism which, my hon. Friend tells me, has persisted for 182 years; I had thought it was 150. That is utterly ridiculous. I join my hon. Friend. Friend the Member for Banbury (Victoria Prentis) in paying tribute to my good friend, my right hon. Friend the Member for Meriden (Dame Caroline Spelman), who is another fine parliamentarian and a superb neighbour, for the work that she has done.

As I have mentioned before, I have personal experience in this regard. The stark reality is that 90% of single parents are women, and I myself was raised by my mother from the age of 10. She worked two jobs and raised me single-handedly, which probably equates to a third job. She worked herself to a standstill, and between the ages of 14 and 18 I had to become a young carer because of all that hard work. She had worked for British Telecom, and in a bar at night; she would start at 8 am and finish at 11 pm. I was lucky enough to keep a good relationship with my father over the years, but my mother raised me, and I was appalled to find, when I got married in 2014, that as far as the official documents were concerned, she might as well not have existed. But she mattered, of course, and that was entirely unjust. I am delighted and relieved that this glaring oversight will be corrected in the very near future.

James Cartlidge: My hon. Friend is making a powerful and personal point, and we all admire him for his bravery in doing so. Does he not agree that one of the great powers and privileges we have in Parliament is the ability to correct historic injustices that we have experienced directly, so that others may not suffer the same fate?

Julian Knight: I thank my hon. Friend. He is a very compassionate and good friend of mine, and he is absolutely correct. I just wish we could have done this sooner, but we are here now, getting it done, and that is thanks to my hon. Friend the Member for East Worthing and Shoreham.

I am pleased that the Government are taking the opportunity provided by the Bill to revisit the way in which we record marriages in this country. The fact that the alternative means of achieving some of these important reforms via secondary legislation, which would involve reissuing tens of thousands of paper records, was found to be so extraordinarily inefficient, time-consuming and expensive has shone a spotlight on how analogue the marriage registration system still is. I know that some of this officialdom has become part and parcel of the wedding ritual, and I hope that the process of signing the register and receiving a certificate can remain for those who want it, but there is no doubt that moving towards a secure, streamlined and centrally accessible marriage register is a logical step forward.

The second important change ushered in by the Bill is the opening of civil partnerships to heterosexual couples. As I said earlier, I am married and I am pro-marriage. It is an ancient and precious institution, which offers happiness and security to millions of people in this country. As a Conservative, however, I recognise that institutions only survive to become ancient and precious if they are able to adapt to social change. As I also said earlier, people of faith must have strength in that faith, and must understand and adapt. There is no doubt that public attitudes towards marriage, in both its legal and its religious dimensions, have evolved since the law was last updated.

I am a person of faith, although sometimes it is quite a fragile faith, but an increasing number of my fellow citizens are not, and I quite understand why many of them would be uncomfortable at the prospect of marriage. Even a civil ceremony carries the weight of a long and deeply religious history. I recognise, too, that after decades of rising divorce rates, there are doubtless many people who have experienced marriage, either personally or close at hand, and decided that it is not for them. The fact that I myself did not marry until I was nearly 40 may be an indication of the long-term effect that a marriage breakdown can have. None of that should for one moment be taken to imply that those people’s love for, and commitment to, their partners is any less than the love and commitment felt by those who do decide to get married, but the law as it stands assigns an inferior legal status to their relationships.

My hon. Friend the Member for South Suffolk (James Cartlidge) mentioned financial implications. It is important to align inheritance tax and pension rights so that heterosexual civil partners have the same rights as those of the same sex. That should not be left to the discretion of trustees in private pension schemes. My hon. Friend the Member for East Worthing and Shoreham raised the question whether pensions could be passed to siblings. It would be a matter for the trustees, but I know of very few who do that at present.

I had hoped for a change in the way in which heterosexual couples in civil partnerships are treated in more sensitive circumstances, such as those involving hospitals. On Second Reading, I spoke of my personal experience when I lost my partner in a road traffic accident in 1999. I will not go over that particular story again, but I will say that I had to almost beg my way into a ward where the woman I loved was dying. That was not right, and I really hope that no one else will have a similar experience.
[Julian Knight]

As for the law governing stillbirths, I am glad that the Bill deals so sensitively with what must be an unimaginably painful topic for so many. It is never right when arbitrary officedom intrudes to compound the grief of a bereaved family, let alone when it stands in the way of a proper investigation of a child’s death. It is quite right that the law will be changed so that coroners are able to investigate stillbirths; that is an important extension to unborn children and their parents of rights due to every living person.

Kevin Hollinrake: Some time ago, when I was taking the Bill I referred to earlier through the House, one of my constituents contacted me to say that their son was born after 23 weeks and six days and sadly passed away two days later, but had that not happened they would never have been able to name the baby. What a massive difference between those two positions. It cannot be right that this will not have been possible until the Bill has been brought into effect.

Julian Knight: I could not have put it any better myself; that is absolutely the right approach and the right thing to say, and we are correcting that wrong in this place today.

As well as allowing for official investigation, the Bill opens the door to providing official recognition to babies who are born dead before the current deadline, allowing their parents to name them and have their birth officially recognised. That is a very positive step forward to say the least, and I deeply hope it will provide some comfort to those poor parents of stillborn children. Of course there may be some for whom such matters are the very last thing they want, and I hope and trust that their rights and feelings will be properly accounted for in the implementation of any new system and that it is done in the most sensitive way possible.

This is an exemplary Bill: rather than trying to deliver big changes through broad wording and aspirational intentions, it bundles together a number of detailed, well considered changes that will deliver real, tangible change in several important areas. It will bolster marriage and the alternatives to marriage, and afford long overdue recognition to both mothers and unborn children. I hope the entire House will join me in supporting its swift progress on to the statute book.

Kevin Foster: It is always a pleasure to be called to speak by you, Mr Deputy Speaker, and to see you in the Chair. This is a welcome chance to say something about the Lords amendment, but first I wish to join other Members in reflecting on the events in New Zealand yesterday. Having visited New Zealand and its Parliament last year, I saw how often throughout history our two nations have stood together. It is worth remembering that at the moment when this nation faced its greatest peril in 1940 there were Kiwis who travelled thousands of miles to come here and defend our democracy; they literally stood on the shores of Britain ready to meet a Nazi invader had they ever managed to cross the channel. So we stand in solidarity with them in facing the fascists today in the way that we defeated the fascists of the past.

This Bill is very welcome, and particularly the new clause being inserted into it. People should have a choice about what type of relationship and legal partnership is right for them. As I alluded to in an earlier intervention, when I got married in June 2017 it was a religious sacrament; that was part of being united together. It was a very special experience—we had the mass straight afterwards, as that was the first thing we wanted to do as a married couple. But that is not everyone's choice, and it is not everyone's view on marriage.

There are different religious faiths and different religious communities, including in the Christian faith. There are very different views across the spectrum of Christian opinion, for example on divorce and remarriage. There are those who have annulment as the only option and those who recognise civil divorce in a religious context.

Sir Greg Knight: Does my hon. Friend agree that it is good that the Bill imposes on the Minister the duty to consult and that people should be consulted before we change the law? Does he also think this Bill will have any impact on landlord and tenant relationships and the rights of a civil partner?

Kevin Foster: I thank my right hon. Friend for his intervention; I was a great fan of his private Member's Bill, which I am delighted to hear now has Royal Assent.

On the impact this Bill might have on the rights of landlords, we should be clear that we are not creating a new legal concept here: civil partnerships have now existed for some time and courts are familiar with dealing with them, so I would expect any rights accruing under tenancies through being a civil partner in a same-sex situation to transfer in exactly the same way to a civil partnership between persons of a different sex—a mixed-sex couple. I do not see why it would extend, or for that matter contract, the rights that have already been created effectively under law by allowing civil partnerships between same-sex couples. I would expect the courts to view them as exactly the same—I think that is the thrust of the Bill—in the same way as civil partnerships, when they were created, had much of the legal history of civil marriage attached to them. That was a large part of the argument used at that time, when it was felt that it was the right step for Parliament to legislate for civil partnerships.

At that time, of course, there was not the option of a legal union for a same-sex couple, hence civil partnerships were created. The intention was to provide much of the legal status of marriage without actually having a civil marriage. Of course, the law has moved on and we now have same-sex marriage, allowing the option of civil partnerships for mixed couples. But I would not necessarily see anything that a landlord should fear from the Bill, other than the same things they would be used to dealing with for a same-sex couple who have entered into a civil partnership.

10.45 am

Kevin Hollinrake: My hon. Friend will be aware from his legal background that marriage or civil partnership affords both members of a couple additional rights to a position where they are just cohabiting. It may well be the case that some people are more comfortable in a civil partnership, and through the Bill they can effectively grant each other greater rights in case there is ever the need for them due to any unforeseen circumstance.

Kevin Foster: I agree, and as always my hon. Friend brings his expertise in that industry to the Chamber. Yes, this does create tenancy rights, and again I do not
see any reason why extending this to mixed-sex civil partnerships would have any different impact on the landlord-tenant relationship from that which same-sex couples and partners have had.

This Lords amendment is very welcome, and I want to reflect briefly on one of the points made by my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton): that this does not force a religious organisation to offer civil partnerships. If a Church decides it wishes only to offer marriage in a sacramental sense, it still has that choice. This is not about taking away anyone’s right or ability or forcing someone to offer something they do not wish to offer; it is about extending choice to those who currently do not have it.

I appreciate that not everyone wants to get married in church; that is not the right option for everyone—although for me it was. Not everyone necessarily wants to have the institution of marriage, given what some people foresee as its historical position. Personally, I profoundly disagree; I believe it is about a unique partnership that puts two people together for life, and that is very special.

My mother passed away in 2014, but my father would still see himself as married to my mother today, five years after her death. My grandparents were together for 57 years prior to my grandmother’s death. For them it was something that was unique and very special, and it signified what they meant to each other. I accept that for my family that was achieved through religious marriage in church, whereas for others it would be through the choice of a civil partnership which they feel better reflects their lifestyle or the choices they wish to make. I do not see why now in the 21st century the law should not allow them that opportunity. No one is not going to be able to get married because this has passed; it just gives people a choice.

Kevin Foster: I thank my hon. Friend for his intervention. I could not have put it better myself. This is about new rights, new choices and new abilities for people, to reflect the different lifestyles and relationships of today.

The Bill will also help to deal with the idea of the common law spouse. Too many people think that they have some sort of status as a common law husband or wife, right up until the point when tragic circumstances occur and they suddenly discover that they have virtually no status at all. In fact, they have the same status as a mate they know down the pub. That is when things start to go wrong, but the Bill should help to reduce the number of such occurrences.

Victoria Prentis: I cannot emphasise enough how critical it is that we get the message out that there is no such thing as a common law spouse and that it confers no rights at all. What more does my hon. Friend think we can do to get that message across? This is what I was referring to, slightly facetiously, when I said that deals are better than no deals.

Kevin Foster: My hon. Friend is absolutely right to say that we need to get the message out there. Ironically, people think that it is somehow easier to be a common law wife or husband, when it is actually easier to be viewed as married in a religious sense than it is in the legal sense.

There is a story that I will not go into in too much detail because it involves the last week of my mother’s life, and there are difficult memories, but I will mention it briefly. My mum was in a hospice, and a little blessing service was held, at which Hazel and I were present. It was referred to in some of the coverage that our engagement ring was my mother’s ring, which she gave to Hazel that day. Had the priest run through the vows there that day, Hazel and I would have been a married couple in the Christian religious sense. Under the law, the marriage would not have had any legal status because we would not have complied with the terms of the Marriage Act 1949; we would not have posted banns, given notice or obtained a special licence. However, in a Christian sense, we would have been a married couple, had she run through the vows that day. People forget that it is easier to be viewed as married in a religious sense than it is in a legal sense. And, as my hon. Friend says, there is no such thing as a common law wife or husband in the legal sense.

Sandy Martin: Will the hon. Gentleman give way?

Kevin Foster: I will in just a moment.

My hon. Friend the Member for Banbury (Victoria Prentis) asks how we can get this message out there. We are doing it through debates such as these, but we are also creating an option for people who want to have a legal relationship but not necessarily a religious one. Agreeing with the Lords amendments today is certainly a good way of doing that, and we must ensure that, as the legislation is brought in, the Government conduct a clear information campaign to make people aware that this will be a partnership with legal status, rather than just living together and hoping that that will count.

Sandy Martin: The hon. Gentleman has just answered the question I was going to ask. However, does he agree that getting the message through to all the people who believe they have a common law marriage that they need to do something about it is possibly one of the most effective parts of what we are doing here today?

Kevin Foster: I thank the hon. Gentleman for his welcome intervention. I hope that that is indeed the case.

Some of this grows out of the time when it was very difficult to get divorced. It was expensive, and the legal system reflected a different era. This is about simplifying the options. It is also about same-sex couples. Sadly, for too many years they were denied the opportunity to have their relationships—often close, loving relationships that had lasted for many decades—recognised under the law, whereas an opposite-sex couple could quite easily get married purely for convenience or to avoid certain tax liabilities. We have rightly moved the law forward in that regard to give people options and opportunities. People now have a choice if they do not necessarily want to see themselves as married but want a form of legal recognition for their relationship.

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**Kevin Foster**

partner would certainly not have wanted to see, because they would have wanted their property dealt with in a very different way. We must get the message across that there is something about being married or being in a civil partnership that gives people legal recognition and puts their status and wishes beyond doubt.

**Sir Greg Knight:** My hon. Friend is making a number of powerful points. Does he agree that there is a case for the Government pursuing a publicity campaign in the wake of this Bill on the issues that he is talking about?

**Kevin Foster:** Yes, absolutely. There may well be a case for having a publicity campaign to advise people of the details of the legislation and to ensure that they are aware of the option it gives them to become a statute law partner rather than a common law partner. This would apply to people who are in a long-term relationship, and who have perhaps bought a property together, but who do not want to get married. As the hon. Member for Ipswich (Sandy Martin) said, relatives are often very supportive of such relationships until they discover an old legal case that might give them the chance to get some money after one of the partners has died. I hope that the Government will look at what information can be made available. This could also apply to venues that have in the past advised that they could accommodate only civil marriages. Perhaps they could now also offer civil partnerships to opposite-sex couples looking to be joined together. I hope that the Government will look at how these matters could sensibly be promoted.

The Lords amendment is welcome, particularly because it gives the opportunity to convert a civil partnership into a marriage. I do not think that that will be an issue for the Bill. I am also pleased that the Lords resisted the temptation to table amendments relating to the role of the clergy. As the hon. Member for East Worthing and Shoreham said, it would have taken the Bill in an unwelcome direction and perhaps endangered its passage through this House if we had had to send it back to the Lords just to deal with such an amendment. It is unlikely that such an amendment would have received the support of a majority of Members in this House. We made it clear when the provisions relating to same-sex marriage came in that there would be a protection there. I sometimes debate whether there really needs to be a complete ban on one particular religious group, in relation to same-sex marriages on Church of England premises. Perhaps in future years we might look at providing a choice, but I accept that this was about giving reassurance and a firm commitment on choices relating to religious rights and opportunities.

I shall bring my remarks to a close in time for the minute’s silence that we will all wish to participate in. I noted the point about siblings with a close relationship who live together, but I do not think that this is the time to legislate for that. That relates more to financial matters than to loving relationships, and it might be confusing to legislate for it here. We have made it very clear that civil partnership is similar to marriage in its legal effect. For good reason, we also have criminal offences—for example, relating to people being married to two people at the same time. Again, extending the law into this area would create confusion and we might have to ask whether we should exempt that. I understand the points that have been made on these matters, but as I said to the hon. Member for Ipswich, I think we need to consider how we would deal with them via the tax system.

The Bill is long overdue, and very welcome. I was genuinely saddened that I could not put my mother’s name on my marriage certificate, but this legislation will allow me to do that. I urge the House to concur with the Lords in their amendment.

Mr Speaker: Order. I am extremely grateful to the hon. Gentleman. As I announced earlier, and it was supported by colleagues across the House, I propose that we hold a minute’s silence at 11 am. That silence will be held in respectful memory of the 49 people who perished in the terrorist outrage in Christchurch, New Zealand, in respectful memory of those who were injured as a result of those atrocious acts, and in solidarity with Muslims in New Zealand and throughout the world. This barbarity, this evil, this depravity will not prevail. We will stand up to it, and it will be defeated.

11 am

*The House observed a minute’s silence.*

Mr Speaker: I thank colleagues and everybody attending our proceedings today for that demonstration of support and solidarity. As I indicated earlier, I will write to my opposite number in New Zealand conveying the sympathies and the sense of outrage felt in this House. Nothing will bring back those who have perished; I hope simply that what we have said and done today will offer some modest succour to those who are having to live with the daily reminder of the evil that has been perpetrated. Wherever we are and whatever our ethnicity or faith, by virtue simply of our common humanity we resolve, because we can do no other, that this sort of behaviour will not be tolerated or go unpunished. It will never prevail for it is, in simple terms, fascist conduct. Wherever they are in the world, people who think that “might is right”—that if you are bestial enough, you will get your own way—will have to be disabused of that notion. It will not happen.

Neil O’Brien: I start by agreeing with your extremely wise words on the evil that was done in New Zealand, Mr Speaker. I also send my thoughts to my constituents at Oadby mosque as they gather for their Friday prayers. I want them to know that they should not be afraid and that we will always protect them. The evil done in New Zealand will not be allowed to happen here, and the ideas that it represents will not prevail in this country. I was recently at Oadby mosque for Visit My Mosque Day, learning things such as how my name is written in Arabic. It was wonderful to see everyone, and the thought that someone on the other side of the world could inflict an act of such wickedness on people just like them going about their daily basis is abhorrent.

I rise to speak with some trepidation, because this Bill does two wonderful things—some of the best things that we will do in this Session—but it also does one thing that I do not agree with. I will say why I do not agree with it, but I am somewhat cautious because I am surrounded in this place by good friends and great fountains of wisdom who take a different view.

First, starting with the things that I do agree with, the inclusion of mothers’ names on marriage certificates is a wonderful improvement. When I got married up in
Northumberland in the wilds of College Valley, I was amazed that we were unable to put my mother’s name on the certificate. It seemed implausible that that should still be the case, and the unbelievable powerful speech from my hon. Friend the Member for Solihull (Julian Knight) underlined why that reform is so important.

Secondly, the opportunity to commemorate the life of unborn children is another hugely important reform that will offer some closure to a large number of people. I congratulate my hon. Friends the Members for Banbury (Victoria Prentis) and for Colchester (Will Quince) on their work raising the issue of baby loss in this House. They have been tireless champions, and this Bill from my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) is another step towards achieving an important objective. Someone may not realise how often this happens until it happens to them; they then find out that other people have had similar experiences.

Victoria Prentis: It is important while discussing this issue that we pay tribute to the hon. Member for Washington and Sunderland West (Mrs Hodgson), who has spoken passionately about her experiences.

Neil O’Brien: My hon. Friend is right to add that.

As I said, this Bill does two wonderful things with which I completely agree, but I will now talk about my dog in the manger. There is no point in having a Parliament if we cannot have disagreements in it, and this is the whole point of the exercise. I start my remarks on this by putting on the record my support for equal marriage for gay people. I always have done, including when that hugely important reform was made. Despite the fact that this country has made a huge amount of progress, there is still a large amount of discrimination against gay people, and it is easy not to notice it if one is heterosexual. For example, I read not that long ago about a man who was kicked to death by a gang of wicked people in Trafalgar Square—the centre of our capital city—just for being gay.

I was a strong supporter of equal marriage for gay people because it marked another step towards just treating gay people like everybody else. I support the goal of equivalence for heterosexual and homosexual couples, but I would rather achieve it in a different way. I thought that civil partnerships were a useful stepping stone towards equal marriage for gay people, and we should change that and ensure that it is not. It would be a simpler story. Gay people can get married—simple. There will not be different types of marriage was being created—a sort of “try before you buy”—but that argument was strongly objected to by other supporters of the Bill, including the hon. Member for Rhondda (Chris Bryant), who said that the two types of marriage were equal. There was no consensus on that argument, and it has not been one of the main arguments made today.

The second argument is that marriage is in some way a religious, paternalistic or sexist institution. Some Members have alluded to that with references to people getting in touch with them to say that that is how they feel about marriage, which is why they would like a civil partnership instead. It is important to note that the Lords made a clear, adamantine distinction between religious and civil marriage and that this House cannot regulate religious marriage. As my hon. Friend the Member for Torbay (Kevin Foster) pointed out, the two are completely different. We cannot put a window into men’s souls, and it was important during the passage of the legislation for equal marriage that we made the huge distinction between civil and religious marriage, which continues in this Bill. There is no question of religious ministers being forced to do anything, but they are welcome to choose to do so if they want. That is the right balance.

Several Members have described how people have suggested to them that marriage is a religious or sexist institution, but if there is anything sexist about it, we should change that and ensure that it is not. It would surprise my wife if I told her that she had agreed to take part in a patriarchal or religious institution. We are both atheists, and we were not allowed Madonna’s “Like a Prayer” as a wedding song because it is religious, so we missed out on that opportunity because of the important distinction. One of the reasons why I do not agree with this measure is that I do not want to endorse that argument. If people feel like that, they are wrong. We must do everything we need to do, because they are wrong. Let us change it if there is a problem, but the onus is on those who want the change to make the case for it.

I believe that a single institution would be better for equality. It would be a simpler story. Gay people can get married and straight people can get married. We can all get married—simple. There will not be different types of things for different types of people. I am nervous, as the House can tell, about some of the arguments made for extending civil partnerships, not least this “try before you buy” argument about it being a softer thing. I find that particularly concerning.

I have put my concerns about this measure on the record, and my eloquent hon. Friend the Member for South Suffolk (James Cartlidge) is right that this will be a popular measure and that a lot of people will take it up. I think it will be widely used, and he is right about that, but I am concerned.

James Cartlidge: Forgive me if I am wrong, and I imagine that it would be hard to measure, but many of the people who go down this route would not have got married. This is an additional choice, rather than something that removes a choice. We should open our eyes to the fact that people see this as something different that suits them, and we should embrace it as a positive new development.

Neil O’Brien: That is probably the strongest argument for it, but my hon. Friend has already said that his constituent was going to get married in the absence of this measure. I am nervous about the argument, “I would prefer something else because I feel that marriage is sexist.”

Tim Loughton: I completely respect my hon. Friend’s view, but the reality is that there are 3.2 million opposite-sex cohabiting couples who have no protections within the law, and half of them have children. One of my local registrars is running a waiting list for people waiting for this legislation. There is a lot of demand for it, and it can only bring about greater family stability, greater
commitment and greater benefits in safe, healthy, loving upbringings for those children. That is why this is really important.

Neil O’Brien: We will find out in due course when we pass this Bill whether that is the case. My fear is that the dissolution rate may be higher if people believe that civil partnerships are a softer institution.

Tim Loughton: I assure my hon. Friend that where there are different options—in France for example—the divorce rate among those who are conventionally married is rather greater than it is for those who have entered an opposite-sex civil partnership, so the data does not support that assertion.

Neil O’Brien: At the moment, the dissolution rate for civil partnerships in the UK is higher than for marriages. Of course my hon. Friend is correct that it is not a good example, because there are a lot of other pressures on gay people. We will not know, in the unique circumstances of the UK, who is right until we do it, and I hope he is right.

I have said my bit on this subject, and today we will be passing some measures that I hugely welcome, that put right some of the issues raised by my hon. Friend. I congratulate him again on bringing forward.

Mr Deputy Speaker: I congratulate my hon. Friend yet again on introducing this important Bill, which I fully support. The Opposition are pleased to see that the duty formally acknowledged and registered, but I reiterate...
that by no means would we want to see such a measure used to undermine abortion rights and a woman's right to choose.

I spoke in an earlier stage of the Bill in this House, and I remain proud that civil partnerships were a landmark policy introduced by Labour. My party has fought for the equal rights of LGBTQ+ people, and it was our Civil Partnership Act 2004 that paved the way for same-sex marriage. This Bill should be the final step in creating equality in the formal recognition of relationships, but while I am pleased that we are nearly there, it is obvious that we have not quite arrived.

Times have changed since the days when Labour Members cautiously did not push to further extend civil partnerships during the passage of the 2004 Act for fear of losing it altogether. I remember we were met with much hostility, but we were on a mission to ensure some level of equality as quickly as possible, and we achieved just that. With changing times, however, must come a change in how we approach matters of equality.

We welcome the Government's willingness on suitable amendments to draw up appropriate regulations for equal civil partnerships by the end of 2019, but I must share the concern of my colleagues in the other place that they may be using consultations to drag their feet. We cannot wait any longer. I agree on the importance of gathering information, but it should not be used as a delaying tactic. The measures in the Bill are long overdue, and we will do a disservice to all those we are meant to represent if we do not get on with the job of ensuring equality.

On marriage more generally, I echo the concern of Members in the other place about the failure to deliver equal marriage for all citizens in the UK—namely, in Northern Ireland. I also reiterate the concerns about humanist marriages. The Government held a consultation in which more than 90% of respondents were in favour of legally recognised humanist marriages. Surely there is nothing inconclusive about such a response. Further, in 2015, the Law Commission reported that failing to grant humanists the same rights as religious people in marriage was fundamentally unfair. With the Northern Irish Court of Appeal ruling in June 2018 that there is a human right to a humanist marriage, I hope that Ministers will get on with the job of ensuring that humanist marriages are also recognised in England and Wales.

It is disappointing that the Government, having joined us in passing same-sex marriages, have previously made excuses for not expanding civil partnerships to all couples. One of these was inconclusive consultations. This is precisely why we accept them hesitantly. Some voices are likely to receive thousands of responses to the consultation, and we will need to allow time to consider these and for the Government to respond.

That said, the Government are committed to changing the eligibility requirements for civil partnerships by the end of the year. This is very much an end date, rather than a target, and we are working to implement the new regime at the earliest opportunity. Our aim is that by the end of this year opposite-sex couples will be able to register and form civil partnerships. I hope that hon. Members will support my hon. Friend's amendments, which will enable the Government to make the necessary changes so that opposite-sex couples will finally be able to express their commitment to each other in the way that best suits them.
Throughout this debate, many colleagues across the House have contributed and paid tribute to my hon. Friend the Members for Torbay (Kevin Foster) and for Harborough (Neil O’Brien) and especially to my hon. Friend the Member for Solihull (Julian Knight), who gave a moving account of his mother and the desire to see her name on his marriage certificate. I am also grateful to my hon. Friend. Friends the Members for Banbury (Victoria Prentis), for South Suffolk (James Cartlidge) and for Thirsk and Malton (Kevin Hollinrake) and to the Opposition Front-Bench team.

The Government have no intention of dragging their feet. It will come as no surprise to you, Mr Deputy Speaker, that this is not a normal part of my portfolio as Security Minister, but I asked in preparation for this debate what exactly would take time to implement.

James Cartlidge: Does my right hon. Friend agree that this measure will bring security to a great many people?

Mr Wallace: I think we all need stability these days, and this will definitely add to that. Stability in our relationships is incredibly important. We all aspire to that as a good base for our society. Strong personal relationships will lead to a strong society, and I fully endorse the aims of the Bill.

I rarely attend private Members’ days, but it is nice at this time—with the awful goings-on in Christchurch and the goings-on outside in this divided country—to see a succession of Bills, especially this one, that are about doing some good in people’s lives, which is what everyone across the House wants to do. I am incredibly pleased to have been a part of that in these few short hours. It is easy to forget that Members of Parliament, who are denigrated and now targeted and ridiculed at both ends of the political spectrum, more often than not do good things together to make people’s lives better, and I pay tribute to my hon. Friend who has steered through both Houses a Bill that will make a difference for the good to many people’s lives.

Lords amendment 1 agreed to.

Lords amendments 2 to 6 agreed to.
The 2009 Act is still needed. It started life as a ten-minute rule Bill introduced by Andrew Dismore, who was then the MP for Hendon. As colleagues will be aware, it is rare for the ten-minute rule Bill procedure to deliver a change in the law, but in that instance Andrew Dismore’s persistence prevailed. I very much hope that this Bill, which also started through the ten-minute rule process, will succeed in rescuing the legislation that Andrew managed to get through Parliament 10 years ago. Hopefully, this ten-minute rule Bill will come to the rescue of a previous one.

The 2009 Act addressed a problem that had arisen in relation to a number of our national museums such as the V&A, the National Maritime Museum and the National Portrait Gallery. As set out in its second and final clause, the Bill covers England, Wales and Scotland, but not Northern Ireland. Some of the institutions specified in section 1 of the 2009 Act are located in Scotland so, as the House has been told, a legislative consent motion has been secured from the Scottish Parliament.

The governing statutes of the 17 institutions listed in the 2009 Act mean that they could not restore property seized by the Nazis to its owners or their heirs, because the legislation underpinning their rules forbade them from giving away items in their collection, except in limited and specific circumstances. This restriction operated even when the institution in question believed that the claim had merit and wished to return the item to the heirs of the original owner.

The problem is illustrated by a case considered in 2008 by the Spoliation Advisory Panel established by the Government to consider claims of this nature. It considered a dispute over two pieces of porcelain from a Viennese collection, one in Fitzwilliam Museum and one in the British Museum. The panel recommended the return of the one in the Fitzwilliam, but felt it could not do so in relation to the other because of legal restrictions in the British Museum Act 1963. A similar problem had arisen in 2006, when the British Museum was unable to return four old-master drawings to the heirs of Dr Arthur Feldman, from whose collection they had been looted by the Nazis in March 1939.

The 2009 Act resolved the problem and enabled property from national museums to be returned, if that was recommended by the Spoliation Advisory Panel and approved by the Secretary of State for Digital, Culture, Media and Sport. The 2009 legislation is supported by the museum community, which has warmly welcomed the intention to remove the sunset clause through this Bill.

A significant proportion of Europe’s cultural treasures went missing during the Nazi era. As time passes and memories fade, there are likely to be fewer claims, but there continues to be a strong moral case for keeping the 2009 Act on the statute book. At a major conference on spoliation in September 2017, the UK Government reaffirmed their determination to live up the commitments made 18 years previously at the Washington conference on looted art. At that historic conference, 44 countries pledged to work for the restoration of property seized during the Holocaust era.

As several Members said during debates on the Bill, the evil of what happened in the Holocaust is unique in human history. Millions of people had their lives cruelly cut short in the greatest crime in human history. Millions more lost friends and relatives; sometimes their whole family was wiped out. Sadly, there is nothing we can do to reverse those appalling losses, but we can at least keep open the hope of the return of lost treasures, when they are identified in our museums, galleries and libraries.

Neil O’Brien (Harborough) (Con): My right hon. Friend is again making an incredibly powerful speech. I do not understand why a sunset clause was put into the original legislation. She is quite right that we must remove it with this Bill, which I hope will pass, but why was such a clause put into the legislation in the first place?

Theresa Villiers: It is not entirely clear. The debates on the 2009 legislation did not seem to indicate a great problem of instability. I can only assume that there was concern that the legislation might have a destabilising effect on the collections in our national museums, but although a number of cases have been determined as a result of the operation of the 2009 Act, the reality has been that such cases have been relatively small in number. If there were fears about uncertainty, instability and provoking claims, they have not materialised in practice.

I commend the Commission for Looted Art for its excellent efforts in trying to secure fair outcomes in cases of this nature. The commission shared with me comments and thoughts from a number of families involved, some of which I read out in my speech on Second Reading. I found those comments deeply moving, and what came across clearly from them was the emotional value of being reunited with an object treasured by a loved one who died in the Holocaust, and that a lost relative had held in their hands and valued—for example, books owned by a much-loved grandmother; a painting given by a claimant’s grandparents to his parents; or a favourite painting that used to hang on the dining room wall of a family home. The Nazi regime engaged in systematic confiscation, looting and theft from Jewish people.

Rachel Maclean (Redditch) (Con): I am fascinated to hear my right hon. Friend’s argument and wonder what her response is to some of the opponents of this Bill who claim that the routes available are available only to the rich and that, sometimes, when objects are returned from museums, that deprives the general public of an opportunity to see these priceless works of art. I would be fascinated to hear her thoughts on that.

Theresa Villiers: My response is that this legislation opens the way for all who have reason to believe that an object owned by their family member is in one of our national institutions. It is not confined to helping people from a particular family background. It really is important for people at all levels to have the chance—the opportunity—to retrieve an item of property that once belonged to one of their relatives. In response to those potential critics that my hon. Friend has mentioned, I think that I would continue to make the case that it is right and proper and fair that if an item was seized by the Nazis, it should be returned to its rightful owners or to their heirs.

Bob Stewart (Beckenham) (Con): May I ask my very good friend whether the Bill has any provision for the people who looted this treasure, took it away and then presumably sold it on, or possibly gave it away, because they were acting illegally? Personally, when I have come
across looted churches and mosques, I have been involved in securing that property and making sure that treasures are kept there until someone responsible can take possession of them. I am concerned that these people seem to have got away with just stealing this stuff.

Theresa Villiers: I am grateful to my hon. Friend for that intervention. No, I am afraid that the scope of this Bill is defined and narrow and relates to specific circumstances to enable our national museums to return looted property. However, there are provisions within the criminal justice system and the system of international law that are aimed at bringing to justice those responsible for crimes committed during the Nazi era.

The goal of those behind the holocaust went even beyond mass murder and mass killing. The evil men and women responsible also wanted to wipe out all traces of Jewish culture in Europe, and confiscation of property was a significant part of that repulsive project, so returning books and artworks covered by the legislation is not really about their monetary value. It is about restoring to people a tangible physical link with a lost loved one, and it is about the conservation of memories and culture that the Nazis wanted to eliminate.

My Chipping Barnet constituency is home to a number of holocaust survivors. I pay tribute to all of them for their courage and dignity and for the work that so many of them do to recount their stories to try to ensure that we never ever forget what happened. We owe it to them to enable this small recompense—the return of cultural property—to continue.

James Cartlidge (South Suffolk) (Con): I am very grateful to my right hon. Friend. This is a very, very good Bill. I was brought up in her constituency, and, like Mr Speaker, born in Edgeware. Many of my friends and neighbours were of the Jewish faith. Some of them had been in concentration camps, or had family members who had perished there. Fundamentally, there should be no sunset clause on the memory that we keep properly scrutinised this legislation, because that is our share the opinion that it is wrong to restitute these articles and artefacts, who have been deprived of them, but I wanted to ensure that we had research ahead of today’s debate. I certainly do not other forms of hatred, that we will always condemn it and that we will seek to root it out wherever we find it. Supporting this Bill is a way to demonstrate that we will never let the lessons learned from the holocaust to be overlooked or forgotten.

Supporting this Bill is a way to show the respect that we bear for holocaust survivors who held on, suffered unimaginable trauma and survived against the odds, and I commend it to the House.

11.46 am

Rachel Maclean (Redditch) (Con): It is a huge pleasure and a privilege to follow my right hon. Friend the Member for Chipping Barnet (Theresa Villiers), who has promoted this Bill. She has spoken movingly and with great authority and knowledge about this horrific act of barbarity that has affected her constituents, and, of course, the many people who suffered under the horrendous acts of the Nazis.

I fully support this Bill—this very simple Bill—and my right hon. Friend has outlined why it is needed. As she said, we can see this, particularly on a day like today, when we have woken up to the awful news of what happened in Christchurch.

Bob Stewart: My hon. Friend talked about the Nazis, but we must also remember that a lot of stuff was taken from the national museum in Iraq and other places. This Bill, I hope, covers that sort of looting as well—I think that it does.

Rachel Maclean: I thank my hon. Friend very much for his intervention. In fact, I was going to mention that as a theme in my speech, but I defer to my right hon. Friend the Member for Chipping Barnet, because I do not believe that that is in the scope of this Bill. Perhaps there is scope for future legislation in this House.

I will confine my comments to the importance of the Bill’s achievements, as well as paying tribute to the work of the Spoliation Advisory Panel. I understand that the panel has managed to return 23 objects to their rightful owners. My right hon. Friend kindly took my intervention earlier, which I made because I wanted to clarify some of the criticism that I have come across while doing my research ahead of today’s debate. I certainly do not share the opinion that it is wrong to restitute these articles to families who have lost them or have been deprived of them, but I wanted to ensure that we had properly scrutinised this legislation, because that is our role as Members of Parliament.

My right hon. Friend explained very well that losing an article that is so precious to the memories of a family means losing an object that underpins the memories that are passed down through generations. It is therefore absolutely right that descendants with living memory of these articles and artefacts, who have been deprived of them, are able to go to the panel and have their claims examined in a proportionate way, resulting in the restitution of those items to their rightful owners. We live in a free
society that is underpinned by the rule of law and justice. It is extremely important that we uphold those principles, because they are the basis of a free society in which people can get rightful restitution when they have been wrongfully deprived of their own property, even if that happened in the past.

It is right to address the question of what happens if an article is in a museum and has a wide audience, but these are difficult decisions that have to be weighed up carefully. I am reassured that the panel is an expert one, and that it would of course take such matters into account. At the end of the day, I think all reasonable people would agree that it is absolutely right to return stolen property to its rightful owner. I am proud that the UK, which has been supporting the panel, has been an international leader in responding to the challenges associated with these kinds of claims.

So why is it right to revoke the sunset clause? When the Holocaust (Return of Cultural Objects) Act 2009 was introduced, I think that it was initially felt that 10 years would be enough time as the evidence may have deteriorated after a longer period, making it too difficult to address claims. I am sure that the Government have reviewed this issue during the consultation and decided that it is right to allow this important Act to continue its work, because there are still descendants for whom these artefacts are in living memory.

Kevin Foster (Torbay) (Con): Does my hon. Friend agree that this law would simply remove a statutory time bar so that the whole system does not fall? There will still be the need to prove a case and provide evidence, which may be more difficult as the years go on, and it is less likely that relatives will be found. Without this Bill, a claim would fail purely because this law had fallen after reaching its sunset date.

Rachel Maclean: My hon. Friend makes the point that the Bill is, in a sense, a technicality. It is therefore right that we pass it today to allow this important work to continue.

It is important that we all take a little time today—and when we have more time than normal, given the heated debates that we have in this place—to reflect on why it is so important again to raise the issue of the Holocaust. I am sure that many colleagues attended Holocaust Memorial Day commemorations just recently; I attend the event in Redditch. It was a fantastic day of commemoration not only of the holocaust, but of acts of hate that occur in all societies and cultures. In fact, my hon. Friend from—sorry, I forget his constituency.

Bob Stewart: Beckenham—the centre of the world. All roads lead to Beckenham.

Rachel Maclean: I think they lead to Redditch; but from there to Beckenham. My hon. Friend reminded me that this problem is not just confined to the Nazi period. In fact, when one culture attacks another, it comes for the cultural artefacts first, because the most effective way of trying to wipe out a civilisation is to destroy memories and stories that people tell about a culture and its people. It is evil and barbarous, and we must turn our face against it.

The days of commemoration in our local communities are so important, because we have to continue to talk about the holocaust, including with young people. We may have seen off the Nazis, but we are now seeing how important it is to see off other forms of hate that target people because of their ethnicity, their race, who they worship, who they love and who they live with. We have to stand firm against that in our communities and schools. I am proud to pay tribute to a local school just over the border from my constituency that is attended by many young people. Studley High School is a beacon school for the Holocaust Educational Trust, and it was an absolute honour to be there and see the students performing a fantastic piece on Holocaust Memorial Day. I am delighted to support this Bill and I very much hope to see it passed today. Thank you for allowing me to contribute to the debate, Mr Deputy Speaker.

11.54 am

Victoria Prentis (Banbury) (Con): It gives me great pleasure to speak in this debate and to follow such powerful speeches. I pay tribute to my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) for the enormous amount of work that she has done. I was not able to speak on Second Reading, but she has made moving speeches on both occasions.

It is perhaps appropriate that on a Friday, we are talking about religion and its effect on our legal lives and our family lives. As I said in the previous debate, this is a very sad day for the world, as we have seen a horrific Islamophobic attack—it is a modern attack, and the unpleasantness of the filming as well as the planning really gets us where it hurts. It is good that occasionally we in this House can talk about religion and its effect on the way we live our lives, the way we love and the way we die. It is appropriate that we are talking about holocaust artefacts on such a day, though it is of course very sad.

As my right hon. Friend said, the Nazis wanted to annihilate a whole race, and getting at their possessions was a particularly pernicious way of doing that. Obviously, mass murder is the worst thing that can be done, but there are other means of annihilation, such as the non-registration of births.

Bob Stewart: I totally agree with my hon. Friend, but I want to reinforce the fact that the Nazis stole from anyone they did not like. Although they took mainly Jewish property, they also took property from other people; it is not just Jewish people.

Victoria Prentis: I accept what my hon. Friend says. One reason I became involved in the all-party parliamentary group against antisemitism is my family’s Romany heritage. That is not something we talk about often, but it gives us a link in some small way to the horrors of what happened in Nazi Germany. I am also involved with the APPG for Gypsies, Travellers and Roma. It is important to think about what is done to races as well as individuals. Today, we are broadly talking about Jewish artefacts. The Nazis wanted to destroy the religion by destroying its possessions as well as its people. That is why it is important that, 70 years on, we are still thinking about this.

Possessions are very important to us. I have a ring that belonged to my granny, which she wore every day. I do not wear it every day, possibly because, as a jeweller once said to me, my lifestyle is slightly more hands-on than that of my granny. I do not think it would survive the wear and tear of the life of a Member of Parliament, but I enjoy wearing it, and it makes me feel close to her.
[Victoria Prentis]

Even more precious personally, though certainly not in terms of money, is a coral necklace owned by my daughter that was passed down to her after being owned by seven generations of my husband’s family. We have a portrait of the lady to whom it first belonged. It is a rough and ready portrait, doubtless done by a jobbing painter, of a little girl wearing this very same coral necklace, with a cat. This is a lady whose name I do not even know, but I know that we feel close to her because of that artefact. Things mean a great deal to people, and that is moving for members of my family. The connection is very real, but it is so much more so when we know that that ancestor was murdered and that we can never meet their children—say, those of our great-aunt—because they never existed.

This Bill is on an issue that really gets us where it hurts. The Holocaust (Return of Cultural Objects) Act 2009 is clearly still needed. These artefacts are all over the place. When a race or group of people are destroyed, so many papers and documents get destroyed, and the people who would have inherited many of those artefacts are not born, so it is very difficult to prove ownership. People alive today may not even be aware that they have ownership of these articles, but it matters, and it is important, so I commend this Bill.

11.59 am

Julian Knight (Solihull) (Con): I pay tribute to my right hon. Friend the Member for Chipping Barnet (Theresa Villiers), who is respected and acknowledged throughout this House as a champion not just of her own constituency but of communities across the UK, and the Jewish community in particular.

There can be few if any constituencies in the whole of our country that are not affected by the shadow of the holocaust. In Solihull, we hold a remembrance service every year. Not too long ago, I was privileged enough to hear a holocaust survivor address pupils at Tudor Grange School in Solihull about what she and her family have gone through. I am sure that every other Member has had similar experiences and that they are aware, as I am, that we are increasingly among the last people who will have the opportunity to do so. Too soon, the last of those who lived through the camps will pass on, and the opportunity to hear their stories at first hand will pass with them.

The atrocities of the Nazis start to depart from living memory, it is more important than ever that we renew and live up to our promise to the Jewish people, the Roma and the other victims of the holocaust: never again. This is especially true in the light of the growing plague of antisemitism running rampant in this country right now. I never thought in my lifetime in this great country that I would have to utter such words. It really is unimaginable, but it has come to pass once again. I am horrified to read online the testimonies of many Jewish people who are, for the first time, feeling apprehensive or even afraid about their future in this country. It is simply an absolute disgrace, and I believe that every single one of us has a duty to do everything we can to combat antisemitism and racism in all its forms and to make this country safe and welcoming to people of all communities. The horrors of the holocaust can never be undone, but that just makes it all the more important that we do everything we can to deliver justice and redress for the remaining survivors and their descendants.

I am therefore very pleased that my right hon. Friend has introduced this Bill and that the Government are giving it their full support.

I understand why the drafters of the original Bill chose to insert a sunset clause. They were doubtless conscious of the important role the institutions named in the 2009 Act play in preserving cultural artefacts both for the nation and for humanity. They were right, too, to recognise that over time the evidence base for claims could only grow thinner, and they were acting in accordance with the views of a majority of respondents to the original 2006 consultation. However, it is clear that they were mistaken in their belief that a single decade would be enough to resolve any outstanding claims.

In fact, although the number of new claims is falling, I understand that there remains a huge amount of work yet to be done when it comes to tracing the origins of possibly looted artefacts. Anne Webber, the co-chair of the Commission for Looted Art in Europe, has said that relatively little of the relevant provenance investigatory work has in fact yet been undertaken. Furthermore, any worries about the potential for our great museums and galleries to get bogged down by a succession of increasingly difficult to resolve claims must surely be assuaged by the fact that not only have new claims been less frequent in recent years, but the museum community itself is strongly supportive of my right hon. Friend’s campaign to lift the sunset clause.

It is only just that we continue to offer redress to the relatives and descendants of those whose treasures were plundered by the Nazis for as long as we are able to do so. There may in future come a time when as much has been done as can be done to verify the provenance of individual pieces and the window of opportunity for returning them to their rightful owners has finally closed, but it is clear from the testimony of Ms Webber that this time has not yet arrived and may not for many years to come. We ought, therefore, to hold the door open for just restitution for as long as we possibly can.

Bob Stewart: My hon. Friend probably knows the answer to this, but I do not. The question is: how are we going to be absolutely clear which people are the rightful owners? Is there a system to work that out—is it the legal system or what is it?

Julian Knight: That is an interesting question, and there are people in the museum communities much more qualified to answer it than I am.

Theresa Villiers: Let me provide reassurance on this issue. Establishing ownership obviously involves looking at the facts of the case. The 2009 Act provides for that to happen with the oversight of the Spoliation Advisory Panel, and its recommendation to return property is sent to the Secretary of State for Digital, Culture, Media and Sport. That is the process—the facts are considered, the panel assesses them, and the Secretary of State decides whether to approve the recommendation to return the property.

Julian Knight: I thank my right hon. Friend for that clear explanation, and I am delighted to have been an interlocutor between her and my hon. Friend the Member for Beckenham (Bob Stewart).
Bob Stewart: And will that recommendation have legal force?

Julian Knight: I give way to my right hon. Friend to answer that.

Theresa Villiers: Yes it has legal force when establishing the ownership of property, and the 2009 Act removes the legal barrier to recognising correct legal ownership.

Julian Knight: I shall move on.

This Bill should not be seen as a rebuke to those who drafted and passed the original Act 10 years ago. The whole point of sunset clauses is that they make us revisit previous pieces of legislation, test their underlying assumptions and decide in the light of new evidence and experience whether and how to update the law. That is good legislative practice.

In this instance, after a decade in operation it is clear that the work of the Holocaust (Return of Cultural Objects) Act 2009 is far from done. We do not know how many more items may yet prove traceable to legitimate owners once proper provenance work has been done, and it would be perverse to make it impossible for institutions to return such items in future in order to uphold what has proved to be an arbitrary deadline. The Bill provides us with an opportunity once again to renew our covenant with the Jewish people and all the victims of the Holocaust, reflect on the crimes of national socialism and reiterate our commitment to pursuing justice for its victims. I am therefore proud to offer the Bill my full support, and I hope that Members across the House will do the same.

12.6 pm

Kevin Hollinrake (Thirsk and Malton) (Con): It is a pleasure to speak in this debate on this important Bill, and I express my strong support to my right hon. Friend the Member for Beckenham, who is no longer in his place, made the point that it is not just about returning the treasures but holding to account the people who took them. Regardless of the time that has passed, it is hugely important that we take these great strides and return works of art and cultural items to their rightful owners. Clearly, there is much more to do, and my right hon. Friend’s Bill aims to ensure that we continue to return works of art to their rightful owners.

In the debates on the original legislation, which started in 2006 and was brought into effect in 2009, we anticipated that a 10-year sunset clause would be long enough. It expires on 11 November 2019, which is of course Remembrance Day. At that point, institutions would no longer be able to return works of art to their rightful owners. It is therefore absolutely right that my hon. Friend is taking the Bill forward. It is symbolically very important. The UK is a world leader in these matters. I am very grateful to her and to the Government for their support. She can be assured of my support as the Bill passes through the House.

12.11 pm

Neil O’Brien (Harborough) (Con): I am very pleased to be able to be here today to support the Bill introduced by my right hon. Friend the Member for Chipping Barnet (Theresa Villiers). It is an incredibly important piece of proposed legislation.

The Spoliation Advisory Panel was established after a conference in 1998, the same year that I visited Auschwitz for the first time. Anyone who visits will never forget seeing the now sagging barbed wire that held people in to be contained until their deaths; the small, dark claustrophobic gas chambers; and, from the piles of hair and teeth, how people were literally pulled apart.

I have recently been reading Tony Judt’s book “Postwar”, a magisterial history of post-war Europe. It tells the story of how Europe was put together after the war: how the new institutional architecture that has brought peace to the continent was built; and how the successful new states, none more so than the Federal Republic of Germany, were built up and resisted anti-democratic forces for decades. It covers the big symbolic moments, such as Willy Brandt kneeling in Warsaw, and, most joyously of all, the fall of the Berlin wall, a big moment in reuniting our continent.

It is no exaggeration to say that my right hon. Friend’s Bill, even though it is only about 100 words long, is another little piece in that story: the huge vase that was smashed into a million pieces gradually being put back together, the righting of wrongs and the building up of peace. The Bill is another piece in that story. She is quite right to make the argument that spoliation—taking from families their works of art and their precious belongings—was part of the attempt to dehumanise a whole group of people.
I watched the French documentary film “The Sorrow and the Pity”, which shows some of the Nazi propaganda of the time. What is striking is how sophisticated it was. It is not crude propaganda; it is quite effective propaganda that aims to dehumanise people. The looting of their possessions was a part of that to make them seem like a ragged group who were inhuman and fit only for death. Today, of course, we have new types of racist propaganda. We have the videoclip for consumption on the internet of the barbaric killings in New Zealand. We have new antisemitic memes flooding the internet every day. This kind of propaganda always goes on. It is important that, on every level and every day, we continue to fight it.

On Second Reading, my right hon. Friend drew attention to a number of cases and read out the testimony of people who had been reunited with their belongings. There was the family who remembered a particular painting hanging on the wall. One person said that it had become more and more important to get back a piece of art because they had visited the artist’s studio with a grandparent. Her parents were both dead and it had become very important to have this piece of art back again. That was a very powerful testimony.

I can only imagine the frustration of families before the original piece of legislation, to which we are today hopefully going to end the sunset clause. Families have been in situations where they have identified property that is theirs in a museum somewhere else. It had been looted from them. A convention says that it should be returned to them and the museum wants it to be returned to them, but they are unable to be reunited with their possessions because of an absurd quirk of the law. It would be even more absurd for us not to remedy the quirk that a sunset clause has, for no particularly good reason, but it is now clear that it would be a great injustice to allow it to stand. The Bill will enable trustees to continue to return cultural objects back to their rightful owners indefinitely where it is shown that they were looted by the Nazis. Quite rightly, the safeguards that were built into the original Act remain intact, so that the rights and responsibilities of trustees and directors to look after cultural objects under their supervision and control is protected.

It would have been quite easy for the House to do nothing in 2009, but Members rightly decided that ensuring that some of the estimated 100,000 missing works of art could be returned to their rightful owners was the correct and moral thing to do. Many of those objects were stolen nearly 80 years ago. It would be completely contrary to our country’s values to pass up a clear opportunity to act to right these wrongs and correct these injustices, even though they were perpetrated so long ago. That is not what we stand for. However, there is a clear and present danger that if the Bill is not protected, the sunset clause that is due to come into force in November this year will undo the work done by the Act, and it will no longer be possible to correct those wrongs in the future.

We as a nation have been at the forefront of repatriating the items looted by the Nazis, leading the way not only in Europe but in the rest of the world. The Spoliation Advisory Panel takes an approach that is both revolutionary and fundamentally common sense, without the need for costly legal proceedings and lawyers. I mean no offence to any legally trained Members who are present. Had the panel appeared earlier, other countries could not have used our delay as an excuse for their own inaction. Now that it is in place, however, it is able—in a dignified and trusting manner—to make decisions based on the evidence to which my right hon. Friend has referred, without involving costly adversarial arguments and instead relying on the good sense and discretion of its members.

As my right hon. Friend said, the panel has worked hard and conscientiously for many years, and I, too, place on record my thanks for its ongoing work. I hope that by passing the Bill, we can allow it to continue that work, and to bring at least some comfort to holocaust survivors and the families of victims.
12.22 pm

Dr Rosena Allin-Khan (Tooting) (Lab): Let me begin by joining colleagues in sending thoughts and prayers to all those affected by the abhorrent attack that took place in Christchurch today. I know that the whole House joins me in condemning that barbaric act.

I pay tribute to the right hon. Member for Chipping Barnet (Theresa Villiers) for her tireless work. She initially secured Government support for a private Member’s Bill which then became an Act, and she is now ensuring that a sunset clause in that Act will not block a person’s right, or the right of that person’s family, to the justice that they so deserve. I agree with my hon. Friend the Member for Cardiff West (Kevin Brennan), who on Second Reading described the Bill as a carefully targeted, specific piece of legislation that worked well. The Labour party is proud to support it.

I also pay tribute to all who have spoken today. The hon. Member for Redditch (Rachel Maclean) spoke movingly about seeing off hatred, and I am sure that I speak for the whole Chamber when I commend what was said by the hon. Member for Banbury (Victoria Prentis), who spoke of her own heritage.

I know that every Member of the House is all too well aware of the impact of the holocaust, but Members may not know that my own family were personally affected. My grandma was pregnant with my uncle while hiding in the sewers in Warsaw during the second world war. My family were in the Warsaw ghettos. My grandmother’s brother, my great-uncle, died valiantly fighting for freedom in Poland. My mother is Polish, and I know full well that no one grows up in a Polish family without hearing stories of the holocaust every week. I have been to Auschwitz-Birkenau three times, and I can tell you that the holocaust changed the lives of entire families, with millions of people murdered on a scale that is as horrifying as it was massive. So as a second generation Pole, I can tell the House that the pain indeed lives on today.

As we know, however, the Nazi commitment to their idea that an entire people did not simply end at eradicating lives. The Nazi authority set about looting priceless works of art that had been passed down through generations of families; by setting out to destroy an entire people’s culture, they were trying to destroy any record of existence—to wipe them off the planet.

As I have said, my mother is Polish so I naturally feel a personal connection to the Nazi attempt to exterminate my mother’s and my own culture. Current estimates state that at least 516,000 individual works of art were lost in Poland in world war two. We would need 220 National Galleries to host that many paintings, and this only covers those objects registered in the post-war years as being lost, which mainly focused on works of old art.

As far as libraries and home collections are concerned, losses are estimated, staggeringly, at over 22 million volumes from almost 40,000 libraries. By the end of 1942, German officials estimated that over 90% of art previously in Poland was in their possession. This is robbery and looting on an unimaginable scale. Imagine every printed item in Oxford university’s libraries and then double it; all that was stolen. It is truly incomprehensible. The original owners of these cultural items have a right to have them returned to them. This is why this Bill is so important.

While the Nazis were, thankfully, stopped from destroying an entire people’s culture, the works of art they stole are still found in museum collections across the globe. The UK, by playing its part in returning such items to rightful owners, demonstrates our commitment to live up to the ideals that were fought for over 70 years ago. The Act that this Bill amends has helped the Spoliation Advisory Panel to do its vital work, and its assistance in the return of 23 cultural objects to families or satisfactory compensation in lieu of return is an important illustration of our collective remembrance of the victims of the holocaust.

It is not of course the only way in which we remember the victims of the Shoah. International Holocaust Memorial Day and the Holocaust Memorial Day Trust do excellent work each and every year, and I pay tribute to them for their work. With the rise of the far-right and increasing numbers of hate crimes, it is more important than ever to remember—to remember what can happen when the toxic fascist ideologies are left unchallenged; to remember that we as a society are weaker when we are focused on the differences between us, instead of the common goals we share; and to remember, most importantly, that it is the duty of every Member in this House to ensure that a holocaust never happens again.

It would be remiss of me to stand at this Dispatch Box and speak of the holocaust without talking about antisemitism. As far-right parties gain momentum across Europe and countries like Germany and France report sharp rises in antisemitism, now is the time to redouble our efforts to pay our respects to the victims of the holocaust; by doing so, we can all stamp out this repulsive ideology.

It was vile antisemitism that fed into the Nazi desire to eradicate an entire people and rob them of their culture, and I am proud to say that the Opposition are supporting this Bill today, to continue returning stolen items to rightful owners, where they belong. It is not right to put a timeframe on justice, and if a family are still searching for an artefact that was stolen, as many unfortunately are, we should not add to their distress by enforcing an arbitrary deadline.

There is an old Hebrew proverb—I hope I am pronouncing this correctly—that goes: “Na’eh doresh—na’eh meqayem.” It translates literally as “He who demands well, he who fulfills his demands well.” Our equivalent would be “Practice what you preach.” We all talk about our commitment to moving our country towards greater equality and reducing discrimination, but words are significantly devalued without the actions to back them up. The Bill provides an opportunity to reflect on what we are doing to fulfil our demands well, and I hope that we will redouble our efforts today.

12.30 pm

The Minister for Digital and the Creative Industries (Margot James): I would like to start by associating myself with the comments, the tributes and the sense of outrage and shock expressed by so many Members of the House and by Mr Speaker following the truly dreadful events in Christchurch. I send my deepest condolences to the people of Christchurch and of New Zealand, and to Muslim people the world over.

I am pleased to speak in support of the Bill promoted by my right hon. Friend the Member for Chipping Barnet (Theresa Villiers), and I pay tribute to her determination...
in pushing this important private Member’s Bill to this stage. This is never an easy route, and it is one in which many more Bills fail than succeed. Setting to rights the terrible crimes committed during the second world war is just as important for us today as it was following the defeat of Nazi Germany in 1945. The widespread and systematic seizure of cultural property in territories occupied by or under the control of the Nazis and their allies has been recognised in international declarations as warranting particular recognition and deserving of special treatment.

The Washington conference on Holocaust-era assets in 1998 reached consensus on how to deal with the issue of Nazi-looted art. It was partly in response to this that the Government established the Spoliation Advisory Panel in 2000. The panel’s report on the Beneventan Missal in 2005 recommended to the Government that the law should be changed to allow national museums to return Nazi-looted art. I would like to join Members across the House in thanking the panel for its excellent advice over the years, which has allowed justice to prevail in the circumstances we are discussing today.

Bob Stewart: I should like to place on record my tribute to the people known as the monuments men. There was a film about them, based on a true story. Those 345 experts spent until 1951 searching for artefacts, pictures and other objects so that they could be returned to their rightful owners. They located 5 million pieces, but they reckoned a lot were never seen again. Their work was crucial to our efforts to get stuff back to the people who own it.

Margot James: My hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) struck a more optimistic note, talking about the education of children. He referred to the section devoted to the Holocaust at the Imperial War Museum, which I have not yet visited and must do so. Exhibitions like that around the country share that cultural history, which is so important for the education of younger and future generations. It is by keeping that remembrance alive that we protect against the potential horrors of the future.

My hon. Friend the Member for Harborough (Neil O’Brien) has just been reading Professor Judt’s “Postwar: A History of Europe Since 1945” and talked about the effectiveness and sophistication of the Nazi regime’s propaganda. He also drew my attention to the effectiveness of its modern-day equivalent. The internet has regrettably enabled the swifter spreading of propaganda, exposing so many more people to it, which is one of the biggest challenges to address as we seek to ensure that online standards better reflect the standards that we demand and expect offline.

My hon. Friend the Member for Dudley South (Mike Wood), whose constituency neighbours mine, talked about the annual Dudley holocaust memorial event that is arranged with energy, passion and commitment by the hon. Member for Dudley North (Ian Austin). My hon. Friend the Member for Dudley South mentioned the privilege of hearing Zigi Shipper talk at this year’s event, 74 years after the closure of Auschwitz-Birkenau, about his family’s experience of the evil concentration camps.

It is a privilege to follow the hon. Member for Tooting (Dr Allin-Khan). She is a second-generation Pole and spoke movingly about her family’s direct experience of the terrible events that we are discussing today. She really brought home to me the scale of the Nazis’ attempts to destroy all evidence of the Jewish population when she alluded to the destruction of more documents than those contained in the University of Oxford’s libraries and of much more besides. As she said, there was robbery and looting on an unimaginable scale.

The extension of this legislation is important. It is no wonder that it has enjoyed such strong cross-party support. My right hon. Friend the Member for Chipping Barnet has done so much to speak up for the Jewish community, and it is tragic that the community now needs so much support. She spoke of the emotional value of the return of cultural artefacts and works of art and the fact that so many of them are priceless to the owners or their heirs. She eloquently described how the restitution of such works of art can provide a powerful link with the past for the families and heirs of holocaust victims, representing the most tangible connection that they may have with their parents, grandparents, aunts and uncles, so many of whom were lost during those dark and awful years.

My hon. Friend the Member for Redditch (Rachel Maclean) reminded us of the common theme of the appropriation of cultural artefacts, talking about the destruction of the cultural history of a whole people by an oppressive regime or invading power seeking to wipe out the traces of the civilisation that it is attempting to destroy. It is testament to the Jewish people that the Nazis did not succeed in that endeavour.

My hon. Friend the Member for Solihull (Julian Knight) shared his horror at the growing tide of antisemitism, and I identify with his revulsion at this deeply retrograde phenomenon.

Despite the excellent work of our national museums to research the provenance of the items in their collections, we have heard that that work needs to continue. Such is the scale of the task that it would be wrong to begin to suggest when it can be completed. I am sure it will be timeless, which is why the powers in the 2009 Act should...
be extended indefinitely so we can continue to consider claims from those who were so cruelly robbed of their property.

To use the words of Sir Nicholas Serota, the former director of the Tate Gallery, it is vital that potential claimants should not feel that the door is being shut in their face. We cannot change the past, but we can continue to bring some measure of justice to the families of the dispossessed. This Bill plays a vital role in allowing us to do that, and I hope it can now proceed.

I close by echoing the tribute paid by my right hon. Friend the Member for Chipping Barnet to the holocaust survivors, and their heirs, in her constituency and the world over.

12.42 pm

Theresa Villiers: With the leave of the House, I rise to give my profound thanks to everyone who has taken part in the debate today and those who participated on Second Reading and in Committee, including the Front Benchers. Like the Minister, I found the contribution of the shadow Minister, the hon. Member for Tooting (Dr Allin-Khan), very moving in talking about the experiences of her family.

I thank officials in the Department for Digital, Culture, Media and Sport, particularly Mark Caldon, for their help and briefings on this legislation. I thank Andrew Dismore for his advice and, of course, for his work on the original 2009 Act that we are here to save. Lastly, I thank the Lord Commissioner of Her Majesty’s Treasury, my hon. Friend the Member for Castle Point (Rebecca Harris), for her invaluable assistance in enabling me to navigate the Friday process.

I commend this Bill to the House.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Rivers Authorities and Land Drainage Bill

Bill, as amended in the Public Bill Committee, considered.

Third Reading

Queen’s consent signified.

12.44 pm

David Warburton (Somerton and Frome) (Con): I beg to move, that the Bill be now read the Third time.

Before I talk about the Bill, I would like to associate myself with the comments from across the House about the appalling events in New Zealand, which cast a shadow over us all today. I have no words that are truly sufficient.

I congratulate my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) and my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) on successfully steering their equally important Bills through the House. Let’s go for the hat-trick.

It is over a year since I first presented the Bill to the House. Not long after, the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the hon. Member for Suffolk Coastal (Dr Coffey), and I took part in an Adjournment debate on rivers authorities. Rather a lot has happened in those 12 months, not all of it particularly good, so I am delighted that in the last five weeks the Bill has moved from struggling to putting its head above the water in the long list of private Members’ Bills and then—with, I hope, the House’s support today—into the other place.

Bob Stewart (Beckenham) (Con): That was a pun.

David Warburton: Yes, there was a pun there. I thank all those who have made this possible, particularly those who joined in the Committee stage, and I am grateful for the cross-party consensus and support, which has been very important and valuable.

My Bill covers the important topic of water management, particularly flooding. The House has debated flooding many times, and not just in respect of this Bill, so I know that we are all well aware that it is truly devastating and that such devastation can be wide-ranging and long-lasting. Many of our constituents, and some of us in this House, have had terrible direct experience of the effects and power of flooding, and anything we can do to help them help themselves, in addition to the record investment from this Government, which we should note, can only be a good thing.

Whether directly affected or not, no one in the House will not recall the images of inundated communities during the floods of 2007 and 2013-14 and of the winter of 2015-16, which impacted on so many people across our country. We must not forget, either, the other localised flooding that has affected many others between and since those events.

Rachel Maclean (Redditch) (Con): I am delighted that my hon. Friend has touched on the relevance of his Bill to areas apart from Somerset—we all remember the flooding there. Is it his contention that the measures in the Bill could be used to create bodies to manage flooding in other areas of the country?
David Warburton: I am grateful for that important intervention. It is important to note that, while the Bill nominally allows for new rivers authorities to be set up, with local support and after consultation, anywhere in the country, there is no particular desire or need for that at the moment, as far as I am aware. That said, the measure is there.

The Minister for Agriculture, Fisheries and Food (Mr Robert Goodwill): I am pleased to signify early on that the Government will support my hon. Friend’s Bill.

David Warburton: I am very glad to hear it.

As we experienced just this week with Storm Gareth, which brought high winds and heavy rainfall, we are powerless to control the weather, but that is not so with flooding. Things can be done to reduce the likelihood and the impact of floods. We can and we do help our communities to better manage the risk of flooding of their homes and businesses by constantly assessing the risk and taking strategic action to be better prepared so that when the weather is against us, there is less risk to life, livelihoods and property and recovery is quicker.

Bob Stewart: My hon. Friend refers to weather, to which flooding is obviously directly attributable, but in my constituency the water table rose and it was almost impossible to get rid of the water. It just kept coming and flooded a huge number of houses, particularly those with cellars. I do not understand what we can do about that.

David Warburton: I am no expert on water tables or the flooding of cellars, but that is exactly the kind of work that our internal drainage boards and other risk management authorities manage daily. The purpose of the Bill is to bring the work of those bodies together and add to their weaponry, so that they can work to help us all. To help to deliver that, my Bill will specifically provide opportunities for local partners and communities to better manage the risk of flooding and to improve water management, which will also have other benefits. The Bill will achieve that through the two types of public body that it covers.

The devastating floods that hit my constituency and those of other Members during the winters of 2013 and 2014 will forever be ingrained in my mind. I apologise to Members present who attended previous debates on the Bill and have heard this before—I will not go into all the details—but the events really were shattering for Somerset. I recall travelling by boat on what ought to have been roads on the Somerset levels and moors, and standing in people’s houses that were not only waist-deep in water but had been flooded only 12 months before.

From adversity comes opportunity, though, and neighbours and communities in Somerset came together. Members of those communities wanted to take action to reduce the chances of such flooding happening again and properly to manage the risk. The people of Somerset were keen to take ownership and proposed the creation of a new locally funded public body known as the Somerset Rivers Authority. I thank the Government for their support for the idea, and the SRA itself for the benefits its hard work has already provided since its inception, even though it is currently non-statutory and unincorporated. Members will be pleased to know that the Bill does not purely contain powers formally to establish the Somerset Rivers Authority, but rather enables the creation of rivers authorities wherever there is local need and support and due process is followed.

The Bill’s first measure will enable the creation of rivers authorities, which will be risk management authorities and major precepting authorities. They will be able to issue a council tax precept each year, to be used for local flood risk management activities in addition to those already undertaken by the Environment Agency, IDBs, local authorities and others.

Although a rivers authority would need to encompass an entire local authority area, if desired it could span any number of local authority areas, thus providing a level of joined-up strategic planning where appropriate. Rivers authorities will be locally accountable bodies that work with all risk management authorities, including water companies, to help reduce the local risk of flooding from all sources. They will use the funding provided by the precepts to undertake such work as will benefit their entire areas of operation. The rivers authorities model is very much one of collaboration and enabling the use of knowledge and expertise to deliver for communities. A rivers authority is not there to usurp any other organisation or the Government’s and the Environment Agency’s important work throughout the country.

Although, as I have said before, Somerset is fortunate, as in so much else, in already having its own rivers authority. The Bill is the final piece in incorporating that authority formally and ensuring that it has a secure future.

Rachel Maclean: I note that the Bill will bring with it powers to levy a precept on council tax payers. I am concerned about local council tax payers having to pay more. Will my hon. Friend enlighten the House on what he thinks the amount of the precept will be and how it will affect local council tax payers?

David Warburton: I am grateful to my hon. Friend for that intervention, because it is important to clarify this. The Somerset Rivers Authority is already paid for by local council tax payers, to the tune of £2.5 million a year. That money comes in the form of a voluntary payment from the local authority to the rivers authority, which means that it has no security for the future. The rivers authority cannot enter into long-term contracts or plan strategically for the future. The Bill will provide it with assurance that it will be able to provide the kind of levels of water management that we need in the future. There need not necessarily be any change to the amount paid by local taxpayers.

In advance of a rivers authority being created, there must be a proposal and there must be local support. The Government will not, and indeed cannot, under the auspices of this Bill impose a rivers authority anywhere, but will consider those who want to propose such a body by setting out their policy intent for rivers authorities through a national framework. The details for any agreed rivers authority will be set out in secondary legislation specific to each one.

Assuming that my Bill makes it to the statute book, as I very much hope that it will, I will politely and respectfully press the Government to issue their national framework as soon as possible and will then pursue local partners to bring forward their proposals, which will finally allow for the Somerset Rivers Authority to be formally created under this legislation.
There are other already important risk management authorities in England. One type of such body is internal drainage boards. IDBs maintain watercourses, reduce flood risk to people and property and manage water levels for agricultural and environmental needs within their internal drainage districts. There are currently 112 IDBs across England, covering roughly 10% of the country, so Members will be aware of them and the important work that they do. However, there are gaps that some might wish to fill.

Internal drainage boards mainly fund their work through a charge on the communities that they serve. Agricultural landowners are liable for drainage rates, and local authorities are liable for the special levy. The special levy charge, and the methodology that sits behind it, is based on ratings from 1990, as set out in the Land Drainage Act 1991, but, unfortunately much of the data is missing or incomplete. The second measure in my Bill therefore amends the Land Drainage Act to accept newer ratings data that could be used to create new charging methodologies.

To ensure that the apportionment calculation between the two charges is up to date, and to reduce the risk of imbalance on either side, that measure will also allow for an update to the drainage rates charging methodology. Once the regulations are in place, the new data and charging methodologies will enable the creation, finally, of new internal drainage boards, or the expansion of existing ones, where this is wanted. I know that there is enormous pressure for that from hon. Members up and down the country. I stress that both those measures in the Bill are enabling powers and require local support before the Government can act.

As I said on Second Reading, this Bill helps to deliver greater protection through two different, but equally important, public bodies. We in this place owe it to our constituencies and our communities, and to anyone who has been flooded or is at risk of flooding, to take all possible steps to mitigate that risk. With the support of the House today, discussion and scrutiny of this Bill will, I hope, continue in the other place. I very much look forward to following its discussions with interest. I commend this Bill to the House.

12.58 pm

Mike Wood (Dudley South) (Con): I shall speak extremely briefly in support of this sensible Bill. There can be few Members of this House who represent constituencies that have not been impacted by flooding in recent years. In some cases, such as the flooding in Somerset, it has been on a devastating and life-threatening scale and has featured in headline news around the country and sometimes around the world. In other cases, the flooding will have been much more localised, but still with an enormous impact on those whom we represent. In my own constituency, localised flooding caused the closure of a local primary school for a while, with everything that results from that. It sometimes causes significant damage to property and possessions, sometimes large financial costs and at other times very large damage to items of sentimental if not necessarily financial value.

If the measures set out in the Bill and the new rivers authorities can ensure that preventative work can be done to reduce the risk to people’s lives, properties and possessions, this legislation will make an enormous contribution to many families up and down the country. In some parts of the country, it is obviously appropriate that the work is done by new rivers authorities, covering either a single or multiple local authority areas. In others, the work can be done at least as, if not more, effectively by existing bodies, whether the lead is taken by the larger local authorities, particularly unitary authorities, or by a city region or combined authority.

As the effects of climate change become more apparent, with adverse and unusual weather patterns occurring on a much more regular basis than they did even a few decades ago, and as building and development patterns mean that, in the last generation or two, more and more properties have been built in areas that we now see being particularly prone to flooding, it is even more important that we do everything we can reasonably do to safeguard areas from the effects of flooding. This Bill is an important step towards achieving that.

1.1 pm

Victoria Prentis (Banbury) (Con): Madam Deputy Speaker, you may remember the last speech that I gave on this Bill.

The Comptroller of Her Majesty’s Household (Mark Spencer): Too short.

Victoria Prentis: It certainly was not too short, but it did rehearse my lifelong passion for drains and my concerns about flooding. I relieved one of my worst ever court experiences, when I feared I would have to say cryptosporidium in Welsh when prosecuting Welsh Water. Luckily, that never came about.

I pay tribute to all the hard work that my hon. Friend the Member for Somerton and Frome (David Warburton) has put into this private Member’s Bill, which has cross-party and Government support. He has spoken on the subject with extensive knowledge and authority, if perhaps without my passion as a wet Tory. This is a worthwhile Bill and one that is long overdue.

On Second Reading, apart from talking about my grandfather’s drains, I also spoke about the quality of the raw water in my constituency, caused by discharges from sewage treatment works and diffuse agricultural products. This has caused increased nutrients in the water, which has led to quite poor water quality in many of our local rivers. I was having a discussion with my hon. Friend the Member for Sherwood (Mark Spencer) as we prepared for today’s sitting, and he made the point that in his constituency—a former coalmining area—there are very real difficulties with water quality because the water courses have been messed around with as we have messed around with the environment.

This Bill will have importance for Members right across the House. Obviously, we recognise that Somerset has had a particular problem with flooding, but I hope that the Bill will give peace of mind to home owners and businesses across the country that are at risk of flooding, although most particularly to the people of Somerset. I am aware that Somerset has suffered from flooding for the past 400 years, with chroniclers describing floods as “faster than a greyhound”, as my hon. Friend the Member for Somerton and Frome told us in Committee.

The Bill is important because it addresses some key issues. It would allow the Secretary of State the power to establish rivers authorities. Clause 1(2) amends the
[Victoria Prentis]

Flood and Water Management Act 2010 to include rivers authorities in the definition of risk management authorities. This will allow rivers authorities to co-operate with other risk management authorities when tackling flooding and will help to ensure that there is central co-ordination when dealing with these issues. That co-ordinated approach is crucial for effective planning and strategy in these types of situation. The measure also means that rivers authorities will have the power to issue a precept to billing authorities, which would then be in a position to collect the money from local taxpayers.

This is something we have studied in depth in Banbury. We were severely flooded in 1998 and then again, slightly less so, in 2007. The original floods caused extensive damage to 125 residential properties, and 35 commercial properties were also flooded, with about £12.5 million of damage. After the 2007 floods, we came together as a community to work out how to deal with it. We came up with a new scheme, which I think it is relevant to mention.

We were able to collect the money for our flood defence scheme in Banbury not only indirectly from local taxpayers via the local council—not by a precept, because that was not available then—but from significant private investment. That is a model, and it should be used by other areas that are dealing with this problem as an example of a public-private partnership that can really benefit an area.

We had bad flooding in 2007. We started the construction of our new scheme in 2011. It now protects 441 houses and 71 commercial properties. It is a huge earth embankment of almost 3,000 metres long and up to 4.5 metres high in places. As part of the development, we were also able to construct a new park, with a circular walk, and to work locally to create habitats for wildlife, which we also need to consider whenever we play with water systems. We need to think about what good we can do when we change the way that water flows.

The scheme cost just over £18.5 million, and it was tested soon after it was constructed in the floods of November 2012. I am pleased to say that it has worked beautifully ever since. It has also had a significant effect on the environment in the village where I live. I live further down the Cherwell valley from Banbury, in a beautiful area right in the middle of my constituency. Previously, when Banbury or Oxford flooded, because of opening gates and managing the water, our area of the Cherwell valley could be very badly affected by flooding, but our new works in Banbury have alleviated the problem for not only the immediate area but those of us further downstream. It is a good example, and I urge Members with an interest in this to consider the way that we got private and public money to pay for it.

Areas that do not have rivers authorities will be able to set them up if they are needed, to ensure that there is local support. Another important element of the Bill is how it will help the 112 internal drainage boards across England that are involved in water management and flood risk management. They play an important role in their local area by maintaining water levels for agricultural and environmental needs, as well as through the upkeep of waterways and flood management.

IDBs are responsible for approximately 1.2 million hectares in England, covering close to 1 million properties. Each IDB is funded by the area it covers, and drainage rates are paid for by agricultural landowners and special levies that are paid for by local councils or authorities. Those land valuations depend on an assessment by each IDB of the relative value of agricultural land, buildings and other land. However, the valuation of other land is based on data collected in the 1990s as part of the Land Drainage Act 1991, which is older, if I may say so, than most of my members of staff. The Bill will mean that new data is collected, to be used by IDBs to calculate the value of “other land” and bring us into the modern world. It will also allow IDBs to extend their boundaries and make it possible for new IDBs to be created using modern-day data.

The other pressing issue in my constituency at the moment is the enormous amount of house building we are doing. We are finishing three houses a day in Banbury and Bicester on average. We normally top the leader board nationally most weeks for the number of houses finished. This has obviously had an enormous effect on the environment locally. It is really important that we use the structures in Bills such as this to ensure that we plan the way the water flows around these new developments.

It is also very important that we do just as much to plan habitat building around new developments. Bicester is a garden town, one of the schemes developed in the last Parliament, and we take this very seriously. I feel that the way in which we manage our water is important both for stopping flooding and, in a positive way, ensuring that it can help habitats and allow us all to enjoy it. Nothing is more beautiful than walking by a stream or, as my grandfather said—I think I mentioned this in my last speech—listening to a running drain.

It is important that we really embrace the concept of water management, so I thank my hon. Friend the Member for Somerton and Frome not only for his hard work in getting the Bill to this stage for his constituents, but for everything he has done for people across England who have been affected by devastating flooding.

1.11 pm

Matt Warman (Boston and Skegness) (Con): I rise to briefly support this excellent Bill, as I did in the Bill Committee and on several occasions as it has progressed through the slightly tortuous private Member’s Bill system. It is excellent that we are finally here today with something that will deliver real and meaningful benefits for Somerset in particular.

As my hon. Friend the Member for Somerton and Frome (David Warburton) knows, this is the point where I turn into a bit of a gloom bucket. While the Bill is brilliant for Somerset, I hope the Minister and his right hon. Friend the Secretary of State will be able to look favourably on the other parts of the country that seek to benefit from the good things it will enable for Somerset and, in theory, for other parts of the country as well. I say that for two reasons, and some of this is already in process through the consultations that the Department is running via the Environment Agency at the moment.

The first is the extension of rateable areas for existing IDBs. In my constituency, we are blessed with five IDBs. As I have mentioned before, according to the Association of British Insurers, it is the constituency in the country...
most likely to flood in relation to both internal drainage and coastal flooding. To be sustainable, drainage boards need to rate areas that benefit from the work they do but that do not currently pay for it. It seems to me that that is only fair, because the work the drainage boards do provides a huge benefit for the wider local economy. In Lincolnshire, they work remarkably effectively and produce work at a fraction of the cost of the Environment Agency—by the Environment Agency’s own admission—and, indeed, they have often worked as contractors for the Environment Agency to produce the maximum value for the taxpayer. They will be able to do even better work if they are properly and sensibly funded by all those who benefit from their work. That is what the Bill will permit—in practice, in some areas of the country, and in theory, in others. Once my IDBs, which are independent-minded and well run, come to a collective view on what they would like, I hope the Minister and his colleagues in the Department for Environment, Food and Rural Affairs will look favourably on it.

My second point is on the rivers authorities aspect of the Bill, which could be—I do not say it will be, but that it could be—an excellent solution for Lincolnshire as well. I would like that very much to come from my own drainage boards, councils and those who know best what is good for them, rather than suggesting for a moment that the Department should impose any of this on Lincolnshire, although I do not think it is currently minded to do so.

Ultimately, and to use Boston Borough Council as an example, the responsible thing for drainage boards to do is clearly to make sure that they have the resources to do their necessary work and keep everyone’s feet dry—literally. As they put up their rates, however, because we have rightly capped the amount by which council tax can rise, any rises in council tax are entirely taken up by those necessary rises in drainage rates, and drainage boards are effectively able severely to curtail, if not cut, the resources available to a borough council. Being able to make that funding a separate council tax line, so that it is a precept rather than a levy, will be a huge step forward in Somerset and allow people to be properly resourced at both council and drainage board level. That is a good thing, but it is not the only way things can be done, as the Minister said in Committee, I suspect my hon. Friend the Member for Somerton and Frome will say that other options are available to my councils, and I imagine he will be right.

In remains the case, however, that today it is difficult for drainage boards to get the resources they need without putting up against that cap on council tax rates, which means that small authorities such as Boston Borough Council and East Lindsey District Council find themselves in a difficult position. The situation will be solved in Somerset through the rivers authority—that is good and we welcome it—but I hope the Minister will work with his colleagues, my drainage boards and the Environment Agency to try to alleviate the problem that this excellent Bill will solve in an admirable way for Somerset, so that we can also find a way through for areas such as Lincolnshire. I do not want to be too gloomy because this Bill opens a number of doors through which I hope counties such as mine, and councils such as those in my constituency, will be able to walk if they wish. This Bill is excellent for Somerset, and it is excellent that the Government and the Opposition are supporting it, as will I.

Rachel Maclean (Redditch) (Con): It is a pleasure to add my support to this Bill, and I thank my hon. Friend the Member for Somerton and Frome (David Warburton) for introducing it and for accepting my interventions. I have a confession to make, Madam Deputy Speaker, because unfortunately I do not share the passion for drains expressed by my hon. Friend the Member for Banbury (Victoria Prentis)—[Interruption.] I am sorry about that, but I do share her passion for rivers and for our environment more generally. In particular, I share her passion for drains that work well, as will all hon. Members who were here last week when the drains were blocked—enough said about that.

We are discussing Somerton and the Somerset levels, and the admirable work that has been done. It is interesting to consider the unique aspects of the environment that have affected the Somerset levels. Being a midlands girl, I confess that before I came to this place and made the acquaintance of many Members across the House, I did not have much knowledge of the Somerset levels and that unique environment. Like many of us, I remember watching the news and seeing those devastating floods, which had a catastrophic impact on those communities. I remember seeing photographs of politicians in wellington boots and hi-vis jackets standing in a flood or river, and thinking, “Goodness me. They are tackling a really challenging issue.” Now that I have the privilege of representing a community, I find myself wearing hi-vis jackets and wellingtons on some occasions, so I understand what was happening on the Somerset levels.

Thousands of years ago that unique environment was covered by the sea. That is quite a common feature for our island nation, because we are surrounded by the sea on all sides. As it receded, we had to manage the land. I understand that it was the Romans who first dug up a network of drains and ditches to manage the place. That work has continued ever since, as the area is vulnerable to flooding because of its geography.

We are discussing the wider issues of flood management and it is timely for us to be doing so today. On my way here, I saw schoolchildren protesting in the climate strike. The Bill is about flooding; water management and managing our environment and our ecology. It touches a wider nerve outside this place. I am proud to see our young people taking action on these issues that matter to us, and I am proud to be a part of a Government who take them very, very seriously.

Thangam Debbonaire (Bristol West) (Lab): I am grateful to the hon. Lady for letting me intervene on her. She mentions the young people outside today, I went out to talk to some of them. Does she agree that they are an inspiration, but that this is also a time to reflect on what we are doing? The young people I spoke to gave me a list of things that they think we need to be doing. They did not mention the Bill—strange to say—but it is a part of the piece. Does she agree with me that those young people are why we are here and why we get up every day to do the jobs we do?

Rachel Maclean: I thank the hon. Lady so much for that intervention. She is absolutely right. Every time I come into this place, I see people with placards outside. It is a real privilege to be able to take on their concerns and to be able to do something about them. I agree with
her on the climate. We all need to do more, but we are making some welcome progress. For example, the UK is the first country to phase out coal generation and we are the first country to have passed a climate change Act. When I speak to local young people in my constituency, they present me with demands similar to those she has just mentioned. I tell them that we are taking action and that we do care. We have reduced our carbon emissions. Our country is a leading advocate for the Paris agreement. Taken together, along with the action we will be taking on drains and flood management through the Bill, we are doing a good job, but we are all mindful that we have to keep doing more on this issue.

My hon. Friend the Member for Somerton and Frome mentioned the economic impact on communities, businesses, farmers and all people who live in areas affected by flooding that his Bill will help to prevent. I have some personal experience of that. The briefing notes state that the measures in the Bill can be used—he kindly responded to my intervention on this point—to create bodies in other parts of the country. One such place could be Cumbria. My 83-year-old mother lives in Cumbria. She has dementia and she was very badly affected by the floods that took place in December 2015. She had to be evacuated from her home and put up in a local hotel. She lives on her own and she had no carers there. She was totally distressed and it was harrowing to receive phone calls from her saying, “I can’t get food. I don’t know where I am. Someone’s taken me and put me in a hotel.” When we talk about the impact of flooding on roads and so on, we must remember the human impact. It really affects people. I believe that in those floods there was loss of life.

It is very important that we enable local bodies to take action as necessary on a local basis, supported by local communities, to address the specific issues in their areas. As a low-tax Conservative, I support the idea that this should be locally managed with the consent of local communities. A number of environmental measures have to be taken, as my hon. Friend said, to tackle issues that pertain to the specific geography of their areas. My hon. Friend the Member for Banbury mentioned the impact on wildlife. Flash flooding has a huge impact on the local wildlife: not only the fish in the streams but any birds, flora and fauna living on the riverbank. These are fragile environments and they can be obliterated by flooding, huge movements of earth, landslips and so on, so having local plans in local areas is very important.

I am pleased that the Bill has the support of the National Farmers Union and the Association of Drainage Authorities. The Bill will be welcome in my constituency because as well as Somerset and Cumbria, we suffer in my area from flooding. Most recently, we experienced flooding in an area called Hollywood—not in Los Angeles but just up the road in Birmingham—where two months’ worth of rain fell in two hours. I am delighted that an organisation has come together to put in place the Hollywood risk management plan, because the flooding caused £15 million-worth of damage, which people in that area could ill afford. I am very pleased that there are measures in the Bill that will help local communities up and down the land, should those communities choose to put them in place.

I put on record my thanks to my hon. Friend. Friend the Member for Somerton and Frome for his work as he has steered the Bill through the House. I thank everybody else who has spoken and the Minister, and I look forward to hearing his comments about how the Government will support the Bill and enable it to be enacted.

1.25 pm

Sandy Martin (Ipswich) (Lab): I echo the words of my hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard) on Second Reading and in Committee, and I welcome the cross-party consensus that has, if not sped the Bill along its way, allowed it to ooze into its present position. I add my thanks and appreciation for the efforts of the hon. Member for Somerton and Frome (David Warburton), whose hard work and persistence has got us to this point. Of course, the Bill also has the support of the Government, even though they did not take it forward in Government time, and of the National Farmers Union, the Environment Agency and the Association of Drainage Authorities.

I find myself partially disadvantaged in discoursing on this Bill because I am not from the west country, and the majority of the running has naturally come from west country Members, who have a long-standing commitment to helping the people of the Somerset levels, whence this Bill gained its original impetus, whether or not their constituencies cover any of the affected areas. The fact that fellow MPs are willing to work together to help one another’s constituencies is hugely encouraging and is in some ways a mirror to what the Bill seeks to achieve. It is by sharing the load that the new rivers authorities are going to be able to command the resources and implement the strategies that our vulnerable valleys and river catchments have been crying out for. Very often, the measures that will have the most effect on one community need to be carried out upstream in a separate community. These new rivers authorities will enable the best outcomes for all. However, while many parts of the south-west have been affected by flooding over many years and it is the area in which the first rivers authority—the Somerset Rivers Authority—will achieve its full expression through the Bill, once it has passed the Bill will enable improved drainage and flood prevention strategies in various parts of our country.

The Bill is long overdue. It would have been sensible if the Government had introduced it. There is still a very real threat that some of the planning and flood-prevention measures that could be facilitated by the creation of rivers authorities will not be put in place before the next major flooding incident, like the floods in Cumbria in 2015. I hope that those river areas where setting up a rivers authority will make a positive difference do not wait until the next major incident to do so. We would welcome proactive encouragement from central Government or the Environment Agency in that regard.

The Bill aims to provide local communities with new powers to organise and protect themselves from flooding, and that is wholly commendable. However, we also need to ask ourselves why there has been an increase in the prevalence and ferocity of flooding incidents in recent years. Alongside the powers to control and mitigate the flooding, I believe that we will need to take far more effective measures to deal with climate change in the near future and be more coherent and sensible about the development that is allowed on our floodplains.
We welcome the local accountability of the new precepting authorities through their public sector elected members, although we would welcome a more transparent and consistent approach to the selection of those members. It is essential for there to be a process for removing members if they are not careful with local taxpayers’ money, although I assume that that will take place through the normal democratic process for locally elected members. We wish to warn that any new money collected locally must be spent on additional measures, and not used by central Government as an excuse to cut the current funding of, for instance, the Environment Agency.

It would also be beneficial for local community ownership of a rivers authority to be given some genuine expression in the ability to follow and challenge the strategies and programmes of the authorities. I remind the Minister of the suggestion by my hon. Friend the Member for Plymouth, Sutton and Devonport of an annual flood risk management plan as a tool for engaging with the public. I hope that the Somerset Rivers Authority and other forthcoming authorities will institute such plans.

Rainfall on the scale of the 2015 storm Desmond is becoming a more frequent threat as a result of climate change. We need to ensure that our regulatory system and our flood defences are fit to meet that challenge, but we must also do what we can to prevent the increasing occurrence of such storms through reductions in carbon emissions. According to the Committee on Climate Change, 200 km of English coastal defences are likely to be at risk of failure during storm conditions. The Bill will set up bodies to mitigate riparian flooding, but I hope that the Minister will suggest to his colleague the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Suffolk Coastal (Dr Coffey) that there might be some merit in seeking a similar solution to coastal flooding, too, and that perhaps, once the bonanza of Brexit statutory instruments is finally over, she might want to turn her attention to doing something about that in Government time.

We face an unprecedented challenge in defending lowland areas from flooding. The Bill is welcome and timely, and has our full support. We are delighted to see it becoming law. The Government now need to think timely, and has our full support. We are delighted to see it becoming law. The Government now need to think timely, and has our full support. We are delighted to see it becoming law. The Government now need to think timely, and has our full support. We are delighted to see it becoming law. The Government now need to think timely, and has our full support. We are delighted to see it becoming law. The Government now need to think timely, and has our full support. We are delighted to see it becoming law. The Government now need to think timely, and has our full support. We are delighted to see it becoming law. The Government now need to think timely, and has our full support.

1.32 pm

The Minister for Agriculture, Fisheries and Food (Mr Robert Goodwill): It is good to be back, Madam Deputy Speaker.

It is a pleasure to follow the shadow Minister, the hon. Member for Ipswich (Sandy Martin). Let me also record thanks to his colleague, the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), for all his work during the Committee stage. Able contributions have been made today by many other Members: each and every one of them made a valuable contribution, often citing specific issues in their constituencies. I note the point made by my hon. Friend the Member for Boston and Skegness (Matt Warman) about the wider benefits beyond those applying to rateable beck or river frontage. I also congratulate my hon. Friend the Member for Somerton and Frome (David Warburton) on pursuing this important Bill. I am pleased to confirm that the Government support the Bill and its aims, and it has been welcome to hear that it is supported on both sides of the House. The two measures that it contains fit well with the Government’s ambitious agenda.

As my hon. Friend the Member for Somerton and Frome said, many of us have spoken eloquently about the impact of flooding and our experiences. Indeed, in my coastal constituency of Scarborough and Whitby, it is no different. Scarborough has experienced multiple floods in recent years, and sometimes we feel that we are being attacked from all sides. Our sea front is subject to tidal flooding, as we saw in 2013 and 2017, and again just a year ago, last March. If that is not enough, the town has also seen its fair share of heavy rainfall, frequently causing flash flooding and sometimes requiring the rescue of several motorists. Of course, we all remember the Boxing day floods of 2015, when Scarborough also suffered. If only that had been the last time: in August 2017, 70 properties suffered flooding which also damaged local infrastructure and highways.

Whitby and the surrounding area have not escaped either. Sadly, Whitby has a long history of tidal flooding, with records going back to the 1800s, and it still occurs relatively frequently. A December 2013 storm surge caused major disruption, with flooding of major properties along and near Church Street. Thankfully, the Church Street flood alleviation scheme currently being planned by Scarborough Borough Council will provide protection to 54 residential properties and eight businesses, and I know similar schemes are being delivered up and down the country. So I recognise what my hon. Friends have said and share their concerns not just because of the experiences in my own constituency. The 2015-16 storms brought a volume of water that overwhelmed the pumping station and Foss barrier in York, resulting in severe flooding to the residents and businesses of that wonderful city on Boxing day, and the collapse of Tadcaster bridge just a few days later, effectively cutting that town in half.

I was deeply honoured to be appointed as the flood envoy for Yorkshire in the aftermath and saw at first hand the destruction and devastation experienced by so many people. I am proud of the way those communities came together—as did those in Somerset—to support each other through the recovery and to identify and deliver solutions through, for example, the Calderdale flood action plan. I am also proud of any small part I played in supporting them through this most awful of times by ensuring their voices were heard at the very heart of government. Members will therefore not be surprised to know that I completely agree with the sentiments expressed by my hon. Friend the Member for Somerton and Frome: the effect of flooding is devastating, both physically and mentally, both on people and in terms of the wider consequences for communities, businesses and the environment. Such impacts can also last a long time after the water has receded to a more normal level.

Rainfall brings many benefits to our green and pleasant land, but too much water in the wrong place is not welcome. We cannot stop natural hazards: just this week we have seen Storm Gareth bringing strong winds and heavy rain and flood warnings to much of our country, and we will continue to be susceptible but need to try to reduce or manage the damage flooding can
wreak. We can all take steps to mitigate the risk and the
impact. To that end, the Government are continuing to
invest a record £2.7 billion in better protecting communities
across England, with some 1,500 new flood defence
schemes being put in place between 2015 and 2021, as
well as significant investment to maintain existing flood
management structures.

There is also action that communities and individuals
can take to become more flood aware, including registering
for flood warnings and alerts, and taking advice from the
Environment Agency and local authorities. The
Government are also keen to empower communities to
take further action at a local level and have committed
to bringing the public, private and third sectors together
to work with communities and individuals to reduce the
risk of harm from environmental hazards, enabling
communities to help themselves, which is why we are
here today.

This Bill will, once enacted, enable communities to
do just that if they decide to take, and to fund, local
action so as to be better protected. This could be
through the creation of rivers authorities, as we have
heard, or through the creation of a new, or expansion of
an existing, internal drainage board. While there is
currently only one rivers authority, in Somerset, there
are 112 internal drainage boards, covering 10% of England,
and many of us are aware of the important work that
they do on flood risk management and water management
more generally.

I assure the House that back up north we are no
strangers to the benefits of effective land drainage and
water management. If you choose to visit us, Madam
Deputy Speaker, in the beautiful county of Yorkshire,
you will see a drainage scheme that was put in place
over two centuries ago, the Derwent sea cut, which
history tells us was the brainchild of local businessmen
and landowners, constructed at least in part by prisoners
of the Napoleonic wars—a precursor, I suggest, of the
type of scheme we heard about in Banbury, although I
assume it had no ready access to French prisoners.

That proud history of managing water flows to alleviate
flooding and create rich agricultural land continues
today via our internal drainage boards. I farm on land
that sits within the internal drainage district managed
by the Foss internal drainage board, so I have direct
personal and professional experience of the outstanding
work these bodies can do. That is just one of the
reasons I welcome this Bill today—so that other areas
that need and want to can benefit from locally funded
bodies, with local expertise to support flood risk
management, be that an internal drainage board or
indeed a rivers authority.

Following Royal Assent to the Bill, the Government
will take the necessary steps to develop and publish our
national framework for rivers authorities, and will engage
with interested parties in doing so. This will enable local
proposals to be developed and local consultations to be
held. The Government will also pursue the regulations
for the internal drainage boards through the affirmative
procedure. Again, this will enable proposals to be developed
and local consultations to be held. As I mentioned
earlier, the Government fully support this Bill and hope
it will now make a swift passage through the other place
without amendment.

1.39 pm

David Warburton: With the leave of the House, I
should like to say that I am enormously grateful for the
support that I have received for the Bill from across the
House. I am grateful to the Minister and the shadow
Minister and to Opposition Members and hon. Friends
who are in the House today.

It was great to hear the sensible observations of my
hon. Friend the Member for Dudley South (Mike Wood),
and it is always good to hear my hon. Friend the
Member for Banbury (Victoria Prentis) talk about her
grandfather’s drain obsession, even though that obsession
is not shared by my hon. Friend the Member for Redditch
(Rachel Maclean). I did not think that my hon. Friend
the Member for Boston and Skegness (Matt Warman)
was a gloom bucket, as he said he was. I thought his
proposals were very constructive.

I also want to say thanks to my hon. Friends the
Members for Tiverton and Honiton (Neil Parish), for
Bridgwater and West Somerset (Mr Liddell-Grainger),
for Wells (James Heappey) and for Yeovil (Mr Fysh),
who have supported the Bill from the outset. I am also
grateful for the support of the staff at the Department
for Environment, Food and Rural Affairs and of the
Clerks in the Public Bill Office. I must also place on
record my sincere thanks to my hon. Friend the
Member for Taunton Deane (Rebecca Pow), who has worked
terribly hard on this, beaver ing away behind the scenes
at DEFRA to ensure that the Bill saw the light of day.
Without her, the splendid people of Somerset would
certainly not be facing a drier future. I commend the
Bill to the House.

Question put and agreed to.

Bill accordingly read the Third time and passed.
General Election (Leaders’ Debate) Bill

Second Reading

1.41 pm

Mr Peter Bone (Wellingborough) (Con): I beg to move, That the Bill be now read a Second time.

If I had said “yesterday”, I wonder whether the Bill would have passed. I am not quite sure whether that is how it works.

Madam Deputy Speaker (Dame Eleanor Laing): If the hon. Gentleman is asking that on a point of order, the answer is no, it would not.

Mr Bone: I am always grateful for your wise guidance, Madam Deputy Speaker.

I first presented this Bill on 5 September 2017. Since then, we have had an in-depth three-hour debate in Westminster Hall on 7 January this year about televising leaders’ debates. I should like to thank my hon. Friends the Members for Crawley (Henry Smith), for Christchurch (Sir Christopher Chope), for Shipley (Philip Davies) and for St Austell and Newquay (Steve Double), and my right hon. Friend the Member for Tatton (Ms McVey), who have co-sponsored my Bill. I also want to thank those who participated in the 7 January debate, and Sky News for its e-petition.

I should also like to welcome the excellent Minister, the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Tatton (Ms McVey), and Jordan Ayres, who did the research. I also want to thank the Clerks for all their help.

It might be of help if I say at this early stage that I will not be pressing my Bill to a Division. There is clearly not enough parliamentary time in this Session for it to become law. I am also aware that there are many other Bills that Members wish to debate today. What I hope to achieve today is that the Government will accept the principle of my Bill and introduce a similar one in the next Queen’s Speech.

The Westminster Hall debate came about due to e-petition 228572, entitled “Make TV election debates happen: establish an independent debates mission”, which was started by Mr Jonathan Levy. Mr Levy is the director of news gathering and operations at Sky News, and his petition has collected more than 140,000 signatures in only six months. This shows that although the idea might not be—how can I put it?—particularly sexy at a time when we are discussing Brexit and other matters, it is still well supported by members of the public.

I also thank Adam Boulton, editor-at-large at Sky News, for promoting the Sky News petition, keeping it in the public eye and maintaining pressure, via his excellent “All Out Politics” programme. His work has undoubtedly boosted support and raised public awareness.

All the broadcasters have shown support for televised leaders’ debates, but they have left it to Sky News to be proactive and lead the campaign. However, there can be no doubt that all broadcasters believe that televised leaders’ debates should form an important part of a general election.

Sandy Martin (Ipswich) (Lab): In addition to the support from television companies for leaders’ debates during general elections, there has been massive support from the general public. Something that brought home to me just how important such debates are to the public was when they failed to get one during the previous general election campaign and felt short-changed due to being unable to listen to the leaders of the main political parties expressing why they wanted the electorate’s support. Does the hon. Gentleman agree that if the public cannot hear from the leaders, it makes it difficult for them to make a serious judgment about which party to vote for?

Mr Bone: I entirely agree, and I will touch on the fiasco at the previous general election later in my speech.

Neil O’Brien (Harborough) (Con): I just want to put on the record my total opposition to leaders’ debates. They are trivialising and superficial, and we have a parliamentary system, not a presidential system. Each debate that has happened so far has actually reduced the amount of serious debate during an election campaign. I am totally opposed to leaders’ debates, and I hope that we never have them ever again.

Mr Bone: I am grateful to my hon. Friend for his intervention, and I will consider carefully whether I agree—no, that is a complete load of rubbish. I respect his view, but it is very much an establishment view.

Neil O’Brien: It is also my view.

Mr Bone: I would not suggest for one minute that it was not also my hon. Friend’s view, but I would suggest that he and the establishment are closely linked.

As the Bill will affect future general elections, I hope that it will be of interest not only to Members of this House, but to members of the public and broadcasters. The Bill’s aim is for the leaders of political parties to debate their concepts, policies and visions on national television. I entirely agree, and I will touch on the fiasco at the previous general election later in my speech.

The debates proposed by the Bill would happen between the Prime Minister and the Leader of the Opposition. The Bill would make it compulsory for all leaders of parties represented in Parliament to take part in the all-leader debate and, obviously, for the Prime Minister and the Leader of the Opposition to participate in the other two.

Thangam Debbonaire (Bristol West) (Lab): The hon. Gentleman is making an excellent point. Does he agree—this relates to the earlier intervention from the hon.
[Thangam Debbonaire]

Member for Harborough (Neil O’Brien)—that the weekly show of Prime Minister’s questions could be described by some as trivial and hardly worthy of being broadcast on television, yet it is? I would not use those words myself, but others have. If we are to criticise televised debates for being “presidential”, that is somewhat undermined by the fact that we broadcast PMQs. I applaud PMQs, but I would like greater debate during general elections when voters are actually making up their minds. Does the hon. Gentleman agree?

Mr Bone: I do agree. I thought of including that in my speech, but I chose not to do so because of length. Prime Minister’s questions are very important, not least because I came up on the ballot again this week.

The Bill would allow a commission to invite the leaders of parties not represented in Parliament if it deemed them to have popular support in the country. Those leaders would not be obliged to take part. There could have been a case in the past, for instance, for letting the UK Independence party take part, and who knows what new parties will be about at the next general election?

Neil O’Brien: How does my hon. Friend propose to establish the support in the country for such non-parliamentary parties? Would we look at opinion polls, or would we simply put our finger in the air? It seems entirely arbitrary.

Mr Bone: I have said that that would be for the independent commission to decide.

Neil O’Brien: Will my hon. Friend give way?

Mr Bone: I thought it was my speech, but go on.

Neil O’Brien: I am incredibly grateful to my hon. Friend for being so generous with his time. He seems to be proposing sweeping Henry VIII-style powers for the commission, which is entirely inappropriate.

Mr Bone: If I ever get to the end of my speech, my hon. Friend will hear why that is not the case.

For the debates to take place, my Bill proposes the creation a wholly independent commission to oversee them. The majority of Members who took part in the Westminster Hall debate on the subject—including Labour, Conservative, SNP and Plaid Cymru Members—agreed that we should have a new independent body created for the sole purpose of running these debates, which shows that there is considerable cross-party support.

The Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Norwich North (Chloe Smith), an able Minister with responsibility for the constitution, argued that there is no need for an independent commission and that it is up to the parties to decide whether they go along. In fact, the Government’s response to the petition said:

“Participating in a televised election debate is down to the discretion of the political party invited to debate.”

We have seen the chaos when political parties take responsibility for debates. In December, we were promised by both the Government and the Opposition that we would have televised debates on the EU withdrawal agreement, which did not happen. There were endless reasons, including because it would clash with “Strictly Come Dancing” or with the final of “I’m a Celebrity...Get Me Out of Here!” The parties clearly thought that what their leaders were watching on television was more important than informing the public on the withdrawal vote.

Even when the parties have said that they would like a debate on perhaps the most important issue in our lifetime, Brexit, they have failed to make good on their promises. It is obvious that the parties did not want their leaders to debate, which may have been because the leader of the Conservative party was promoting Brexit but did not believe in it and the Leader of the Opposition believed in Brexit but was opposing it. Such things would be taken out of the hands of the parties; it would be done directly by the commission. This cannot keep happening. We cannot keep listening to promises, and my Bill means that the leaders would have to debate on television—it would be the law.

Karen Lee (Lincoln) (Lab): Does the hon. Gentleman agree that such debates might engage young people more? I sometimes talk to young people after they have watched Prime Minister’s questions from the Public Gallery, and they say to me that it is a very controlled, robotic environment. Televised debates might be an opportunity to raise those awkward questions, the ones that people might not want to answer.

Mr Bone: The hon. Lady gets to the crux of the issue. These have to be proper television debates that engage people and are worth listening to. I remember the Gordon Brown, David Cameron and Nick Clegg debates. I went to the gym after I had finished campaigning, I put my headphones on and, while I was pedalling away on the cross trainer, I listened to the debate, and I thought it was useful and informative. We all remember the phrase, “I agree with Nick”. It would be an important part of the process—though it would rightly never take the place of knocking on doors and talking to people—and help to reach out to younger people.

Rachel Maclean (Redditch) (Con): I commend my hon. Friend for his speech—he is making some excellent points—but would he agree that he himself could never be accused of not putting the awkward questions in Prime Minister’s questions?

Mr Bone: I thank my hon. Friend for that point, but if I remember correctly the campaign for the last general election, the snap election, lasted seven weeks, in which time there were no Prime Minister’s questions.

The commission should be set up as soon as practicable. It would be fully independent and we would need some time to appoint the right people, so I would expect it to be set up within six months of the Bill becoming an Act of Parliament.

Matt Warman (Boston and Skegness) (Con): Would the commission consider what sanctions would be applied if leaders did not take part in these compulsory debates? I know my hon. Friend has had an up-and-down relationship with our current Prime Minister, but he is surely not suggesting she would need to go to prison if she said no.
Mr Bone: I was expecting that question. Of course, the right and proper answer is that it would be a matter for the independent commission to decide. I am not really suggesting that leaders be taken off to the Tower of London—although I think this Prime Minister and the previous Prime Minister might sometimes have thought it a good idea to take me off to the Tower of London.

My Bill proposes that the commission members be chosen by several different groups to ensure that it is a balanced and informed body. I will first state the groups and then the reasons for each. Three would be appointed by the Speaker of the House of Commons; two by the broadcasters; one by the Prime Minister; and one by the Leader of the Opposition.

The three chosen by the Speaker would be so chosen because the Speaker is an impartial person within the House of Commons and therefore his chosen representatives would be expected to be impartial individuals as well, free of any party political bias, just like the Speaker. The two chosen by the broadcasters would be so chosen because the broadcasters would be required to have some input into the debates—it would ultimately be their channels transmitting them—and the two chosen by the Prime Minister and the Leader of the Opposition would be so chosen to ensure that the two largest parties were represented on the commission. Of those seven, one of the Speaker’s choices would be chairman, as the Speaker’s representatives would be the least self-interested.

Members might ask how the commission would be funded, and this is another reason for the broadcasters to be represented on the independent commission: they would pay for it. They have immense self-interest in the leaders’ debate. The first televised general election leaders’ debate, in 2010, had 9.4 million viewers, which was more than the average viewing figures for that time slot.

My Bill proposes that the independent commission’s operating expenses be funded by the television broadcasters, by agreement, but it would also enable the Secretary of State, should broadcasters fail to reach an agreement with the Secretary of State, to make provisions for a levy to be paid by television broadcasters. I am pleased to state, however, that the broadcasters have indicated they are happy to fund the commission.

I will touch briefly on the history of televised debates. It was in 1960 that the United States had their first televised presidential debate, with Richard Nixon and John F. Kennedy debating why they should be elected the 35th President of the United States, but it was not until the 2010 general election that the United Kingdom had its first televised leaders’ debates.

Sandy Martin: I believe that before that first televised debate, Richard Nixon was well ahead of John F. Kennedy, and it was seeing the performance of the candidates that led the American people to vote for John F. Kennedy. Does the hon. Gentleman share my profound relief that the American people voted for John F. Kennedy, not Richard Nixon?

Kit Malthouse (North West Hampshire) (Con): Nixon got them out of Vietnam.

Mr Bone: Yes, as my hon. Friend has just said, it was President Nixon who got America out of Vietnam after the Democrats had taken it in, but that is a side issue.
with one another and challenging one another—a proper debate. As Oliver Cromwell might have said, we want to see our party leaders, warts and all.

2.4 pm

Jo Platt (Leigh) (Lab/Co-op): I associate myself with the comments of other Members on the terrible atrocities that took place in New Zealand. I place on record my support for and solidarity with all those affected in Christchurch, and the Muslim community throughout the world.

Although it sometimes feels as though Westminster never changes, something extraordinary has been happening across the country in recent years: democracy is returning to politics. In every election since 2001, turnout has jumped. It now stands at 68.7%. It was even higher in the EU referendum. Throughout our digital age, more and more people are increasingly getting organised and coming together to campaign for better communities and a better country.

Increasingly, people want a meaningful say in how our country is run. I see it in my constituency of Leigh, and it was this same spirit that powered Labour’s 2017 general election campaign and the surge in our vote share. Of course, this has not been without problems. As all of us in this House know, the past few years, and especially the past few weeks, have been a trying time for politics in the UK, but we must not ignore the appetite among the people for a revitalised politics in which debates about ideas, policies and the future of this country are put out in the open.

That brings me to the issue before us today—whether or not to have a leaders’ debate in general elections. Surely there is little debate to be had here about whether this is the right thing to do, so let me explain. The UK is unusual in developed democracies for not regularly holding televised debates between party leaders during general election campaigns—although in 2010 and 2015 leaders from the main parties did participate in one. As my hon. Friend the Member for Ipswich (Sandy Martin) rightly pointed out, we would have had one in 2017 had the current Prime Minister not bottled it and refused to attend and debate, sending the Home Secretary in her place.

As it stands, there is nothing in electoral law that requires televised election debates between party leaders. If they take place, they are a matter for the broadcasters and political parties. However, as many Members here no doubt remember, during discussions that led to the 2015 debates, Labour suggested that an independent commission should be set up to put the debates on a statutory footing. The Government’s response then was that it was appropriate for broadcasters and parties to make arrangements for any such debates but that this was not a matter for the Government. Now is the time for this to change. Now is the time for the Government to take responsibility.

Democracy is about accountability and openness. Democracy is about putting ourselves directly before the public and answering their questions. All of us do this every week in our constituency surgeries. This is what motivated me and many of us to get involved in politics in the first place. It was to represent but also to be accountable. It surely sends the wrong signal to voters that the most senior people in politics—those who lead our parties and even the country—are not required to come before the public and test out their policies and priorities. It cannot be right that they are not required to debate with each other or answer questions from the public at the very time when the public have to decide whom to cast their vote for.

Beyond the democratic principle, though, there are other reasons why we should look to make it mandatory for there to be TV election debates between party leaders. The Hansard Society’s report “Audit of Political Engagement 2018” analysed sources of election-related news and information for the 2017 general election. It found that debates or interviews with party leaders or other politicians were the most important source in deciding how to vote. We also know that 87% of 18 to 24-year-olds—traditionally the demographic most likely to be associated with voter apathy—said that the debates led them to discuss the elections and relevant issues with their peers. In other words, TV debates work. They reach and inform people and they spark conversation. That should not be surprising. TV debates, though not perfect, provide a different space within a media that is often geared towards quick headlines and soundbites. They provide an opportunity for more in-depth scrutiny of the policies on offer and the differences between parties and their visions for our country. Knowing this, how can we reject TV debates and deny one of the most popular forms of political engagement in general elections, while at the same time bemoaning the fact that young people do not care about politics, when they do? Perhaps it is we who need to care more.

Labour believes that British voters have a right to see a head-to-head debate between party leaders during a general election campaign. It is good for democracy; it really is as simple as that, as I am sure many Members here today would agree. But although mandatory TV debates between party leaders during elections would be a welcome step forward, Labour believes that much more fundamental political change is needed.

Mr Bone: I agree entirely with the hon. Lady’s speech, but she has not made it entirely clear to me—unless I missed it—whether the Labour party supports an independent commission.

Jo Platt: As the hon. Gentleman has rightly pointed out, I have not mentioned that in my speech. We do support the principle.

Too many people have lost faith that Westminster works for them, and the gulf between politicians and the people they represent has grown in recent years. It is essential that all Members of this House realise that this is the situation and take the very possible step to change it.

2.11 pm

The Parliamentary Secretary, Cabinet Office (Oliver Dowden): May I begin by associating myself with the comments of the hon. Member for Leigh (Jo Platt) about the appalling attack in New Zealand? As my right hon. Friend the Security Minister made clear this morning, the Government show solidarity with the people of New Zealand.

I am grateful to the hon. Friend. Friend the most capable Member for Wellingborough (Mr Bone), who spoke most entertainingly in this important debate. I hope that I have repaid the compliment that he paid me in his opening remarks. As he rightly said, this topic has...
received some attention recently. There was a debate on exactly this topic in Westminster Hall in January. I take a personal interest in the matter: when the first leaders’ debates were being discussed and prepared for, I was working for David Cameron when he was Leader of the Opposition, so I have seen this process all the way through.

As the hon. Member for Ipswich (Sandy Martin) said, televised leaders’ debates are an important campaigning tool, allowing members of the public to access and reflect on the key message of political parties in the comfort of their own home, through their television sets and other devices. They also have broad appeal, reaching members of the public who have traditionally been disengaged from politics, and there is plenty of evidence that members of the public find televised debates informative and engaging.

I am clear that TV debates can be a useful part of the democratic process. The question for this House today, though, is whether they require primary legislation to regulate and mandate them. The Government do not believe, on practical and principled grounds, that there is such a case. Over the coming minutes, I will try to develop that argument a little further, starting with clause 1, which sets out duties for the establishment of a proposed commission.

The Bill provides that the commission would have a statutory duty

“to maximise...the number of viewers of the debates it oversees, and...the wider media coverage of those debates.”

It is an admirable aim to maximise such engagement. However, both these duties are better served in the hands of broadcasters, rather than in the hands of an independent commission. Broadcasters have the incentive, infrastructure and expertise to design and deliver media content that the public wish to consume. As has been acknowledged by many hon. Members, broadcasters have in the past successfully delivered televised debates without the need for legislation, mandation or an independent commission.

My gut instinct—as a Member of this House, a Minister and, indeed, a Conservative—is that one should not seek to regulate unless it is absolutely necessary. In this case, I am not convinced of such a necessity. Particularly when we are dealing with a scenario of potentially infringing the rights and freedom of the press and broadcasters, we must have a very high bar for such regulation in the first place.

Clause 2 sets out a highly prescriptive framework, with various rules for how the debates must be conducted. As my hon. Friend the Member for Wellingborough highlighted, it requires a precise number of debates, mandates leaders’ attendance and requires all political parties to be represented. I fear that this creates a very inflexible framework. The clause is even more prescriptive when it comes to timing, mandating that certain debates have to be held within 19 days of polling day, but it is not quite clear why.

Mr Bone: I omitted to point that out in my speech. The reason is that there are effectively two polling days—the day when the postal votes go out, and the day of the general election—so one of the debates would be close to the general election and one would be when the postal votes go out. I am sorry if I did not make that clear.

Oliver Dowden: I thank my hon. Friend for that clarification. None the less, there is a lack of flexibility. For example, if there was a major incident, which we have seen in the past, and it was deemed that it would not be appropriate to hold the debate on such a day and broadcasters wished to move the date, the legislation does not currently provide any such flexibility. Such prescription would also make it harder for broadcasters to determine the precise date on which they would maximise coverage. For example, they may decide that a Sunday would provide more coverage than a Monday evening.

Similarly—this important point was raised by my hon. Friend the Member for Boston and Skegness (Matt Warman)—clause 2 is very prescriptive about the participation of political leaders, and it does not permit them to send someone in their place. My hon. Friend the Member for Wellingborough made a reasonable and good argument for why one might wish to compel the leaders of political parties to attend such a debate, but there are many reasons why it may, for legitimate reasons, not be appropriate. For example, if the leader of the party in question is not represented in this House, we may well wish the leader of the opposition in this House to participate in the debate, since they would be the person who would ultimately become Prime Minister, should they be successful.

Moreover, there is still a considerable problem about the exact sanctions if the legislation is not adhered to. There have been jokes about whether a party leader should be sent to the tower if they fail to turn up, but this is an important question. If the legislation is to have any meaning, it must have a meaningful sanction behind it, and there is no clarity on that.

Mr Bone: I am grateful to the Minister for giving way again. The point was that we do not really need to have a sanction, because if the leader of a political party wants to break the law, that usually damages the political party. That is the effective sanction.

Oliver Dowden: My hon. Friend makes a good point. None the less, when we are drafting primary legislation, we should have clarity about the sanctions that flow from a breach of laws passed by this House.

There is also the question of the membership and operation of the independent commission. The Bill states that the commission’s operating expenses “are to be funded by television broadcasters by agreement.” Failing that, the Secretary of State may impose a levy. My hon. Friend usefully clarified that broadcasters have indicated that they would be willing to pay such a levy, but I remind Members that the exact way in which such a levy is determined and who should pay it is often terribly complicated. For example, the establishment of post-Leveson press regulation was certainly not easily determined. Licensed broadcasters already pay a licence fee to Ofcom, so this would be a further burden on them.

Moreover, televised leaders’ debates are already subject to agreement between broadcasters and political parties. Broadcasters have been known to collaborate between themselves on the format and delivery of televised leaders’ debates. They are well-placed to lead on such decisions, as they have both experience and expertise in broadcasting televised leaders’ debates. Each broadcaster also brings their individual, distinctive approach to such debates, as we have seen in previous leaders’ debates.
In addition, there is a considerable body of evidence on this point. For example, on 13 May 2014, the House of Lords Select Committee on Communications published its findings on broadcasting general election debates, and having looked at whether an independent debate commission should be set up to oversee televised election debates, it found no substantial evidence to support such a proposal. There is similar evidence from Professor Charlie Beckett, of the department of media and communications at the London School of Economics.

I would like to address the point raised in particular by the hon. Member for Lincoln (Karen Lee) about the attitude of the next generation. I think there is a lot of evidence that the next generation is increasingly moving away from conventional broadcast media to consuming news and current affairs in many different forums, such as Facebook and Twitter. For example, a report by Ofcom entitled “News Consumption in the UK: 2018” found that eight in 10, or 82%, of those aged 16 to 24 used the internet for news, compared with just six in 10 who used television. [Interruption.] It seems a little strange to seek to regulate conventional televised leaders’ debates, even if, as the hon. Lady says from a sedentary position, there is an opportunity to stream such things, because there are increasingly other forms of leaders’ debates that do not take place in a television studio—for example, there are mechanisms for having Facebook debates. This Bill seems to be looking backwards, rather than forwards to the future of broadcasting.

In conclusion, while we have heard a number of strong points on this topic, particularly from my hon. Friend the Member for Wellingborough, there are very obvious deficiencies in this Bill. For that reason, the Government do not support it. We continue to believe that this is best determined by broadcasters and political parties, so we will not support this piece of legislation.

Madam Deputy Speaker (Dame Eleanor Laing): The debate has concluded, but I hesitate to put the Question, as the hon. Member for Wellingborough (Mr Bone) has indicated that he wishes to withdraw his Bill. Does he seek leave to withdraw the motion?

Mr Bone: I clearly have more work to do to persuade the Government, so I beg to ask leave to withdraw the Bill.

Motion and Bill, by leave, withdrawn.
pressure on local authorities to erode the green belt at a local level. The Government are intent on forcing local authorities to bring forward land for development and effectively allowing developers a free-for-all.

To illustrate my concern, let me give some data from Christchurch, which in 2014 had 3,480 hectares of green-belt land. Since then, 210 hectares have been removed—a 7% loss in four years. Since 2014, 160 hectares have been lost in East Dorset District Council, which is partly in my constituency, principally in and around the West Parley and Longham communities. As we speak, local councils are openly inviting bids from owners of green-belt land to offer it up for de-designation and consequent development, meaning that all green-belt land is now vulnerable to losing its protected status. That point was made strongly to me at a meeting last month with Longham residents association. People there who bought houses in the expectation that they would be protected by being in the green belt now find that they no longer have the assurance of that protected designation.

Clause 1 of the Bill is designed to require even greater transparency about the loss of green-belt land. The Campaign to Protect Rural England has been doing a great job, but a national public register of all green-belt land in England, and all land removed from or added to the green belt, would increase that transparency. Clause 2 seeks to remove the incentives for local authorities to de-designate green-belt land, as it would allow that only if alternative land of the same or greater area was added at the same time. The replacement land would need to abut land that is already developed, or that has above average density of housing. Thereby, the new green-belt land would increase that amenity for those living adjacent to it. Most importantly, the Bill would restrict the density of development on former green-belt land. That would be a disincentive to developers to develop green-belt land rather than brownfield land.

Matt Warman (Boston and Skegness) (Con): Will my hon. Friend give way?

Sir Christopher Chope: I do not have time to take interventions. As I said, this issue is important for the people of Christchurch. I do not have time to develop the whole argument now. I thought we were reaching the end of this Session, but no date has yet been given for Prorogation. I think the best thing is for me to talk a little more over the course of the next quarter of a minute to ensure that the Bill can be held over to another day, so that this very important subject can be further debated and the Minister has the chance to prepare his response.

2.30 pm

The Deputy Speaker interrupted the business (Standing Order No. 11(2)(b)).

Bill to be read a Second time on Friday 5 April.

Business without Debate

COASTAL PATH (DEFINITION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 5 April.

ACCESS TO FERTILITY SERVICES BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 22 March.

VOTER REGISTRATION (NO. 2) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 5 April.

HOSPITAL (PARKING CHARGES AND BUSINESS RATES) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 5 April.

DRONE (REGULATION) (NO. 2) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 22 March.

KEW GARDENS (LEASES) (NO. 2) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 22 March.

CREDITWORTHINESS ASSESSMENT BILL

[LORDS]

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 22 March.

ACCESS TO WELFARE (TERMINAL ILLNESS DEFINITION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 22 March.

FORENSIC SCIENCE REGULATOR BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 22 March.
Justine Greening (Putney) (Con): On a point of order, Madam Deputy Speaker. All this week, this House has done nothing but debate Brexit. Children and young people are today protesting about what they perceive to be a lack of action on climate change. That strikes at the heart of a Parliament that too many people feel is not able to make progress on Bills and issues that will make a big difference to their lives. We have just seen Bills objected to and stopped that could have made a difference to people's lives. My Bill, which could help 15 million renters to get a better credit score by having their rent included, has just been objected to. Can you advise me on how we can reform private Members' Bills day, so that this House can actually allow Members to do what they were elected to do, which is change people’s lives for the better?

Madam Deputy Speaker (Dame Eleanor Laing): I thank the right hon. Lady for her point of order, which is very reasonable. Her observations are shared across the House by a great many Members. I must point out as a matter of fact that today we have passed three important Bills in this Chamber. In my observations from the Chair, I feel very strongly that it is extremely unfortunate that the perception of business in this Chamber and the work of Members of Parliament is wrongly coloured by descriptions in the press that all we do is talk about one particular issue. Every elected Member knows that there is an enormous amount of work going on on behalf of our constituents, both behind the scenes and in this Chamber.

I repeat that this very day three pieces of legislation have come into being which will make an actual difference to the lives of many, many people and many communities. I do not, however, negate the point the right hon. Lady makes. I know that the Chairman of the Procedure Committee is well aware of the background description she has given the House, and that he is looking at these matters.

Sir Christopher Chope (Christchurch) (Con): Further to that point of order, Madam Deputy Speaker. As a member of the Procedure Committee, I confirm that that is exactly what is happening: the Procedure Committee is looking into this issue. I sympathise with what my right hon. Friend the Member for Putney (Justine Greening) said about so many days in this House having been wasted—not in the last week, but in previous weeks, when the House rose early and important Bills could have been discussed. We know that where there is a will, there is a way and that on two occasions during this Session, the Government have taken on Bills that they regard as important from private Members’ business. The Government have adopted those Bills and enabled them to get on to the statute book, so I urge my right hon. Friend to make her representations to the Government, because they have oodles of time on their hands and could easily take over her Bill and ensure that it reaches the statute book in the way that she wishes.

Madam Deputy Speaker: The hon. Gentleman has made his point, which requires no further clarification from me.

Justine Greening: Further to that point of order, Madam Deputy Speaker. I should inform the House that I did indeed speak personally with the Prime Minister to get Government support for this Bill. That was a couple of weeks ago and I have not heard anything further since.

Madam Deputy Speaker: The right hon. Lady has made her point very forcefully. I say only to the hon. Member for Christchurch (Sir Christopher Chope) and members of the Procedure Committee that, of course, one person’s waste of time is another person’s really important argument, but that is the very stuff of democracy and that is what we are here for. It would be surprising if everyone agreed all the time.
Garden Bridge: Funding

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

2.37 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): It has been a busy week for us all at work, with the intractable impasse of Brexit preoccupying most, but life goes on outside this unsolvable Rubik’s cube. I want to draw attention to a scandalous misconduct issue: the £50 million-plus spent on a flower-strewn bridge across the Thames on which zero construction ever occurred. At least £30 million of that comes from the coffers of the Department for Transport. I am pleased to have a Transport Minister before us today, but this ill-fated project is a huge, multidimensional issue that is cross-departmental in nature. I hope that he can share some insights into how this represents best value and departmental in nature. I hope that he can share

Sandy Martin (Ipswich) (Lab): My hon. Friend speaks about not having a repetition, but while this is possibly the largest example of public money being wasted on something that was never going to go ahead, public money has been wasted on other infrastructure projects, well after the time that it was obvious to anyone that they would not go ahead. Does she share my hope that we can stop this waste of public money in future?

Dr Huq: I am grateful to my hon. Friend, who, until his elevation to the Front Bench, was a fellow member of the Public Administration and Constitutional Affairs Committee, where we address these things all the time. He is bang on the money, as ever, and I will come to some of those points.

Certain words are associated with certain terms: Profumo—“scandal”; Suez—“crisis”; Grenfell—“tragedy”; Dunblane—“massacre”; and Clapham Common—“rail disaster”. That one was for the Rail Minister. The word “fiasco” should, I think, for ever more be associated with Garden Bridge. The Observer claimed last month that the project was scandalously mismanaged and would cost the taxpayer £43 million for nothing.

This is the biggest uninvestigated scandal by a long chalk. It is two to three times the size of the Kids Company scandal, which our Committee did investigate, and which was turned into a London theatrical musical. It is unlike Kids Company, however, in that there is nothing to show for it, and it is unlike Profumo and those other scandals in that it is a genuine scandal of which many people have never heard. We will never see anything about it in certain outlets. The now departed editor of the Evening Standard from here Chancellor George Osborne’s fingerprints were all over it, and it has been rendered invisible in the Evening Standard recently, since it all went wrong. I think the paper was quite cheering about it before, under its former editor. That editor is now editor of the “Today” programme, so we will never hear about it on the radio first thing in the morning over our cornflakes either.

Many of the so-called great and good are implicated in this whole affair. The right hon. Member for Uxbridge and South Ruislip (Boris Johnson) is among them. The national treasure Joanna Lumley, who had some success with the Ghurka issue, had less success in this instance. The project had been brewing since at least 2003. The Labour Mayor at the time, Ken Livingstone, flatly refused to do anything about it. His successor, the ex-Tooting MP and current post-holder Sadiq Khan, commissioned the report undertaken by my right hon. Friend the Member for Barking (Dame Margaret Hodge), which eviscerated the affair. After the evidence appeared, the plug was pulled. The indomitable Will Hurst of Architects’ Journal pondered:

“How was the Garden Bridge Trust able to spend £46m on a non-existent bridge?”

In fact, the figures after the final winding-up costs exceed that.

A brand-new report published by Dan Anderson of Fourth Street, a consultancy specialising in heritage lottery funding, has called the project an extraordinary waste of public money—more than £53 million in total, over 80% of which came from the public purse. The London Assembly member Tom Copley demanded to know exactly why the additional funds were not vetoed by officials when it was so obvious that the project was flailing, a point made a moment ago by my hon. Friend the Member for Ipswich (Sandy Martin). As I said earlier, there was £30 million from the Department for Transport. Our northern colleagues—indeed, anyone outside the M25—expressed indignation about the fact that so much was spent on the bridge when, in a climate of austerity, transport upgrades and initiatives have not gone ahead. This is not just a London issue; it is wider than that.

In terms of cost, the garden bridge dwarfs previous scandals. I have already mentioned Kids Company. The cash for honours scandal resulted in an £18 million loss. Arms to Iraq cost £4 million, and the parliamentary expenses scandal £2.5 million. Only the Northern Ireland renewable heat initiative cost more. However, there has been an astonishing lack of repercussions in this case.

The Minister may have a sense of déjà vu. In 2016, he was in a similar slot, responding to a debate on this matter initiated by my hon. Friend the Member for Vauxhall (Kate Hoey). However, a lot has changed since then. We have now seen the final bill. On 13 February, just over a month ago, the cost to the taxpayer was revealed to be £53.3 million. A further £5.5 million of winding-up costs was to be paid by the Department for Transport, via Transport for London. In 2018, the legal opinion of Jason Coppell QC, an expert in public and procurement law, referred to a “probable” violation of obligations by trustees, including Joanna Lumley and Paul Morrell, the former chief construction adviser to the Government. There is a sniff of “mates’ rates” here. The project should not have been given the green light by the Government despite all the warnings.

This is a sorry end to a supposedly pioneering project, and a far cry from the 2013 national infrastructure plan. At the time, Danny Alexander said that a £30 million fund to kick-start the project would be supplemented by private income. The Minister himself said that the bridge would be magnificent and that people would come from all over the world to see it. I think that it was supposed to be the second biggest tourist attraction in Europe. My parliamentary neighbour, my hon. Friend the Member for Ealing North (Stephen Pound), was also a big fan, and the computer-generated image excited many people.
Today’s debate is particularly urgent, because the Garden Bridge Trust—the charity responsible for the project—will wind itself up imminently. We now have an itemised bill, in which £21.4 million for building contractors is the biggest expense. Again, this was in 2016, when the funding was not in place and the planning permissions were not there; none of that had been sorted, yet this huge contract was signed off—£10 million to designers and architects, £400,000 on a gala fundraiser, £1.3 million on geotechnical marine surveys of the Thames, £161,000 for the website. So there are huge question marks around the robustness of the business case for this ill-fated bridge to nowhere, and there are questions about the Department for Transport’s own criteria set by the Treasury, which we need to make sure are followed through properly next time. A lot of questions about due process, openness, transparency and accountability have dogged the project since inception and those involved need to be held to account.

We know that the Transport Minister, the Chancellor and Chief Secretary at the time have all moved on, but the Mayor of London from then, the project’s chief midwife, is still active in politics. Until recently, he was Foreign Secretary, and just this week he had a tasteless outburst on the airwaves about money being blown on a historical child abuse inquiry, which has upset families. That seems rich given the cumulative price tag of all his pet projects—not just the unbuilt bridge, but the unused water cannon, the uneffectively hot buses, the £20,000 on going to Afghanistan to avoid the Heathrow vote.

This episode also raises questions about the role and performance of the Charity Commission. There are question marks over Transport for London as well. It has experienced unprecedented cuts to operational funding over the last five years, with its budget reducing by £700 million a year. It has become one of the few transport authorities in the world that do not receive a direct Government grant for their operational running costs. I would like the Minister to address that.

This is a national scandal. It seems that the usual channels of civil servants and the traffic lights system, by which are warnings when things are going wrong, were bypassed here. It feels like this was a vanity project masquerading as a transport scheme. The fact that it was part of a national infrastructure plan makes it sound more like a regeneration scheme than anything to do with transport. The Hodge report suggests that the sequencing of all the decisions was in tune with electoral cycling rather than anything else. This waste of money on something only tangentially to do with traffic should be seen against the background of austerity, too.

There are implications for other big concerns and projects such as Carillion and HS2, which goes through my seat. There are question marks over the Thomas Heatherwick partnership, which is perceived as greatly favouring its own companies and economic interests. When I was thinking of the Olympic stadium and the new Routemaster buses—the “cauldron on wheels” buses as they have been called. We need to look at the public sector’s use of poorly regulated charities to deliver capital projects, because there is real lack of accountability.

So since the last debate in 2016 there has been a huge volume of new evidence. I would like to know from the Minister whether we can have a fresh inquiry with fresh eyes now that the final bill has come in. There seems to be a merry-go-round involving Arup and others, with people who are trustees also regulating the companies involved and the same companies being awarded contracts.

This floral tribute and unbuilt bridge was meant to pay for itself. Fantastic promises were made, but the local group Thames Central Open Spaces, which I have met, was ringing alarm bells from back in 2014, and it had some success in getting the land listed as an asset of community value.

I ask the Transport Minister why the business case was never really made. Some £60 million of public money was agreed. This is something that I will not lay at the door of his boss whose name rhymes with “failing”, because fortunately that particular Secretary of State did have the foresight to pull the plug on some of this money, but there is a feeling that favoured providers were being fattened up. There seems to be a circular route whereby if we want to, we can set up a charitable arm’s length trust with its opaque governance structures and give all the jobs to our mates and so forth. The regulation is very shady; there is no clear accountability structure here. TfL says it is the Government, and the National Audit Office can only narrowly investigate bits of the Department for Transport and cannot investigate TfL. The GLA has no teeth to investigate TfL. The Public Accounts Committee is now saying that it has done its bit and that this is one for the London Assembly. We are all being led a merry dance, or perhaps led up the garden path. This is a masterclass in buck-passing.

We should be aware that other big projects are going to be funded through this same structure, including the Crystal Palace and I, think, the national holocaust memorial. Those are great, laudable projects, but we need to ensure that accountability procedures are in place. I mentioned HS2. The garden bridge did not even have the advantage of shaving time off the journey to Birmingham. People saw it as having no direction or purpose.

Was this a complex web of corruption, lies, deception and cover-up, or was it a comedy of errors involving negligence mixed with a touch of arrogance and hubris stemming from a fragmentation of confused responsibilities? Whether this was a cock-up or a conspiracy, lessons must be learned in relation to oversight, because a £40 million-plus mistake is a big mistake to make. This should not be taken lightly. Will Hurst from the Architects’ Journal has said that “heads should roll over the Garden Bridge but the odds are they won’t”.

There are wider questions about TfL. As I have said, its resource grant has been massively cut. There are also issues about the mishandling of Crossrail, which is now running over budget and over time. It will come through my seat, and my constituents want to know whether it is ever going to happen.

Throughout the garden bridge project, there were constant shortfalls between stated income and real balances. The unforgivable thing was the £24.1 million in construction project that was committed to before ownership of the land, funds or permissions were in place. This all happened the wrong way round. Cart before horse; the sequencing was all completely wrong.

I have a couple of questions for the Minister. The National Audit Office report made a series of recommendations about the Department for Transport’s
decision-making processes. Have any consequences flowed from that report? Why were DfT officials ignored when they said that there was too much funding for pre-construction activities? We need to see a chain of command between DfT and TfL, because it is not clear what was going on in terms of oversight responsibilities.

We live in an age of freedom of information, social media, public inquiries, televised hearings and investigative journalism, so these kinds of rigged procurement processes involving dodgy competitive tendering and taking things off the books will be noticed now. It is not good enough to have cabals, cliques and the old pals act. I am grateful to Tom Copley, Will Hurst, Peter Walker, Thames Central Open Spaces and Dan Anderson for helping me to illuminate this murky garden bridge fiasco. I have learned a new term this week—"spaffed up the wall". I learned it from our former Foreign Secretary. Politicians are usually seen as being in it for themselves, incompetent or out of touch, but here it looks as though all three were applicable. I look forward to the Minister’s response, and I hope that we can ensure that these things never happen again.

2.53 pm

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): I congratulate the hon. Member for Ealing Central and Acton (Dr Huq) on securing this debate. I have to say that I think she has seen a lavish amount of conspiracy in this issue. She made comparisons with Suarez and various other things which were, frankly, a little overblown. I have written down terms such as “rigged processes” and “mates’ rates”. Those are quite strong accusations, and I will comment more on them later, but I think it is important that we do not lose perspective.

I recognise, as did the Secretary of State and my ministerial colleagues at the Department for Transport, that the garden bridge is a subject that has always divided public opinion. I also remember that debate of about three years ago where strongly held views were expressed, both for and against, by people sitting next to each other on the Opposition Benches. This is a disagreement between neighbours as much as anything else. I do not think we can regard it as a political matter. It was a project that could have added a significant extra dimension to our already magnificent capital city.

Let me start at the beginning by explaining why the Government decided to support this iconic and novel project. The previous Mayor of London was approached, some years ago, with an idea for a completely new type of bridge: a footbridge, but one that was also a park; a place where people could cross the river as part of their journey or stop and enjoy their surroundings and the magnificent river views that this city presents. The then Mayor and Ministers considered that it could be an innovative and iconic project, but they did not believe that it should be wholly taxpayer funded. However, they did agree to help with some funding to kickstart the project and stimulate private sector funding. The Chancellor therefore announced in the 2013 autumn statement that the Government would provide £30 million towards the project as long as the Mayor contributed a similar amount and as long as a satisfactory business case showed that it would deliver value for money for the taxpayer.

The Garden Bridge Trust and Transport for London produced a business case in early 2014, and the Department for Transport analysed it carefully in the same way that it does for any other transport project. While the project was highly unusual and had a wide range of potential cost-benefit ratios, our analysis showed that there was a reasonable chance that it would offer value for money for the taxpayer. The hon. Lady asked whether the process was followed, and it was, but it was tough to cost and quantify the potential benefits.

In the light of the analysis, the Department agreed to release the £30 million pledged by the Chancellor but, importantly, we attached a number of conditions to it, including a cap of around £8 million on the amount of Government money that could be spent on pre-construction activity. That condition was designed to limit taxpayer exposure in the event that the project did not proceed. We also included a requirement for TfL to draw up a detailed funding agreement with the trust to govern how the money would be used. Over time, and in response to requests from the trust, the cap on the Government’s exposure was increased in stages to £13.5 million as circumstances changed and it became clear that more money was needed to get the project to the point at which construction could start.

Dr Huq: Does the Minister think that the £3 million a year running costs being financed by events on the bridge was a good model? Does he agree that that would have been doing things the wrong way around?

Andrew Jones: This was a very individual project, and it could have been a captivating addition to London’s already captivating centre. I could immediately see why organisations would consider such a venue as location for events, so I could see how those income streams could be developed. However, it is a challenge to decide how to use the initiative and ideas that come from campaigners, architects and designers and the good will of the charitable sector, with Government support in a public-private partnership, to deliver significant public good.

I am sorry that the project has not materialised, but we cannot say that an approach that brings people together should never again be used, because I can foresee circumstances in which it could, and possibly should, happen again. The hon. Lady mentioned certain projects, and although I am not particularly familiar with the detail of the Crystal Palace proposal, I am absolutely certain that initiatives that come from the creativity of community involvement, by bringing people together and using the Government as a means of leverage, either financial other through ministerial engagement, are part of what the future can look like. We should not rule that out, but if public money is involved, we should make sure that we learn the lessons, to which I shall come later in my speech.

In 2016, the Garden Bridge Trust asked the Government to underwrite the project’s potential cancellation costs. Let me be clear: that was not a request for additional funding; instead, it was a request to be able to use some of the £30 million that we had already committed, to pay the project’s cancellation costs, should that be necessary.

The trust said that without such an underwriting guarantee, the project could not continue. After careful consideration, in late May 2016, the Department agreed to provide a time-limited underwriting guarantee but, again, with
various conditions attached, including a requirement for the trust to provide more regular reports to the Department on the status of the project and the steps the trust was taking to address risks.

Over the summer of that year, as a result of further delays to the construction timetable, the trust asked whether the underwriting guarantee could be extended beyond the end of September 2016. Again, after consideration, the Department agreed that it could, but in such a way that the risks would be more fairly shared between the Government and the bridge’s private sector backers. To be precise, the Government agreed to underwrite up to £9 million-worth of cancellation costs, and it was intended that the private sector would be required to underwrite any additional cancellation costs above that amount.

The Government continued their support for the project and wished it well, but they always made it clear to the trust that it should not just be public money at risk should the project fail. Unfortunately, the garden bridge trustees took the difficult decision in August 2017 that, without the necessary guarantees from the current Mayor of London, the project could not continue and the formal decision was taken to close the project. Since then, the trustees have been negotiating with their creditors to close down the trust in an orderly fashion.

Transport for London has been working with the trust to satisfy the Department and itself that every £1 of public money spent on cancellation costs is absolutely necessary to support the project’s claims. I understand there are many concerns about the project, and I will talk about some of them. The Garden Bridge Trust was set up in 2014 to manage the construction of the bridge, and the experienced group of trustees was wholly responsible for the development and fundraising. The Department for Transport and Transport for London spoke to the trust on a regular basis about progress and concerns.

I understand that the hon. Lady and other hon. Members have expressed concerns about how the trust was being run, how public money was being spent and how much transparency there was on the project, but it would be wrong to say that nobody has scrutinised the project. There have been several reports and investigations into the project. The London Assembly has reviewed the procurement process. The National Audit Office has reviewed the project and reported on the Department’s grant control measures in 2016. The Charity Commission has looked at how the trust was run as a charity and reported in 2017.

Dr Huq: The Minister is detailing all the different reports, but we need one now that we have the final winding-up costs and the final bill. Those reports are historical. This looks like another white elephant, and I did not mention the cable car, which is another one. This is a whitewash of a white elephant.

Andrew Jones: I have mentioned investigations by the London Assembly, the National Audit Office and the Charity Commission, which clearly were not whitewashes. These are independent bodies. The hon. Lady has mentioned mates’ rates and closed groups, but the head of the Garden Bridge Trust was a former Labour Minister, now Labour peer, who was dealing with a Conservative Mayor of London. I do not view this as some closed, chummy, “old school tie” thing, which is what the hon. Lady is suggesting. I do not think the facts are remotely like that.

There has never been any secret about the investigations, and the fact that they have taken place demonstrates the robust scrutiny that has applied to this project to ensure that it was run properly and that we got the best value for taxpayers’ money. It is because of those inquiries that I do not think it necessary to have a new inquiry.

The Department for Transport continues to scrutinise the use of public money in spending decisions robustly. Clear safeguards were included in the garden bridge project on how and when the money could be spent to limit expenditure should the project fail. The hon. Lady asks about lessons learned, which are important for anyone who has responsibility for public finances. It is quite a difficult question, because this is such an individual project, but there is the principle of control of money. The Department has, for example, changed the way it handles rail development projects by introducing the rail network enhancements pipeline—the RNEP process—to ensure that projects cannot proceed to the next level of development until it is clear what the funding implications are. There is always, then, this iterative process of review and of lessons being learned from experience and new developments. Of course we learn lessons.

There are also processes for sharing good practice. There is a transport efficiency project whereby different parts of the Department share best practice to see whether lessons can be learned in the development of rail that could be applied to road, and vice versa. I would caution the hon. Lady, therefore, about saying that no lessons have been learned. Learning lessons is an existing part of standard DfT procedure and—I would hope—of every other Department and public body.

As the hon. Lady may be aware, the sum spent on cancellation liabilities will be significantly less than the £9 million made available, meaning that more of the funding originally allocated can be returned to the Department to be spent on other transport projects.

In conclusion, I understand the concerns raised by the hon. Lady and others who have spoken today and previously and I recognise it is unfortunate that public money has been spent without the project coming to fruition, but despite people’s best efforts projects sometimes do not achieve their potential. The decision to support the project was taken with the view that it would be successful. It did not fail to capture the public imagination. It might have polarised it, but some clearly saw how it could enhance an already magnificent cityscape.

My Department will continue to scrutinise funding decisions and make sure we continue to deliver value for taxpayers. That is a regular part of all that we do. It has not been compromised by this project and will remain a part of all our future project management.

Question put and agreed to.

3.6 pm

House adjourned.
House of Commons

Monday 18 March 2019

The House met at half-past Two o’clock

PRAYERS

[Mr Speaker in the Chair]

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Welfare Support

1. Bob Blackman (Harrow East) (Con): What comparative assessment her Department has made of the levels of financial support available through (a) universal credit and (b) the legacy system.

2. Huw Merriman (Bexhill and Battle) (Con): What comparative assessment her Department has made of the levels of financial support available through (a) universal credit and (b) the legacy system.

3. Luke Graham (Ochil and South Perthshire) (Con): What comparative assessment her Department has made of the levels of financial support available through (a) universal credit and (b) the legacy system.

The Secretary of State for Work and Pensions (Amber Rudd): When fully rolled out, universal credit will be £2 billion per year more generous than the support it replaces. As a single system that integrates six legacy benefits, universal credit will enable 700,000 households to access approximately £2.4 billion of welfare that previously went unclaimed. Our welfare reforms are determined to make sure that universal credit really supports the most vulnerable. We are piloting a new scheme in Milton Keynes in which people with mental health difficulties are given an early referral to make sure that their needs are dealt with early on, so that they can be given the appropriate, personal, supportive care that they need.

Amber Rudd: I thank my hon. Friend for pointing out this important element of universal credit. We are determined to make sure that universal credit really supports the most vulnerable. We are piloting a new scheme in Milton Keynes in which people with mental health difficulties are given an early referral to make sure that their needs are dealt with early on, so that they can be given the appropriate, personal, supportive care that they need.

Stephen Timms (East Ham) (Lab): The five-week wait for universal credit assumed that everybody would have their last month’s pay cheque in the bank, but reality is not like that. Most claimants have to take an advance—a debt to the Department—the repayment of which often forces people to use food banks, as the Secretary of State has rightly acknowledged, or go into rent arrears. Will she scrap the five-week delay?

Amber Rudd: I thank my hon. Friend for pointing out this important element of universal credit. We are determined to make sure that universal credit really supports the most vulnerable. We are piloting a new scheme in Milton Keynes in which people with mental health difficulties are given an early referral to make sure that their needs are dealt with early on, so that they can be given the appropriate, personal, supportive care that they need.

Liam Byrne (Birmingham, Hodge Hill) (Lab): I spent most of Saturday collecting a third of a tonne of food for our local food banks as part of our Winter of Compassion campaign. It is already clear that we will have to run such food-bank collections all year round. When will the Secretary of State join us in Birmingham to help collect the food needed to end the hunger that her policies are causing?

Amber Rudd: I totally reject the right hon. Gentleman’s assumption and comments. The issue with food banks is partly that the early roll-out of universal credit had some difficulties. We now know that 85% of applications for universal credit are paid on time and, as I said in answer to an earlier question, 60% of people get advances. I hope that that combination will enable people to access the cash that they need straight away.

Jo Swinson (East Dunbartonshire) (LD): Despite the recent funding, the levels of work allowances have still not recovered from the cruel cuts made to them back
in 2015. Does the Secretary of State recognise that although the principle of simplicity behind universal credit is a good one, if universal credit is to have credibility, it needs to be funded properly?

Amber Rudd: It is because universal credit needs to be funded properly that my right hon. Friend the Chancellor has, since 2016, put another £10 billion into different areas of it, to ensure that it does what it sets out to do, which is support the most vulnerable and help others into work.

Alison Thewliss (Glasgow Central) (SNP): The UK Government have removed the higher rates in universal credit for lone parents under 25. In answer to a question from my hon. Friend the Member for Airdrie and Shotts (Neil Gray), the Minister for Employment had the audacity to claim that under-25s have lower living costs, and that “this reflects the lower wages that younger workers typically receive” as a result of state-sanctioned age discrimination, including through this Government. Will the Secretary of State tell me in what way it costs a 24-year-old less to be a single parent than it costs a 26-year-old?

Amber Rudd: I point out to the hon. Lady that we have made available more childcare that is both better and lower-cost. A person can now have 85% of their childcare costs paid under universal credit. We have also made sure, as I said in a recent announcement, that work coaches have the wherewithal, through the flexible support grant, to give that money to people who need it early on in the process.

Mike Amesbury (Weaver Vale) (Lab): Ministers may like to claim that nobody will be worse off on universal credit, but people transferring through natural migration get no protection against loss of income, even though they may just have moved home. Will the Secretary of State tell the House what the Government will do to ensure that nobody is left worse off?

Amber Rudd: I ask the hon. Gentleman to engage with the change that is universal credit. People were left to languish on previous legacy benefits, and were not helped into work at all. We now have a system where the money is focused on trying to help people into work. That is why we have seen the changes with the work allowance, and why we have seen additional support from the Chancellor. It is a different system from that point of view.

Universal Credit

2. Mary Robinson (Cheddle) (Con): What steps she has taken to ensure that universal credit is tailored to individual claimants’ needs.

12. Matt Warman (Boston and Skegness) (Con): What steps she has taken to ensure that universal credit is tailored to individual claimants’ needs.

The Minister for Employment (Alok Sharma): Under universal credit, our work coaches provide vital one-to-one support to all claimants. Work coaches receive appropriate training to ensure that they can offer support to claimant groups with a variety of characteristics.

Mary Robinson: I am grateful to the Minister for that answer. Will he say what support he is giving to people in my constituency to help them back into work?

Alok Sharma: I thank my hon. Friend and her parliamentary office for engaging with their local jobcentre in Stockport. I know that she has visited it and seen the one-to-one support provided. She asked for a specific example; in the past week, Stockport jobcentre has been working with claimants to prepare them for a sector-based work academy opportunity with the NHS, which will lead to 20 guaranteed interviews.

Matt Warman: I have seen the positive effect that the roll-out of universal credit has had in the jobcentres in both Boston and Skegness, but it remains the case that some applicants’ assessment is overturned on appeal. Does my hon. Friend agree that we need to get this right first time more often, and can he tell me what he is doing to make that happen?

Alok Sharma: My hon. Friend makes a very important point. He will now that earlier this month, the Secretary of State announced a range of measures to better support people with disabilities and health conditions, which of course included exploring whether we can improve the mandatory reconsideration process to reduce the volumes of cases going to appeal.

Frank Field (Birkenhead) (Ind): When I last read the claimant commitment, it was like a prison manual. The duties were all on the claimants’ side, with none on the Department’s. Will the Minister meet me and community groups that have designed a fairer commitment, in which there are duties on the Department to make a success of universal credit, as well as duties on claimants?

Alok Sharma: Of course I am always happy to meet the right hon. Gentleman. I would say, though, that claimant commitments are agreed with claimants. It is work that is done together; that is what is important.

15. [909843] Chris Ruane (Vale of Clwyd) (Lab): In 2015-16 in Wales, 22,000 households were eligible for homelessness assistance. In 2017, universal credit was introduced. By the time the roll-out finished in 2018, the figure was 28,000—a 30% increase. Will the Minister acknowledge the harm that universal credit has done in promoting homelessness in Wales? What immediate help can he give to those people who are suffering?

Alok Sharma: The hon. Gentleman will know that, across Government, we have a strategy to tackle homelessness. He will also know that we have introduced measures such as the landlord portal, so that payments for rent can be paid directly to social landlords, and that, just a few weeks ago in January, the Secretary of State announced a further change that will allow rents to be paid to private landlords much more easily. We are keen to make sure that this works for everyone.

Robert Halfon (Harlow) (Con): I thank my hon. Friend and the Secretary of State for both coming to my Harlow jobcentre to see how universal credit works in practice. May I ask the Minister specifically what he is doing to help single parents who are moving on to universal credit?
Alok Sharma: My right hon. Friend is a huge champion for his constituents. He is extremely well regarded in the jobcentre, interacting with constituents and indeed with those working there. The Secretary of State has already referred to the fact that, from 1 April, we will be increasing work allowances by £1,000.

Margaret Greenwood (Wirral West) (Lab): Four single mothers won a legal challenge against the Department for Work and Pensions in January because their universal credit payments did not take into account the way in which their incomes changed from month to month, yet the Government decided to apply for permission to appeal. This was turned down, with the judge saying that the way in which the Secretary of State had interpreted and applied the legislation “was not only wrong as a matter of language, it produces absurd results”.

Why did the Government choose to spend public money seeking to appeal the original decision, and what are they going to do now to address this grotesque injustice?

Alok Sharma: As the hon. Lady will know, we are considering this case, so it would not be appropriate to comment at this stage.

Universal Credit: Disabled People

4. Vicky Foxcroft (Lewisham, Deptford) (Lab): What assessment her Department has made of the financial effect of universal credit on disabled people. [909832]

20. Paul Blomfield (Sheffield Central) (Lab): What assessment her Department has made of the effect of the introduction of universal credit on disabled people. [909848]

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): More people who are severely disabled will receive higher payments under universal credit. This means that around 1 million disabled households will gain on average around £100 more per month on universal credit than on legacy benefits. The universal credit rate for the most disabled people is up to £328.32, which is up from the employment and support allowance level of £163.15.

Vicky Foxcroft: I have a constituent with a severe brain injury who applied for universal credit in August 2018 and immediately lost his severe disability premium. Since then, he has lost over £1,500 in benefits. What are the Government doing to ensure that extremely vulnerable claimants who have lost their severe disability premium are given the back payments to which they are entitled?

Guy Opperman: If the hon. Lady writes to me personally, which arrived today, I am very grateful for the letter that the Secretary of State has written to me, which arrived today. Will the Minister confirm that those transferring from ESA to universal credit, who have to log this collection of underpayment within a month, will be told in advance of transferring?

Guy Opperman: I am delighted to hear about the very welcome development that has been communicated by the Secretary of State today. I can confirm what the Employment Minister has set out today, and I am delighted that this progress has been made.

Andrew Bridgen (North West Leicestershire) (Con): The Employment Minister will recall the case of my constituent Ben Seaman, who received a payment following underpayment of ESA; his parent was concerned that as a result, he would be unable to receive ESA in future. I am very grateful for the letter that the Secretary of State has written to me, which arrived today. Will the Minister confirm that those transferring from ESA to universal credit, who have to log this collection of underpayment within a month, will be told in advance of transferring?

Guy Opperman: I am delighted to hear about the very welcome development that has been communicated by the Secretary of State today. I can confirm what the Employment Minister has set out today, and I am delighted that this progress has been made.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Those with disabilities have been contacting me from across the United Kingdom in my position as chair of the all-party parliamentary group for disability, telling me that they still find it extremely difficult to access home assessment for benefits, and that they are then being penalised by having to provide GP letters, for which they are charged. Will the Minister respond to this situation and ensure that these people are not being penalised twice for their disability when accessing the benefits system?
Guy Opperman: I am happy to assure the hon. Lady that her concerns will be taken up by the Department; a Minister will meet her to go through her complaint.

Vicky Ford (Chelmsford) (Con): I was recently visited by a constituent who was very distressed during his personal independence payment assessment because he felt that the assessor had not understood his case or his records and did not have the full facts. When will we introduce video recordings, so that our assessors can be held to account?

Guy Opperman: My hon. Friend raises a legitimate point. Video recording is an important step forward introduced by this Government. The pilot from last November appears successful, and we are looking to do a full roll-out later this year.

Universal Credit: Telephone Applications

5. Rosie Cooper (West Lancashire) (Lab): Which criteria her Department uses to decide whether people can make an application for universal credit by telephone.

The Minister for Employment (Alok Sharma): Any claimant may claim universal credit by telephone. Each request will be considered on its merits, through discussions between the Department and individuals to see which method of claiming is most suitable and beneficial. After those discussions, phone claims are available to any individual who wishes to proceed with one.

Rosie Cooper: What efforts are made to engage by telephone with those who are considered to be in need of making a claim, who may include elderly, disabled or rural claimants with poor or no internet access?

Alok Sharma: There is a freephone line. Last month, in February, 1.2 million calls were received on the universal credit full service line, and for those who are particularly vulnerable, home visits are also available.

Sir Desmond Swayne (New Forest West) (Con): How fast will the fast track be for cases of mental disability?

Alok Sharma: We are starting on this work; I made reference to the speech that the Secretary of State made earlier this month. However, if my right hon. Friend has a specific case to raise, we will be very happy to take it up.

Welfare Support: Kettering

6. Mr Philip Hollobone (Kettering) (Con): How many people in Kettering constituency have (a) personal independence payment, (b) employment and support allowance and (c) universal credit.

The Secretary of State for Work and Pensions (Amber Rudd): I am pleased to say that since 2013 the number of people claiming unemployment-related benefits in Kettering has decreased by over a third. The latest published statistics show that there are 3,520 people on PIP in Kettering, 35% of whom are getting the highest rates, compared with 14% of working-age disability living allowance recipients in the area when PIP was introduced.

Mr Hollobone: It is taking too long for those who are refused PIP to successfully appeal against the decision. Across the country, it takes 190 days, and the worst 10% of cases in the east midlands now take 300 days. What percentage of PIP refusals are successfully overturned on appeal?

Amber Rudd: I share my hon. Friend’s concern that it is taking too long, and that too many appeals are indeed overturned. That is why I committed in my most recent statement to making sure that we look again at mandatory considerations to make them more effective, so that we can start to reverse this. I share his concerns and I am addressing the issue.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op) rose—

Mr Speaker: By his deployment of the words, “Across the country”, the hon. Member for Kettering (Mr Hollobone) has helpfully enabled the hon. Member for Huddersfield (Mr Sheerman) to come in on this question, as it now refers to a wider area, and not simply to Kettering.

Mr Sheerman: The Secretary of State is a fair-minded person. This morning, I have been looking at her constituency stats, the Kettering stats, and my stats in Huddersfield. However, I appeal to her to raise her vision beyond just the stats and the data, and to look at the evidence from children’s charities such as Action for Children, which will tell her that in her patch, in Kettering and in my patch, child poverty has not diminished.

Amber Rudd: I am very mindful of what we are delivering on the ground to individual constituents, families and children. We attempt, we hope, to protect the vulnerable and help people into work, but I know that my Department has a part to play in reducing poverty, and I am focused on that.

Employment: Hampshire

7. Mr Ranil Jayawardena (North East Hampshire) (Con): What recent assessment her Department has made of the number of people in work in Hampshire.

The Minister for Employment (Alok Sharma): There are more people in work across our country than ever before, wages are growing at the joint-fastest rate in a decade, and Office for National Statistics data estimates that in the year to September 2018 there were 938,400 people in work in the great county of Hampshire.

Mr Jayawardena: I thank my hon. Friend for that answer. That is great news, but what more will the Government do to help people who find themselves out of work into new jobs?

Alok Sharma: Under universal credit, as we have noted before, work coaches provide that vital one-to-one support and advice to help people into work. The disincentives of the legacy system are gone, and the reforms are working. In my hon. Friend’s constituency of North East Hampshire, the number of claimants is down by 42% over the past five years.
Poverty

8. Brendan O'Hara (Argyll and Bute) (SNP): What recent assessment she has made of the effect of her Department’s policies on levels of poverty. [909836]

19. Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): What recent assessment she has made of the effect of her Department’s policies on levels of poverty. [909847]

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): Household incomes have never been higher. In 2016-17, there were 1 million fewer people living in absolute poverty than in 2010. In Scotland, whichever way we look at poverty—relative or absolute, and before or after housing costs—in the three years to 2016-17, no measures are higher than in the three years to 2009-10; in fact, three are lower.

Brendan O'Hara: A few weeks ago, a young family with a newborn baby appeared at my constituency office in Helensburgh. They were halfway through their four-week universal credit assessment period. This was a family in crisis. They were penniless, and the father had not eaten for three days. They did not even have enough money to buy baby milk and had been refused healthy start vouchers because they ticked the wrong box. Is that not the reality of the poverty being created by the Government?

Justin Tomlinson: I am sorry to hear about the circumstances of that case, and I am happy to look into it further. One of the recent announcements we have made is that there will be Citizens Advice support within every jobcentre from April onwards. That is the sort of case where Citizens Advice can step in and provide independent support and advice, to ensure that people get their full entitlement.

Drew Hendry: Be it universal credit, the benefit freeze or Brexit, the poor are being hit the hardest at the moment, yet according to research from the Resolution Foundation, overall tax and benefit changes will take £100 from families in the bottom fifth of income distribution and give £280 to those in the top 10. Does the Minister think that that is fair?

Justin Tomlinson: That is not something I recognise. Through the additional money being put into universal credit, record employment, the changes to the income tax personal threshold and rising wages, the poorest fifth in society are now £400 better off in real terms than in 2010.

Stephen Kerr (Stirling) (Con): Does the Minister agree that, with employment at record levels and wages rising in real terms, the best approach to helping people out of poverty is the one that this Government are delivering?

Justin Tomlinson: My hon. Friend is spot on. Only 5% of children whose parents work full time are in poverty, against 63% for families where there is only part-time work, which is why our delivering record employment in all regions of the UK is making a real difference.

Margaret Greenwood (Wirral West) (Lab): Next year, the benefit freeze will leave the poorest 20% of families with children £900 worse off on average. In January, the Secretary of State said that the benefit freeze was the right policy at the time, but both she and the Chancellor have signalled that it will not be renewed in 2020. If it is not the right policy now, why are the Government continuing with the freeze for another year?

Justin Tomlinson: The hon. Lady continues to object to any measures to restore fairness to the benefits system. Under the last Labour Government, we saw welfare spending increase by £84 billion and an additional tax burden of £3,000 per hard-working household. This is about fairness and supporting people, while having a good safety net for those most in need.

Universal Credit: Debt

9. Heidi Allen (South Cambridgeshire) (Ind): What assessment she has made of the effect of the five-week wait to receive universal credit on claimants’ levels of debt. [909837]

The Secretary of State for Work and Pensions (Amber Rudd): No one has to wait five weeks for the first part of their benefit because, as the hon. Lady is aware, they can get an advance of up to 100%, and 60% of people do that. We have also introduced a two-week run-on of housing benefit, and from next year a further two-week run-on of employment and support allowance. Jobseeker’s allowance and income support will be available. Those payments are in addition to each claimant’s universal credit benefit award.

Heidi Allen: I am afraid to say that the five-week wait issue is not going to go away until the Government recognise that it is driving some people to food banks. I was in Glasgow on Friday with the Chair of the Work and Pensions Committee, the right hon. Member for Birkenhead (Frank Field), and we will continue on our tour of the UK, taking a camera crew with us and shining a spotlight on poverty until the Government change their mind on this. For the most vulnerable in society who have zero financial resilience, the four-week assessment period makes no sense at all—they have to wait four weeks to prove they have no money. I have suggested that there is a need to identify the most vulnerable claimants—those with no financial resilience—and hand-hold them through the system, and either make the assessment period start at minus four weeks or make those advance payments non-repayable grants, not for everyone but for the vulnerable.

Amber Rudd: I am always willing to look at suggestions for how to improve universal credit. The hon. Lady is well known for bringing forward a lot of suggestions for us to look at. However, we need to be careful not to create incentives that are counter to our intention to help people into work. I do believe that advances work well, and the work coaches I talk to—I also go around the country talking to people about it—do tell me that they make a significant difference.

Joanna Cherry (Edinburgh South West) (SNP): A constituent of mine, a working mum with two little girls, had to wait the five weeks for her universal credit
claim and then a further month for assistance with childcare costs because the Department insists on paying childcare in arrears. We all know that, in the real world, nurseries have to be paid in advance, so why cannot the system recognise that simple reality?

**Amber Rudd:** We have acknowledged that issue. I have announced that work coaches now have access to the flexible support fund so that they can give that money in advance and do exactly what the hon. and learned Lady is suggesting—giving that money to the people who need it when they are ready to pay for childcare to get into work.

**Benefit Cap**

10. **Ms Karen Buck** (Westminster North) (Lab): What assessment she has made of the financial effect of the benefit cap on claimants who are not required to undertake a work search. [909838]

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): An evaluation of the cap, covering these groups, is expected to be published in spring 2019. Some claimants might not be required to look for work, but they are expected to undertake activities designed to help them prepare for and move closer to the labour market. Those needing additional help adjusting to the cap can apply for discretionary housing payments.

**Ms Buck:** But this is really missing the point. As the Work and Pensions Committee report made absolutely clear, the benefit cap should not apply to people who are not required to undertake a work search. Why are constituents such as mine having to find £50 out of their child benefit and child tax credits when they are in work, but they are expected to undertake activities designed to help them prepare for and move closer to the labour market? Those needing additional help adjusting to the cap can apply for discretionary housing payments.

**Justin Tomlinson:** There are automatic exemptions for claimants on DLA, PIP, carer’s allowance, guardian’s allowance, working tax credits when working over 16 hours a week, universal credit when earning over £542, ESA support or the UC higher rate. Where they are not covered by that, discretionary housing payments can be used, and in that case they certainly should have been looked at favourably.

**Kate Green** (Stretford and Urmston) (Lab): On 29 January, the Minister told me in a written answer that the Department does not know how many resettled refugee families may be subject to the benefit cap. Can he give me an assurance on the Floor of the House that the Government will start to look at that data and guarantee that no such family will be left unable to access the financial support they need?

**Justin Tomlinson:** I thank the hon. Lady. I have met a number of stakeholders to discuss this issue and wider issues connected to refugees. It is an area of priority for the Department, and I would be happy to meet her to discuss this further.
Hannah Bardell (Livingston) (SNP): My constituent Christine Paris is a vulnerable 60-year-old woman, who has a rare birth defect causing severe learning disability. She has never been able to work and she cannot even travel alone, yet she is being placed in the work-related activity group and forced to face yet another humiliating fit for work assessment. Will the Minister look into her case personally? Does he agree with the Centre for Health and Disability Assessments, which says that the assessment process is unfit for people with learning difficulties, and will he conduct an urgent review?

Guy Opperman: If the hon. Lady sends that case to the Department, I and the Minister concerned will look into it specifically.

Jack Dromey (Birmingham, Erdington) (Lab): In legislating to allow 140,000 Royal Mail workers to benefit from the CDC scheme, will the Government also legislate as soon as possible to compel employer contribution with the pensions dashboard and to strengthen powers and criminal penalties available to the regulator, to provide a better pension for tens of thousands of workers, to help all workers to plan for their retirement, to protect workers and to send an unmistakeable message to the Philip Greens of this world that those who rob workers of their pension security will end up in the dock?

Guy Opperman: The hon. Gentleman and I are united in our desire for a Bill that addresses collective defined-contribution, compulsion on dashboards and the defined-benefit reforms that we all agree are both required and necessary. I am confident that with a constructive, cross-party approach, over the next few months, with the hon. Gentleman and other political parties, we can introduce those measures very soon.

Universal Credit: Food Banks

13. Helen Hayes (Dulwich and West Norwood) (Lab): What assessment her Department has made of the effect of the roll-out of universal credit on the level of referrals to food banks.

18. Lilian Greenwood (Nottingham South) (Lab): What assessment her Department has made of the effect of the roll-out of universal credit on the level of referrals to food banks.

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): Our own evidence does not show a direct link between the increase in food bank use and the roll-out of universal credit. As the Trussell Trust has said, it is impossible to identify one single cause. Universal credit spends £2 billion more than the system it replaces, and it incentivises work, providing a pathway out of poverty.

Helen Hayes: In my surgery on Friday, I met a family with very young children who have been without benefits to which they are entitled since before Christmas, due to mistakes by the DWP. They are already in housing rent arrears and reliant on the local food bank. Without resolving those errors, the DWP is now moving them on to universal credit, where the terrifying prospect of a five-week wait and no funds to repay an advance pose a real risk of homelessness. I want the Secretary of State not only to look into this case but to deal with the incompetence and cruelty in her Department, which are causing such misery for far too many people.

Justin Tomlinson: First, I give a commitment that, yes, I am very happy to look into that specific case. It highlights the problems with the legacy benefits, whereby £2.4 billion a year of benefits were missed. It was a complex, bureaucratic process where mistakes could happen and claimants—particularly vulnerable claimants—did not take what they were entitled to. Under universal credit, with personalised, tailored support, mistakes can be rectified more quickly.

Lilian Greenwood: Rent arrears are deducted from jobseeker’s allowance at £3.70 a week, but for universal credit the deduction is £31 a month, while overpaid benefits and advance payments are deducted at even higher rates. Some of my constituents are having over £100 deducted from their monthly universal credit payments, forcing them to dip into their rent money and use food banks just to get by. They would not find themselves in this position if they were not waiting up to five weeks to receive their first payment. The Secretary of State says she has put in measures to address that, but they clearly are not working. When will Ministers face the facts and scrap the five-week wait?

Justin Tomlinson: Those transferring from legacy benefits would get two weeks’ housing benefit run-on, no strings attached, in addition and would automatically be offered the advance payment. We have lengthened the time over which that would be repaid and lowered the rate at which it would be claimed back.

Employment

16. Royston Smith (Southampton, Itchen) (Con): What assessment the Government have made of trends in the level of employment since 2010.

The Minister for Employment (Alok Sharma): The number of people in employment has never been higher, with a record 32.6 million people in employment. That is up by more than 3.5 million since 2010. The UK’s employment rate is at a joint record high of 75.8%.

Royston Smith: More people in Southampton, Itchen are in work than has been the case for years, but many of them are in jobs with poor prospects and low pay. What are the Government doing to create jobs with higher pay and better prospects, not just in Southampton, Itchen, but across the country?

Alok Sharma: Well, 75% of the jobs that have been created since 2010 are permanent, full time and in high-level occupations that attract high wages. Of course, my hon. Friend is right that we need to do even more to upskill people and help them enter better-paid work. That is why, across the Government, we are investing in higher level apprenticeships, technical skills and a national retraining scheme.

Mike Amesbury (Weaver Vale) (Lab): Last month’s unemployment figures showed rises in six areas, including the north-east. There are more than 800,000 people on
zero-hours contracts and wages are £9 a week lower than in 2008. Will the Minister describe how he intends to address job insecurity, low pay and the clear failure of the Government to tackle regional inequalities?

Alok Sharma: The hon. Gentleman will, I am sure, be aware that since 2010 employment has gone up in every region and country of the United Kingdom. As I have pointed out, 75% of the new jobs are in high-level occupations. He talked about zero-hours contracts. He will know that there has been a drop in the number of zero-hours contracts over the past year. Ultimately, he talked about failure. The only failure we recognise is that absolutely every Labour Government have left unemployment higher than when they entered office.

Sir Peter Bottomley (Worthing West) (Con): We are glad to hear that employment has gone up in every region of the country. Will the Minister at some stage, if not today, put out a written statement on why it is thought that unemployment always rises with a Labour Government and employment increases with a Conservative Government?

Alok Sharma: We can all have our theories, but my hon. Friend is absolutely right that that is precisely what happens. What the Labour party should be doing is congratulating the Government on the work we have done over the past nine years to get employment up.

Health Assessments

17. Diana Johnson (Kingston upon Hull North) (Lab): What recent assessment her Department has made of the (a) accuracy and (b) efficiency of contracted-out health assessments for (i) employment and support allowance and (ii) personal independence payment.

Justin Tomlinson: I know that the hon. Lady has campaigned for a number of years on this incredibly important issue, and I pay tribute to the diligence of her work. I would be very happy to meet her to discuss the matter further.

Mr Sweeney: Some 72% of personal independence payment appeals were successful in the first three months of last year, which is an appalling failure rate. It is my understanding that Scottish Ministers have had power over the administration of personal independence payment since the Scotland Act 2016 came into effect, and that they would have the power to usurp the failed system and adopt a new one. Why is it taking so long to do it?

Justin Tomlinson: From my former role as Minister for Disabled People, I know that Scottish Ministers had the opportunity to take that forward. We are willing to work with their officials to make that possible if they wish to proceed. The ball is very much in their court.

Mr David Davis (Haltemprice and Howden) (Con): I declare a family interest in the answer to my question. The undoubted problems with health assessments are causing delays in the appeal process right across the board, not just with PIP and others, but with disability living allowance and mobility allowances. Will the Minister agree to see me and discuss how we can accelerate the process, because some appeals take more than 39 weeks to come to fruition, with the effect that children have to wait over a year before they get their proper allowances?

Mr Speaker: I am sure that the Minister will agree to see the right hon. Gentleman. It would be extraordinarily reckless and foolhardy to refuse to do so, and I am sure that the Minister would never be reckless or foolhardy.

Justin Tomlinson: It will be a pleasure to meet my right hon. Friend. We have been working very closely with the Ministry of Justice to improve the capacity within the tribunal system, to speed up the process. The Secretary of State has set out ambitious plans to improve the mandatory reconsideration stage to reduce the number of decisions that are going on to the independent appeal part.

Rachel Maclean (Redditch) (Con): Will the Department and Ministers join me in paying tribute to Disability Support Project in Redditch, which does some great work to help disabled people to navigate the bureaucracy surrounding the system? Will the Minister outline when we will see a difference on the ground from some of the measures that he is putting in place to improve the transparency of the assessment procedures?

Justin Tomlinson: I thank my hon. Friend for highlighting the fantastic work that her local organisation does. Those with that frontline experience have to be at the heart of the improvements that we take forward. We engage very proactively and constructively with stakeholders, national and local, and they are helping to shape the improvements.

22. [909850] Marion Fellows (Motherwell and Wishaw) (SNP): In a written answer, the former disability Minister, the hon. Member for Truro and Falmouth (Sarah Newton), said that DWP auditors can grade
health assessment reports as amendments required and that the DWP is not prescriptive in how changes should be made to health assessment reports. Will the Minister confirm that while changes are not prescriptive, the auditors, who are not present during assessments, can mandate required sweeping changes that can drastically affect a person’s claim?

Justin Tomlinson: We are always reviewing that process and we work very closely with stakeholders, with their wealth of experience, to make sure that we continue to deliver improvements.

Domestic Abuse Victims: Welfare

21. Will Quince (Colchester) (Con): What steps the Government are taking to support victims of domestic abuse through the welfare system.  

The Secretary of State for Work and Pensions (Amber Rudd): Domestic abuse is a devastating crime and my Department will always do what it can to support victims of domestic abuse. Departmental training and awareness is now better than ever, but I can confirm that, by the summer of this year, we will ensure that we have domestic abuse specialists in every jobcentre to help everybody who needs it.

Will Quince: What steps are the Government taking to increase the provision and quality of supported housing for such vulnerable people?

Amber Rudd: I thank my hon. Friend for raising this issue. Of course, supported housing is essential for vulnerable groups, including those fleeing domestic abuse, which is why we announced in August last year that we will maintain funding for all supported housing and housing benefit. I am going to work closely with the Secretary of State for Housing, Communities and Local Government, the Chancellor and local authorities to ensure that quality and value for money are always available in supported housing provision for domestic abuse victims.

Ruth George (High Peak) (Lab): Making sure that the system prevents domestic abuse, including financial abuse, is as important as supporting those, rightly, who are affected by it. The Secretary of State made a statement a few months ago regarding single payment of universal credit. What progress has she made on that to make sure that women and the children they support as main carer can directly receive the support that they so rightly need?

Amber Rudd: I thank the hon. Lady for raising this issue. She is right and I announced recently that I want to make sure that it is the main carer who receives the benefit. I am working with jobcentres to ensure that we have a new approach so that there is effectively an early question in their process where they find out who the main carer is, who is usually a woman, so that we can ensure that potential victims of domestic abuse are more likely to have access to the overall funds.

Mr Speaker: Patience and the City of Chester are alike rewarded. I call Mr Christian Matheson.

Universal Credit

24. Christian Matheson (City of Chester) (Lab): What assessment she has made of the effectiveness of the roll-out of universal credit.

The Minister for Employment (Alok Sharma): Universal credit is now available in all jobcentres across the country and is helping people into work. The universal credit claimant survey published last year showed that, under universal credit, the likelihood of being in work almost doubles between the point of making a claim and nine months into the claim.

Christian Matheson: Of the claimants who have been transferred from legacy benefits on to universal credit, what proportion are now receiving more money than they were under legacy benefits, what proportion are receiving the same and what proportion are receiving less money than they were?

Alok Sharma: The hon. Gentleman is referring to where people have a change in circumstances. That is not anything new under universal credit: changes in circumstances exist within the legacy benefits system. People get a different calculation in terms of the amount of money, and that has not changed under universal credit.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): The Minister will know that universal credit uses Her Majesty’s Revenue and Customs real-time information to determine the amount of money a claimant will receive each month. Late submissions by employers have led to claimants having reduced or cancelled payments because of money they earned a long time ago. Does the Minister not agree that this issue needs to be looked at if universal credit is to be an effective system that does not increase poverty?

Alok Sharma: The hon. Lady raises an important point. We make sure, working with our colleagues in Her Majesty’s Treasury, that employers are made aware of the fact that they need to get the right date into the RTI system.

Topical Questions

T1. Jack Brereton (Stoke-on-Trent South) (Con): If she will make a statement on her departmental responsibilities.

The Secretary of State for Work and Pensions (Amber Rudd): Today I can announce that this Conservative Government will deliver on their promise to legislate to create a new type of pension scheme: collective defined-contribution schemes. These schemes will help improve retirement outcomes for members, while also benefiting employers. Savers’ contributions are paid into a pooled fund, which is invested to achieve a target benefit. At retirement, savers receive a regular pension income. This is a major promise delivered. It shows this Government are meeting their objective to protect private pensions and provide security for hard-working savers in retirement.
Jack Brereton: I thank my right hon. Friend for updating us on her Department. Will she comment on how the Government are helping young people in my constituency into work?

Amber Rudd: I thank my hon. Friend for raising this important matter, and I thank him particularly for the great work he does in his constituency for young people. I have looked into this, and there are many different initiatives taking place in his constituency, but I particularly commend the Prince’s Trust, which does such great work across the country, and which attends the jobcentre fortnightly to provide targeted support for 18 to 24-year-olds.

Marsha De Cordova (Battersea) (Lab): Shocking reports have emerged today that ill and disabled people are being left without vital social security, as the Department for Work and Pensions has sent misleading letters to GPs advising them that they no longer need to provide fit for work notes to patients who are refused employment and support allowance. Patients need those notes to access the assessment rate of ESA if they are appealing the decision, and this obviously results in many being left close to destitution and in rent arrears. Will the Secretary of State commit today to rewrite these letters and immediately prevent any further harm to any ill and disabled people?

Amber Rudd: I thank the hon. Lady for giving me the opportunity to set the record straight. These letters simply inform GPs when a claimant has been found fit for work, and are not intended to dissuade them from issuing fit notes for ESA appeal purposes. To claim otherwise is inaccurate. We are committed to ensuring our communication is clear, which is why the wording of this letter was cleared by both the British Medical Association and the Royal College of General Practitioners. However, we will of course consider feedback when revising the letter.

Mr Marcus Jones (Nuneaton) (Con): Several constituents have arrived at the disability assessment centre in Coventry only to find that they are not able to access their appointment because the centre is on the first floor. Will my right hon. Friend look at this issue to see what more can be done to make sure all these assessment centres are on public transport routes and are completely accessible to disabled people?

Amber Rudd: Of course. My hon. Friend is right. I will take a careful look at that issue to ensure that is the case. We care enormously about making sure there is correct access for disabled people. If I may say so, nobody cared more than my hon. Friend for Truro and Falmouth (Sarah Newton), who did such great work for everybody with disabilities and who will be sorely missed in the Department.

Alison Thewliss (Glasgow Central) (SNP): My SNP colleagues and I have been seeing a growing number of constituents who are EU and European economic area nationals and who were previously entitled to social security payments but who are now seeing their universal credit claims rejected because they have failed the habitual residence test. Can the Minister tell me categorically whether DWP guidance has been issued or changed on this matter, and whether this is just an extension of the hostile environment?

The Minister for Employment (Alok Sharma): The hon. Lady may have written to me about this previously, but let me just make it clear that the right of EEA nationals under freedom of movement is not an unconditional one. EEA nationals who stay in the UK beyond the initial three months must be exercising treaty rights, and this means they must be working, studying, self-employed or self-sufficient.

Andrea Jenkyns (Morley and Outwood) (Con): A mother in my constituency is struggling due to a lack of financial support from the father of her children. The woman’s ex-partner is not in work, but he gets considerable income from several properties he owns. However, that income is not considered by the Child Maintenance Service when calculating maintenance for his children. What can the Minister do to make sure the Child Maintenance Service focuses on not only salaries but other forms of income?

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): I will be very happy to look personally into this case and to report back. Actually, we do have powers to investigate further—these powers were opposed by the Labour party in January. We believe that everything should be done to help the receiving parent get the support they are entitled to.

T2. [909855] Lilian Greenwood (Nottingham South) (Lab): Like many WASPI women, my constituents Jane Yates and Glenys Daly have worked hard for 45 years and still cannot get the pensions for which they have paid. They feel robbed of their hard-earned money, not to mention the loss of benefits such as the winter fuel allowance and bus passes. The Secretary of State often talks about her support for the economic empowerment of women. When will she give WASPI women the pensions they have paid for?

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): The Government will not be revisiting the state pension age arrangements for women born in the 1950s who are affected by the Pensions Act 1995, the 2007 Act, introduced by the Labour Government, or the 2011 Act, introduced by the coalition. A High Court ruling on this matter will proceed to a full hearing on 5 and 6 June, so further comment would be inappropriate.

Stephen Kerr (Stirling) (Con): Is my right hon. Friend’s Department holding up the transfer of welfare powers to the Scottish Government?

Amber Rudd: Absolutely not. We work closely with the Scottish Government to ensure that their proposals, which sometimes differ from ours, are met, and we are bending over backwards to ensure that we assist them. We are still waiting to receive further information so that we can deliver on their ambitions.

Several hon. Members rose—
Mr Speaker: I call Jim Cunningham. Get in there, man! Your moment has arrived.

T4. [909857] Mr Jim Cunningham (Coventry South) (Lab): Thank you very much, Mr Speaker; I did not quite hear you at first.

In the west midlands, workers involved in the administration of universal credit recently voted to strike over an oppressive workplace culture and understaffing. Does the Minister believe that the roll-out of universal credit has been affected by understaffing, and is there an oppressive workplace culture coming from the top?

Alok Sharma: Our frontline staff deliver vital support to more than 20 million people across the country, and of course we are committed to supporting them in their roles. That includes monitoring staff levels and ensuring that their caseloads are indeed manageable.

T5. [909858] Stephen Timms (East Ham) (Lab): When Bright Blue surveyed claimants for its new universal credit report, it found that the five-week wait was their biggest concern. According to the report:

“Only a handful of interviewees said they had enough…to cover their expenses in this period.”

The Secretary of State cannot justify the five-week wait. Will she scrap it?

Amber Rudd: As the right hon. Gentleman knows, we are introducing measures to help people gain early access to money so that that eventuality does not occur. They can receive benefit advances of up to 100%, which 60% now access, and can access the housing benefits run-on, which is additional money, and, from next year, other legacy benefits, which are also additional money and which will be paid within that two-week period.

T6. [909859] Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Council tax payers in the highlands are continuing to bear the burden of additional administration expenses amounting to many hundreds of thousands of pounds as a result of universal credit. The Minister met me in January, and his officials have subsequently met council officers. The situation is clearly unfair. When will it be sorted out, and the money reimbursed?

Alok Sharma: I thought that we had a constructive discussion. As the hon. Gentleman says, my officials have also talked to the council, but I am always happy to have another discussion. I should add that the total amount of new burdens funding is increasing from £14 million to £18 million in 2019-20.

T8. [909861] Alex Norris (Nottingham North) (Lab/Co-op): Disability Direct, an advocacy organisation in my constituency, has a staggering 89% success rate at tribunals where its clients appeal against judgments on employment and support allowance and personal independence payments. Do Ministers really not accept that when they are losing nearly 90% of the time, their system is not working?

Amber Rudd: That, of course, applies to 4% of the overall decisions that are made. However, I acknowledge that we need to do better, for the hon. Gentleman's constituents and those of the rest of us. That is why I have already announced that we will look again at the mandatory reconsiderations to ensure that fewer people proceed to the necessary tribunal reviews.

T9. [909862] Ms Marie Rimmer (St Helens South and Whiston) (Lab): Given that 72% of PIP assessments are overturned, and that, as we have heard, many of those who are assessed are vulnerable or have learning disabilities, what support is available to them when they are faced with highly paid DWP lawyers at legal tribunals?

Amber Rudd: I have just answered that question, in terms of making sure that we do better and that the mandatory reconsiderations will have additional support to ensure that a greater proportion of those reviews do not have to go forward and so are not overturned.

Patricia Gibson (North Ayrshire and Arran) (SNP): George Osborne said in his 2015 summer Budget that the welfare system should always support the elderly and the vulnerable. Does the Secretary of State agree? If so, why are we seeing stealth cuts to pension credit for mixed-age couples—a loss of £7,320 to some of our poorest and most vulnerable pensioners?

Guy Opperman: These changes were introduced in the Welfare Reform Act 2012. We have always made it clear that mixed-age couples already claiming pension credit or housing benefit for pensioners immediately before 15 May will not be affected for as long as they remain in receipt of either benefit after that date. Just to be clear, there is no impact or effect on their state pension.

Helen Goodman (Bishop Auckland) (Lab): Were the Secretary of State to get a tax rebate she would be very surprised if she was taxed on it, but my constituent saw an abatement by 63%. Will the Department sort out the reductions to universal credit when people get tax rebates?

Alok Sharma: I am very happy to look at the individual case the hon. Lady raises, but, as she knows, under UC we have a taper that works: it incentivises people to take on extra hours because they get to keep more of the money that they earn.

Mrs Madeleine Moon (Bridgend) (Lab): Like the Secretary of State, I will miss the hon. Member for Truro and Falmouth (Sarah Newton); she was working with me on my Access to Welfare (Terminal Illness Definition) Bill—a critical Bill at a time when the Scottish Government are consulting on new standards for clinicians to decide when someone is terminally ill. Will the Secretary of State meet me to discuss the Bill and move it forward?

Amber Rudd: I am aware of the good work that my hon. Friend the Member for Truro and Falmouth was doing with the hon. Lady; I am aware of the campaign and how important it is, and I will be delighted to meet the hon. Lady to see how we can move it forward.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): My constituent received a UC sanction for accompanying her younger sister, who has severe cerebral palsy and for whom my constituent
cares, to an appointment at the children’s hospice at Loch Lomond. Surely that is an inhumane way to treat young carers under the UC system.

Alok Sharma: I am very happy to look at the individual case that the hon. Gentleman raises. Of course, he will be aware that easements are available in the system, but I will be very happy to talk to him about that specific case.

Louise Haigh (Sheffield, Heeley) (Lab): My constituent has a connective tissue disorder that has left her bedbound for three months because she regularly dislocates her joints. Despite evidence from her GP and chiropractor, the Centre for Disability and Health Assessments has refused a home assessment because she takes taxis to her GP appointments. Does the Secretary of State think that decision is fair? If not, will she look into it to overturn it?

Amber Rudd: It sounds to me like the hon. Lady’s constituent should have had a home visit, but I hope that the hon. Lady will have received the email I sent out inviting Members of Parliament to an open hour that I am having tomorrow so that they can bring any individual cases. Sometimes it is best to have a one-to-one over individual cases, rather than deal with them on the Floor of the House.

Christine Jardine (Edinburgh West) (LD): I would like to press the Secretary of State further on the assurances she gave to the Opposition Front Benchers. As part of the review, will she be prepared to ensure that the original wording is reinstated so that claimants are not left without benefits while appeals are pending?

Amber Rudd: I am always willing to look at new ideas on how to improve the offer we have, and I will certainly take a look at what the hon. Lady sends to me.
Speaker’s Statement

3.33 pm

Mr Speaker: I wish to make a statement to the House. There has been much speculation over the past week about the possibility of the Government bringing before the House a motion on Brexit for another so-called meaningful vote under the statutory framework provided in the European Union (Withdrawal) Act 2018. On 13 March, however, the hon. Member for Wallasey (Ms Eagle) asked on a point of order, at column 394, whether it would be proper for the Government to keep bringing the same deal back to the House ad infinitum. I replied that no ruling was necessary at that stage, but that one might be required at some point in the future. Subsequently, Members on both sides of the House, and indeed on both sides of the Brexit argument, have expressed their concerns to me about the House being repeatedly asked to pronounce on the same fundamental proposition.

The 24th edition of “Erskine May” states on page 397:

“A motion or an amendment which is the same, in substance, as a question which has been decided during a session may not be brought forward again during that same session.”

It goes on to state:

“Attempts have been made to evade this rule by raising again, with verbal alterations, the essential portions of motions which have been negatived. Whether the second motion is substantially the same as the first is finally a matter for the judgment of the Chair.”

This convention is very strong and of long standing, dating back to 2 April 1604. Last Thursday, the hon. Member for Rhondda (Chris Bryant) quoted examples of occasions when the ruling had been reasserted by four different Speakers of this House, notably in 1864, 1870, 1882, 1891 and 1912. Each time, the Speaker of the day ruled that a motion could not be brought back because it had already been decided in that same Session of Parliament. Indeed, “Erskine May” makes reference to no fewer than 12 such rulings up to the year 1920.

One of the reasons why the rule has lasted so long is that it is a necessary rule to ensure the sensible use of the House’s time and proper respect for the decisions that it takes. Decisions of the House matter. They have weight. In many cases, they have direct effects not only here but on the lives of our constituents. Absence of Speaker intervention since 1920 is attributable not to the discontinuation of the convention but to general compliance with it; thus, as “Erskine May” notes, the Public Bill Office has often disallowed Bills on the ground that a Bill with the same or very similar long title cannot be presented again in the same Session.

So far as our present situation is concerned, let me summarise the chronology of events. The draft EU withdrawal agreement, giving effect to the deal between the Government and the EU, was published on 14 November and the agreement itself, together with the accompanying political declaration on the future relationship, received endorsement from the European Council on 25 November. The first scheduled debate on what I will hereafter refer to as “the deal” was due to take place on 11 December. However, on 10 December, the vote was postponed after 164 speeches had already been made over three of the five days allotted for debate. That postponement was caused not by me or by the House, but by the Government. Indeed, I pointed out at the time that that was deeply discourteous to the House and I suggested that the permission of the House for that postponement should be sought. Regrettably, it was not.

Over five weeks later, following a further five-day debate, the first meaningful vote was held on 15 January, which the Government lost by a margin of 230 votes—the largest in parliamentary history. Subsequently, the second meaningful vote was expected to take place in February, but once again there was a postponement. It finally happened only last Tuesday, 12 March. The Government’s motion on the deal was again very heavily defeated.

In my judgment, that second meaningful vote motion did not fall foul of the convention about matters already having been decided during the same Session. This was because it could be credibly argued that it was a different proposition from that already rejected by the House on 15 January. It contained a number of legal changes which the Government considered to be binding and which had been agreed with the European Union after intensive discussions. Moreover, the Government’s second meaningful vote motion was accompanied by the publication of three new documents—two issued jointly with the EU and a unilateral declaration from the UK not objected to by the EU. In procedural terms, it was therefore quite proper that the debate and the second vote took place last week. The Government responded to its defeat, as they had promised to do, by scheduling debates about a no-deal Brexit and an extension of article 50 on 13 and 14 March respectively.

It has been strongly rumoured, although I have not received confirmation of this, that a third, and even possibly a fourth, meaningful vote motion will be attempted. Hence this statement, which is designed to signal what would be orderly and what would not. This is my conclusion: if the Government wish to bring forward a new proposition that is neither the same nor substantially the same as that disposed of by the House on 12 March, that would be entirely in order. What the Government cannot legitimately do is to resubmit to the House the same proposition or substantially the same proposition as that of last week, which was rejected by 149 votes. This ruling should not be regarded as my last word on the subject; it is simply meant to indicate the test which the Government must meet in order for me to rule that a third meaningful vote can legitimately be held in this parliamentary Session.

Sir Peter Bottomley (Worthing West) (Con): On a point of order, Mr Speaker. Can I make three points following your helpful statement?

First, at the beginning of it, you used “may” and not the word “must”. At the end, you used the word “must” and not the word “may”. Those are the first two points.

The third point is this: when Sir Ian Gilmour put forward a provision in effect for putting carpets and coffee in betting offices, the puritans objected, so the Bill was withdrawn. Shortly afterwards, a Bill on miscellaneous premises and miscellaneous provisions was passed because no one noticed that it was to do with coffee and carpets in betting shops.

Therefore, there are times when the title of a Bill has been changed. Perhaps if the long title of something that the Government proposed was changed, that might be accepted by the Chair, rather than it having to be ruled out.
Mr Speaker: I am not sure there were three points there—I detected only two. I do not wish to be unkind or discourteous to the hon. Gentleman, whom I hope I always treat with the utmost respect, but I am somewhat foxed and befuddled by his first observation, which was not as overpoweringly clear to me as manifestly it was to him. I certainly referred to “Erskine May”. I was not conscious that I had used the word “may” early in my statement and the word “must” at the end of it in a way that would brook of contradiction or, indeed, be open to the suggestion that the words were contradictory. If he wishes to labour under that impression and can subsequently convince me, over either a cup of coffee or a cup of tea, that I have erred in some material respect, I shall always be prepared to profit by his counsel. As for the point in respect of the late Ian Gilmour, I am not familiar with that particular example. I suspect it would be interesting reading, and I will add it to my list for the period of days that lies ahead. I thank the hon. Gentleman for what he has said and for the courtesy with which he has said it.

Several hon. Members rose—

Mr Speaker: I will come to the right hon. Member for Ross, Skye and Lochaber (Ian Blackford) but first let us go to the Chair of the European Scrutiny Committee.

Sir William Cash (Stone) (Con): On a point of order, Mr Speaker. It seems to me that what you have said makes an enormous amount of sense, given that this has been defeated on two separate occasions. Unless there is a substantial difference, it must follow that what you have said, in a very important statement, makes an enormous amount of sense. I just wondered about one thing with regard to the precedent of 1604, which was whether there was any connection between that and the gunpowder plot being very shortly afterwards. [Laughter.]

Mr Speaker: Well, the hon. Gentleman is a far superiorhistorian, and he may know this—I will not say. I appreciate also his sense of humour on what is, nevertheless, an extremely important occasion. I thank him for what he has said. I have always respected him as a principled and indefatigable parliamentarian. In fact, I think that across this House, whether people agree with him or not, they know of one thing, which I once said, as he knows, on the occasion of Her Majesty the Queen’s visit to this place. As I said directly to her, the hon. Member for Stone (Sir William Cash) speaks and votes only and always as he thinks the national interest requires. There can be no greater compliment to a Member of Parliament than to say that to him or her.

Ian Blackford (Ross, Skye and Lochaber) (SNP): On a point of order, Mr Speaker. May I thank you for your statement this afternoon? We do indeed live in interesting times. However, it is fair to say that we are in a constitutional crisis, and I seek your advice on how we can convey a message to the Government that the issue of leadership is now most important and, indeed, imperative. What can we do to prevail upon the Prime Minister that she must immediately call a meeting of all Opposition leaders in order that we can react to this crisis and find a way ahead, and, moreover, that she must immediately meet the Heads of Government in Edinburgh and in Cardiff?

Mr Speaker: The right hon. Gentleman has made his point with force and alacrity. It is not for me to say whom the Prime Minister should or should not meet, but that point is registered and on the record. If I know the right hon. Gentleman as well as I think I do, it will be repeated by him with some passion and vociferousness in the days ahead and, not least because of the force with which it is articulated again and again and again, I feel certain that it will be heard. Whether it is heeded remains to be seen, but it will be heard.

Mr Jacob Rees-Mogg (North East Somerset) (Con): On a point of order, Mr Speaker. First, may I say how delighted I am that you have decided to follow precedent, which is something I am greatly in favour of? Dare I say that there is more joy in heaven over one sinner who repented than over the 99 who are not in need of repentance? I wonder whether you might help the House with two points of clarity. First, would your indication today prevent the Second Reading, or even the First Reading, of the so-called withdrawal agreement Bill, which may have the same effect of confirming the meaningful vote? Secondly, would I be right in thinking that a new Session after a prorogation would allow the motion to be returned to the House?

Mr Speaker: The House would decide on the principle of the withdrawal agreement Bill at Second Reading, if we got to that point. The point that the hon. Gentleman makes and the—if he will forgive my saying so—partly rhetorical question accompanying it about post Prorogation and a new Session seem to me to be self-evidently valid. I am not advocating that, but that point is self-evidently valid and I thank the hon. Gentleman for what he said.

Ms Angela Eagle (Wallasey) (Lab): On a point of order, Mr Speaker. Will you confirm to the House that the point of the rule in “Erskine May” was to stop the bullying of the legislature by the Executive? We should exclude the fact that MPs may be either strong-armed, bullied or bribed with issues such as the sacking of the civil servant who is currently in charge of the Brexit negotiations—who, by the way, was overheard in a Brussels bar predicting that what we have seen with meaningful vote 1, 2, 3, 4, 5, ad infinitum, would be the Government’s way of getting this botched deal through the House. The “Erskine May” rules are there precisely to avoid the kind of spectacle we have been witnessing in the past few months. Will you take all the Government’s other behaviours—ignoring votes of Parliament, making a distinction between votes that somehow are binding and others that are not binding, refusing to grant Opposition days, and beginning not to vote on Opposition days and to ignore the motions that the House passes, thereby devaluing Parliament’s opinion—into account as you judge meaningful vote 3 and any motion that the Government bring forward?

Mr Speaker: I am grateful to the hon. Lady for her point of order. I will reflect carefully on what she said to me. She is an extremely experienced and seasoned parliamentarian and, of course, a former Shadow Leader of the House, so I will factor into my thinking the considerations that she has adduced. I do not think there is one single rationale for the emergence and continuation of the convention. I touched on some of the thinking behind it in my statement. It would be true
to say that a concern with the judicious use of parliamentary time, when that time is finite, and the avoidance of its wastage is an important factor. Another important factor is the need for clarity and consistency so far as the statute book is concerned. Associated with and underlying all that is a concept of respect for the importance of decisions made by the House and the weight to be attached to them. I will reflect carefully on these matters.

I say gently to the hon. Member for North East Somerset (Mr Rees-Mogg)—because I failed to respond to this point, which was very good and wittily delivered—that so far as tradition is concerned, he has a perfectly fair point. A tradition does matter and is important. What I would say to him is that just because it is not desirable to follow precedent in every case, irrespective of circumstance, that does not mean it is justified not to follow it. It depends on the particular circumstance. For example, it depends whether one is facilitating the House and allowing the expression of an opinion that might otherwise be denied, as was the case on 9 January.

In this case, of course, where we are talking about the same-question rule, I have already explained that this matter has been treated of by the House, so the question of whether a subsequent motion is the same, or substantially the same, is a live matter for consideration and judgment at the appropriate time. In fact, that seems to me to be so obviously commonsensical an observation that only an extraordinarily sophisticated person, perhaps bereft of such common sense, could fail to grasp it. The hon. Gentleman most certainly would not fall into that category, because he is both extraordinarily sophisticated and blessed, I feel sure, with a very large supply of common sense.

Mr. Speaker: On a point of order, Mr. Speaker. You have said memorably in the past that, sometimes, we have to take the rough with the smooth. Well, it seems to me that, today, that applies to others. May I ask whether this principle applies in other contexts as well? For instance, the House voted a few weeks ago on what became known as the Cooper-Boles amendment to overturn Standing Order No. 14(1), essentially to take control of the Order Paper for a day. That was rejected. Last week, the House then voted against what became the Benn amendment, which was, I would argue, substantially similar to the original Cooper-Boles amendment to take control of the Order Paper and override Standing Order No. 14(1). Now you on that occasion, Sir, judged that it was permissible to ask this question because it was not exactly the same as the first one. May I offer you a thought that if there were to be a third variant of that, if it were to be substantially the same, then, to be consistent, Sir, you would have to rule that out, too?

Mr. Speaker: I am always grateful to the right hon. Gentleman. I have often reminded the House, and I say this for the benefit of those attending to our proceedings, that I first came to know him in September 1983 when I unkindly and wrongly suggested that, intellectually, he was knee-high to a grasshopper. That was very unfair of me, and, to his great credit, he did not appear to bear any grudge and we have got on pretty well over the ensuing 35 and a half years. I always listen to his advice.

The answer is that everything depends on context and circumstance—[Interruption.] Yes, of course it does; manifestly and incontrovertibly it does. It is a question not of abstract principle or wallowing, as Edmund Burke would say, in the realms of metaphysical abstraction, but of attending to circumstance, and I would look at that with the important considerations and principle of which he has reminded me in the forefront of my mind in making a judgment. He is absolutely entitled to raise that point and I would indeed have to weigh up very carefully whether a proposition was in fact the same or substantially the same or whether it could credibly be contended that it was different.

Anna Soubry (Broxtowe) (Ind): On a point of order, Mr. Speaker. This is what happens when you do not seek consensus and compromise from the beginning, but lay down red lines and doggedly stick to them with an act of stubbornness and brinkmanship that has brought us to this point. The crisis that is now upon the country has to be unprecedented. We are due to leave the European Union in 11 days and there is no plan and there is no certainty, and this country, especially business, is crying out for them.

Mr. Speaker, what would you now expect the Government to do? We are relying on tweets, rumours and spin from No.10 and, as I have said, the clock is ticking. I say with no disrespect to those sitting on the Treasury Bench that there is no senior Member here from Government who can help us with a timetable—[Interruption.] I said a senior Member who can help us with a timetable. [Interruption.] Now, we have that senior Member—the Leader of the House—with a timetable. I meant no disrespect to my right hon. Friend the Secretary of State for Work and Pensions. Mr. Speaker, what do you now expect in terms of this timetable so that, in this crisis, we can make progress and do the right thing by the country?

Mr. Speaker: What I have to say to the right hon. Lady is threefold. First, there was already present in the Chamber—before the arrival of the Leader of the House whom we welcome to our proceedings—the Secretary of State for Work and Pensions who, by any standard, must be considered to be senior. I will not get into a vulgar argument about the respective levels of seniority of different hon. and right hon. Members, and there are, of course, different forms of seniority, but the Secretary of State for Work and Pensions was already present and the Leader of the House has now joined us.

I say to the right hon. Member for Broxtowe (Anna Soubry) that it is not for me to say what the Government should do, but it would be helpful to the House to have the earliest possible indication of how the Government intend to proceed in this important matter. Of course, we may learn more about the Government’s intentions as a result of the upcoming urgent question that I have granted to the right hon. Member for Putney (Justine Greening), who applied to me for that question this morning. I have every expectation that the right hon. Member for Broxtowe and many others will be in their places for that, so we will learn more anon.

Colleagues’ disposition—in other words, what they choose to do and how they wish to proceed—is a matter for them. The role of the Speaker is to seek to facilitate the House and, if I may say so—and I will—to have a particular regard for the concerns of Back-Bench Members, who should be heard in this place. Part of the responsibility of the Speaker is, frankly, to speak truth to power. I have always done that and, no matter what, I always
will, because I think that is the proper thing to do. Others can proceed as they wish, but I have never been pushed around and I am not going to start now.

Vicky Ford (Chelmsford) (Con): On a point of order, Mr Speaker. As a newish Member of this House, I thank you for the clarity of your statement, and for confirming that everything depends on context and circumstance. Since the vote last Tuesday, this House has voted against a second referendum, against the Cooper-Boles amendment—twice—and against a no-deal Brexit in 11 days’ time. Are those the sort of decisions that, in your view, affect the context and circumstances on which this House might make its own decision?

Mr Speaker: I think the context is a freestanding matter. It depends on the situation at the time, and that is partly a matter of opinion. All government—all influence of human beings upon another—ultimately rests upon opinion, and it depends on what the situation is more widely. I know that the hon. Lady would not seek to entice me—because that would be unkind of her and she would not do that—to pronounce on other questions that are not today before the House. I would not do that, but I would reflect on them in the circumstances of the time, and it is perfectly reasonable that I should be asked to do so if that situation arises.

Several hon. Members rose—

Mr Speaker: I do apologise to the Chair of the Brexit Select Committee, whom I should have called several minutes ago.

Hilary Benn (Leeds Central) (Lab): On a point of order, Mr Speaker. In distinguishing between the character of the first meaningful vote and the second, in your statement you drew attention to the fact that, in the second meaningful vote, the Government had brought back additional documents, assurances and legal agreements that had not been contained within the first. Does your statement suggest in any way that, in order for a third meaningful vote not to fall within the statement that you have just made, it would require further changes to be agreed with the European Union, rather than, for example, the Government saying that they are prepared to make an offer to a particular party represented in this Chamber about its participation in future arrangements? In other words, would there have to be new political agreement under section 13(1) of the European Union (Withdrawal) Act 2018 in order for such a motion to be in order, as opposed to not in order?

Mr Speaker: I thank the right hon. Gentleman for his point of order. I would say—preliminarily and off the top of my head—that, in all likelihood, the answer to his question is yes; I do think that a demonstrable change to the proposition would be required. For example, simply a change in an opinion about something would not itself constitute a change in the offer. I would have to look at the particulars and make an honest assessment of the circumstances, and perhaps of the competing claims made as to the veracity of one proposition, argument or another, but, fundamentally, for something to be different, it has to be, by definition, fundamentally different—not different in terms of wording, but different in terms of substance—and this is in the context of a negotiation with others outside the United Kingdom. That would be my initial feeling.

Neil O’Brien (Harborough) (Con): On a point of order, Mr Speaker. I do not envy you in trying to make these difficult decisions. First, can I press you on your understanding of what is substantively different? For example, were the Government to come back with a proposition that they would write into law the Stormont lock, would that be substantively different? If there were to be commentary that changed our opinion of this at the European Council, would that be substantially different? Many Members of this House feel that having taken no deal off the table, which I voted against, already makes the situation substantively different, so will you say a little more about that?

Secondly, Mr Speaker, you listed some precedents starting with 1604, which is very interesting to new Members. Some Members were already here; I was not, as a new Member. We are in an unprecedented situation in which we have voted for a referendum, giving sovereignty to those it belongs to—the people—and we are now bound by that decision. How will you deal with this unprecedented situation? My constituents who are worried about their jobs, or worried about losing the Brexit they voted for, will always prefer you, instead of rigidly sticking with precedents from 1604, to be a modern Speaker for modern times who cannot stand in the way of delivering the early deal that I believe will solve this problem.

Mr Speaker: With the very greatest respect to the hon. Gentleman, I think that I have demonstrated, over a period of nine and a half years and more, that I am not a stickler for tradition. I do not believe in doing everything the same way for ever more just because people say to me, as so many have, “Oh, Mr Speaker, it’s always been done that way,” or, “Oh, we’ve never previously had X.” I have been ready to countenance change. I remember once being told many years ago by a retired and senior Clerk of this House that she was very pleased that I had secured support for the establishment of a nursery in the House that Members and staff could pay for. She said to me that she did not know whether I was aware that throughout her four decades’ service in the House, the idea of establishing such a facility had periodically been discussed but unfortunately nothing had ever happened, which was not helpful to her in terms of work/life balance—her professional commitments and her childcare responsibilities. So I think I can say, with the very greatest respect, that I have attempted to be a progressive change-maker. As for the particulars concerned, it has to depend on the circumstances. I would have to look at the specifics. It would be reckless and foolhardy to pronounce in the abstract.

I would say further to the hon. Gentleman, just to remind him of the context of my statement, that, as regards the use of time, we have been addressing this matter for a period spanning four months. In so far as time has been lost during that period—for example, at one point, a loss of five weeks without the matter coming to the House—that was not a result of fiat by the Chair or folly by the House: it was the express decision of the Government. I cannot, off the top of my head, remember for certain whether the hon. Gentleman supported the Government’s position on that matter. I have a very high regard for his ability, because he is an
Mr Barry Sheerman (Huddersfield) (Lab/Co-op): On a point of order, Mr Speaker. Thank you for your guidance today. Here we are in the gravest constitutional situation that I have seen in my nearly 40 years in this House, and were it not for your good guidance today and over the past few weeks, I think this House would have been very badly served indeed. The fact of the matter is that what you have said today has great repercussions for the business of the House. What is your advice from the Chair, or could we have an early statement from the Prime Minister or the Leader of the House, on what is the next step? We are leaving the European Union and we have only a few days. What is the best way that we can represent our constituents at this grave time of crisis?

Mr Speaker: The short answer is: let us debate these matters sooner rather than later. Of course the Government, for the most part, control the Order Paper—we know that, and the Leader of the House is the Government’s representative in the House—but there are situations in which Members can give voice to their views, whether the Government particularly want that to happen or not. For example, on more than 570 occasions over the last nine and a half years, I have seen fit to grant urgent questions, believing that that is in the interests of the House, is beneficial to Back Benchers and secures ministerial presence in the Chamber, so that the Government can be legitimately questioned, probed, scrutinised, challenged and held to account. There will be further such opportunities today, and knowing the ingenuity of the hon. Gentleman, who will have served 40 years in the House in less than two months’ time, I feel certain that he will be well up to the task of posing suitable inquiries and expressing his views on this matter in the days ahead.

Mr Peter Bone (Wellingborough) (Con): On a point of order, Mr Speaker. You are correct that “Erskine May” says:

“A motion or an amendment which is the same, in substance, as a question which has been decided during a session may not be brought forward again during that same session.”

That is absolutely clear. When you allowed the second meaningful vote, your ruling was clearly a balanced one and only intention is to achieve and secure that. The Government’s one and only intention is to achieve and secure that. This week, they intended to do that very thing, and now you have said that that cannot happen. Stressing that for clarity would be abundantly helpful.

My experience of this Government—I do not know whether it is yours—is that they will try anything to get this through, and they will have the impertinence to try to bring this back once again in any guise that they think will be possible; perhaps it will be under the guise of the Democratic Unionist party agreeing with their deal. How do you intend to be vigilant about that prospect? Under what criteria will a motion be assessed, if the Government bring one back and try to present it as being significantly different from their last one? How do we judge what they are doing, so that this ruling can stand? It is an important ruling, and it is correct.

Mr Speaker: It seems to me that it is principally a question of whether the proposition is the same, or substantially the same. I would confer. I would of course seek advice. I would have my eyes and ears open. I am looking to serve the House, to reflect its interests and to demonstrate respect for its wishes. I simply repeat that the convention is there for a purpose, and that purpose seems to me to be an honourable and valid purpose. I am afraid that I will have to look at the particulars in the light of what is presented, but I hope that the Government would feel that respect for procedure matters.

I note that, as the hon. Gentleman asks his question and I respond, the Leader of the House is playing with her electronic device, as is the Deputy Chief Whip. I did not include him in the category of very senior people in the House, but I readily grant that that is a debatable proposition. It would seem to me to be helpful if people showed respect for each other in these circumstances, and if, when in the Chamber, they listened to what others had to say. However, if they choose not to do so, so be it. I try to show good manners, and I hope others will try to do so as well.

Robert Halfon (Harlow) (Con): On a point of order, Mr Speaker. I understand your clarity on this. A second referendum was overwhelmingly rejected by the House of Commons in a vote last week; does this mean that if that is brought back, you will apply the same considerations, so that such a motion is not repeated?

Mr Speaker: I did indicate earlier inquirers that everything depends on the circumstance. Is the proposition fundamentally the same, or can it be argued that, in the circumstances of the time, it is a different proposition? I would have to look at that in the circumstances of the time. Is it a relevant factor to be considered? Of course it is, and that is why I have articulated the convention in the way I have done.

Tom Brake (Carshalton and Wallington) (LD): On a point of order, Mr Speaker. First, are you able to update the House on any sanctions that might have been applied since 1604 to any Governments who have constituents are getting in touch with me to ask exactly what that means, and we have to be clear with the country about what you have said. The Government cannot bring back another meaningful vote if it is the same in substance as the last one. The Government’s one and only intention is to achieve and secure that. This week, they intended to do that very thing, and now you have said that that cannot happen. Stressing that for clarity would be abundantly helpful.

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Tom Brake (Carshalton and Wallington) (LD): On a point of order, Mr Speaker. First, are you able to update the House on any sanctions that might have been applied since 1604 to any Governments who have
sought to re-table the same motion, and what such sanctions are available to you today? Over a number of months, we have tabled a succession of amendments in relation to a people’s vote, and I want your reassurance and clarification that there is nothing in what you have said that precludes our pressing another amendment on the matter of a people’s vote.

Mr Speaker: As I have just said to the right hon. Member for Harlow (Robert Halfon), it depends on the context or the circumstances. I cannot yet know in what situation a proposition may be put.

The right hon. Member for Carshalton and Wallington (Tom Brake) asks me about sanctions. I am not aware of any particular sanctions, other than that if a proposition is judged to be the same or substantially the same, it will not find its way on to the Order Paper. There may be instances in which this has been dishonoured or inadvertently neglected, but I referenced in my statement the fact that the absence of Speaker intervention since 1920 is attributable not to the discontinuation of the convention, but to general compliance with it. For the most part, the convention has not been invoked in respect of Governments, but I would argue that that is not least because, on the whole, Governments have tended to comply with the convention.

James Cleverly (Braintree) (Con): On a point of order, Mr Speaker. Hindsight is a wonderful thing. Do you concede that had you made this statement in what was on the table.

Mr Speaker: The hon. Gentleman’s latter point is nuanced, and I think it would be sensible to say, I am afraid—because I think it will disappoint him, but it happens to have the advantage of being true—that I would have to look at the particulars. I cannot possibly be expected to pontificate, or even speculate idly, on an abstract proposition. I would have to look at the reality of what was on the table.

I have always had a great fondness for the hon. Gentleman, but on his first point, I have to say that although the Speaker tries to be helpful to the House, it is not my responsibility, and I would not ordinarily be expected, to hold Members’ hand in advising them on how they should vote in a particular circumstance. Members are perfectly capable of making those judgments for themselves. The reason I did not make a statement at an earlier stage, I say in terms that brook of no consideration that there is nothing in what you have said that precludes our pressing another amendment on the matter of a people’s vote. For the hon. Gentleman to say that it would have been helpful if I had said what I did not say at a time that I could have said it because it might have assisted Members, who as a result of it not being said were not helped, is not altogether helpful, and I am not sure that his logic is impeccable.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Mr Speaker. Thank you for your statement today. The Government have gained an infamous historical reputation for trickery and abuse of Parliament during this whole process, and already rumours are going around that they might seek to use prorogation as a method of getting out of this. Can you confirm that that would not only provoke a greater constitutional crisis, but also result in us losing every single piece of legislation currently before both Houses, including many of the pieces of legislation needed to implement any Brexit?

Mr Speaker: If particular legislation was subject to carry-over, that would not apply, but in the expectation, let us say—or, to use a more neutral term, in the circumstance—that it was not subject to the carry-over procedure, manifestly and incontrovertibly it would fall. As for whether the Government are contemplating that, I have no way of knowing. No Minister has indicated that to me. I have no idea what is in their mind. It would be an unusual step, but look: I have been in this place a little over 20 years, and some quite unusual things have happened. I have no way of knowing whether this is being contemplated.

Sir Robert Syms (Poole) (Con): On a point of order, Mr Speaker. In 1604 and in 1920, we were a sovereign Parliament, and we were not subject to the EU constitution, which this House voted for under the Lisbon treaty. This House has passed legislation under article 50 for us to leave the European Union, which is time-sensitive. Parliament could proceed in a rather stately manner in 1920, because it was not subject to such things, but we as a Parliament have voted to leave on a particular date; therefore there is a certain importance to making decisions prior to that date, and not in the next Session.

Secondly, the meaningful vote in itself is a constitutional innovation. It was this Parliament trying to impose on the Government greater parliamentary scrutiny. In that process, the Government have brought forward votes—more votes than most of us expected, and with more amendments than most of us expected. There was a degree of constitutional innovation in what you ruled during that process, Mr Speaker, in order to involve Parliament. Given the time-sensitive nature of the proposal, and given that this Parliament wanted to be involved, I can see no reason why we should not be put through the pain of perhaps another vote.

I stress that the article 50 legislation went through this House and the withdrawal Act went through this House. Every Member of this House expects to have a say on the type of Brexit that we will actually undertake. Sometimes, even if we are dealing with a matter that has been dealt with before, it is important that this House makes a decision or decides not to make a decision; but not considering the matter again could in itself have consequences.

Mr Speaker: Again, one has to reflect on the particulars. I say to the hon. Gentleman that the issue is not the pain of any vote, which is a subjective matter upon
which I do not think I should pontificate—especially as I do not cast such, other than in the circumstance of a tie, which has not arisen since 1993 in this Chamber—but its propriety.

It is absolutely true that the House has legislated in respect of article 50—I believe it did so in March 2017 in the last Parliament—and that that has created a strong expectation, but whether Parliament chooses to legislate on this matter or, as the Government have signalled in recent days, depending on circumstance, to request a particular extension, is a matter for the House. I do not think that the issue of pain really comes into it; it is just a question of what is proper.

I know that the hon. Gentleman, whom I have known since we competed with each other in Bristol South in June 1989, is a stickler for propriety. [Interruption.] I am asked who won. It would not be seemly to say, but I think the hon. Gentleman’s result at the 1992 election was rather better than mine.

Kate Hoey (Vauxhall) (Lab): On a point of order, Mr Speaker. Obviously we fully endorse and respect your statement. On a point of clarification, I want to ask something that I am sure people out there will be asking when they read this statement today. On 29 January, the House of Commons voted against the SNP and Plaid Cymru amendment on extending the article 50 period and ruling out no deal by 327 votes to 39. We obviously voted again on those matters last week. Will you clarify why that did not fall under the same ruling?

Mr Speaker: I would have to look back at those particular votes. I did not receive advice at that time about non-compliance. I do not think that there was a general sense in the House that there was an issue of non-compliance, and I was not asked to rule on it. Matters are already treated of by the Table Office on the basis of established custom and practice. If those matters were accepted on to the paper, the issue of selection would have been for me, in the interests of facilitating the debate. However, the issue of propriety was not raised with me at that time.

Sir Hugo Swire (East Devon) (Con): On a point of order, Mr Speaker. Most people who watch our deliberations are watching with increasing amazement. They do not understand the nuances of the twists and changes with which we go about our business here. To many of them, what we are doing at the moment makes very little sense at all; they want to get on with things.

May I ask you, Mr Speaker, as the custodian of the reputation of this House, whether you really think it was right to bring forward this ruling today, at this stage, rather than perhaps last week, because many of us are looking forward to voting again one way or another this week? Perhaps you can inform the House how you came to this opinion and when, and say whether it would have been better at the time of the second vote to announce that there would not be time to have a third vote.

Mr Speaker: I am a little taken aback by the inquiry from the right hon. Gentleman. I signalled to the hon. Member for Braintree (James Cleverly) why I did not think any statement was required at that time. It is, of course, true that the House passed a motion on Thursday that specified a potential end date for an agreement to be reached. It specified that if an agreement was reached by that date, a particular extension to article 50—if memory serves me, to the end of June—would be requested of the Union. Why did I not say anything at that time? The motion that was passed was not in respect of the withdrawal agreement, and I could have had no way of knowing at that time whether revisions to the agreement or the accompanying declaration would be sought, let alone obtained.

I can be expected to rule only at the material time. If I had ruled—[Interruption.] I hope that the right hon. Gentleman will forgive me, because I know that he has a great sense of fair play. If I had ruled last week, I think I can say with complete confidence that there would have been people accusing me of being hasty and premature, and commending to me the idea of waiting. I thought that it was appropriate to reflect on the matter over a period of days, and I am saying what I am saying before the Government table a new proposition. It seems to me timely to say it now, rather than to wait several days, but to have done so several days ago did not seem to me to be warranted. I have made my best judgment in the interests of the House as an institution, and of its individual Members.

Helen Goodman (Bishop Auckland) (Lab): On a point of order, Mr Speaker. You are obviously right that the House does not wish to vote on the same proposition over and again. Equally, I am sure that you will be aware of the fact that some hon. Members were interested in meaningful votes because at that time, they would be able to vote on amendments on matters that we have not yet considered. If the Government are unable to make any changes to their proposition, I seek your guidance on how we might secure opportunities for voting on those alternative propositions. I heard you talk about urgent questions, but of course, there is no vote on an urgent question or a statement, and a Standing Order No. 24 motion is in neutral terms. The Government have not been very generous recently in offering Opposition day debates either; so I seek your advice on how hon. Members might proceed.

Mr Speaker: Obviously, it would be helpful to the Opposition if Opposition days were supplied. That has not happened recently and I have no way of knowing whether the Leader of the House has it in mind to provide for Opposition days. I think that colleagues would think that it was a democratic and seemly thing to do to ensure that the principal Opposition party had the requisite allocation of days. So far as other business is concerned, the hon. Lady should look closely at the Standing Order No. 24 procedure. What she says about it is true, but I think that she should reflect upon the opportunities that the Standing Order No. 24 procedure presents, because the opportunities are fuller than has traditionally been acknowledged or taken advantage of by Members of the House of Commons.

Mr John Whittingdale (Maldon) (Con): On a point of order, Mr Speaker. You helpfully reminded us at the beginning of your statement of the size of the majority against in the vote that took place last week. I think that most observers would feel that, for that to be turned around and for the motion to pass, it would require a significant change. As I understand it from your ruling...
this afternoon, if, perhaps at the European Council in a few days’ time, a significant change could be achieved, you would allow a further meaningful vote on that basis.

Mr Speaker: The right hon. Gentleman is very fair-minded and, what is more, he is perceptive. I think I hinted at that, perhaps not with the crystal clarity that he has brought to bear on the subject, but in essence, he is right: if there is a substantially different proposition put as a result of revisions sought and obtained and new agreement reached, that would constitute a new proposition to be put to the House. I would have to look at the particulars and I am not committing to a specific at this moment, but I think nobody could outdo the right hon. Gentleman today by way of reasonableness.

Several hon. Members rose—

Mr Speaker: A Kingston knight, no less. I call Sir Edward Davey.

Sir Edward Davey (Kingston and Surbiton) (LD): On a point of order, Mr Speaker. In our current constitutional crisis, I welcome your reaffirmation of the rule of law in this House—namely, “Erskine May”—and the doctrine of parliamentary sovereignty. Given the gravity of the situation, though, could you enlighten the House as to whether “Erskine May” makes any provision for a Speaker’s Conference to bring together all parties in the House under your chairmanship to try to find a way forward?

Mr Speaker: There can always be Speaker’s Conferences, though I must say—I do not direct this particularly at this Government at all; it is a wider observation—that it is a perhaps curious and quaint fact that ordinarily, Speaker’s Conferences are convened at the instigation of the Government of the day. Indeed, I recall a particular occasion some years ago when I had some interest in the possibility of a Speaker’s Conference on aspects of parliamentary power. If I said to the right hon. Gentleman that the reaction to my suggestion at the time from the then Leader of the House was not wildly enthusiastic, I think that I would be somewhat understating the position. But that was then, and maybe the new Leader of the House, or relatively new Leader of the House, who has been a notable reformer in other respects, will be seized by the salience of what the right hon. Gentleman has commented to the House and will feel that she could have a key role in initiating such an important constitutional development. If she did, I would be perfectly willing to play ball with it. I have no idea; it is not something she and I have discussed, but you never know.

The Leader of the House of Commons (Andrea Leadsom): On a point of order, Mr Speaker. I just want to be very clear: I am indeed a reforming Leader of the House of Commons. For me, treating colleagues with courtesy and respect is at the forefront of that reform. Any Speaker’s council would have to have that at its heart, and I simply would not be confident that that would be the case.

Hon. Members: Oh!

Mr Speaker: Well, so be it. I treat the House with respect. I have treated its Members with respect. I chaired a previous Speaker’s Conference, and there was no criticism of the way in which I did so. One reason why the Leader of the House might not be well versed in that particular Speaker’s Conference and in a position to make a judgment about my chairmanship of it is very simply that it took place before the right hon. Lady entered the House of Commons.

Dr Matthew Offord (Hendon) (Con): On a point of order, Mr Speaker. This House runs on conventions, as you have already made clear in your statement today. One of those conventions is that Treasury Benchers always tell Opposition Front Benchers of statements they are going to make. To clarify, can you confirm to the House that you not only informed the Leader of the House of your intention to make this statement but told her the contents of your statement?

Mr Speaker: I absolutely cannot confirm anything of the sort. What I would say to the hon. Gentleman is that his understanding about what might happen between the usual channels is one thing; that absolutely does not apply to Speaker’s statements. If the hon. Gentleman—

Dr Offord: Why not?

Mr Speaker: The hon. Gentleman shrugs and says, “Why not?” That has never been the case. The Speaker of the House makes statements to the House at a time when the Speaker of the House thinks that they will be of interest and benefit to the House. I am under absolutely no obligation whatsoever to pre-announce that statement, either to the Leader of the House or to the shadow Leader of the House, and I did not do so. If the hon. Gentleman—a keen student of parliamentary procedure—is offended by that fact, well, I am sorry, and he is of course welcome to be offended, but there is absolutely no breach of parliamentary protocol or etiquette whatsoever. That is the reality, and I have explained the position in terms clear and unmistakable.

Geraint Davies (Swansea West) (Lab/Co-op): On a point of order, Mr Speaker. Can you confirm that a meaningful vote would be intrinsically different if it included the provision for a confirmatory vote by way of a public vote?

Mr Speaker: Again, I would have to look at the particulars. I would look at the specifics; I would assess what was being proposed; and I would make a judgment about it. I prefer at this stage to rest on what I have already said about the principle that something should be different, not the same or substantially the same. I would have to look at the specifics in the circumstances of the time.

Carol Monaghan (Glasgow North West) (SNP): On a point of order, Mr Speaker. We are now 11 days, six hours, 21 minutes and about 40 seconds from leaving. This can be described as nothing other than a constitutional crisis. Can you advise us how we can bring forward an emergency motion on revoking article 50?

Mr Speaker: Emergency motions—I say this as much for the benefit of people observing our proceedings as for Members of the House—are capable of being requested under Standing Order No. 24. The hon. Lady will know that any Member can apply for the right to conduct a
Standing Order No. 24 debate on a motion and that that request is, in the first instance, submitted to me. If I decide that the application can be made in a speech of up to three minutes, it is made on the Floor of the House. If I decide that the application is valid, and the application is supported, the debate can take place, and there is nothing to stop such debates taking place in the ensuing days. Many have taken place before—obviously, on nothing like the scale of urgent questions—and I have no reason to suppose that it will be different in the future.

Alex Burghart (Brentwood and Ongar) (Con): On a point of order, Mr Speaker. Does the House have the authority to suspend the Standing Orders that prevent motions from being brought back to the House in the same form?

Mr Speaker: The Clerk of the House has confirmed my own understanding, which is that the House is the custodian of its own Standing Orders. The Standing Orders are a matter for the House, and they can be changed. That has happened before, and it could conceivably happen again. So the answer to the central inquiry is yes.

Hywel Williams (Arfon) (PC): On a point of order, Mr Speaker. Is there any definition, in terms of precedent, of the meaning of the term “substantial change”? If there is not, can you confirm that that does not preclude you from making a novel decision?

Mr Speaker: I am sorry if this disappoints the hon. Gentleman, but it is context-specific, and it is a judgment for the Chair. The Chair seeks to make a judgment on the basis of what will be in the interests of the House. I do not think that I can say fairer than that, or say anything different. I hope that that is useful to colleagues.

Mark Pritchard (The Wrekin) (Con): On a point of order, Mr Speaker. Will you clarify a point? Is it the case that you have not ruled out a third meaningful vote, and it is just a matter of that vote’s being conditional on other matters applying, in the motion as well as in the substance?

Mr Speaker: I think that I explained the position to the right hon. Member for Maldon (Mr Whittingdale). It depends on the specific terms of what is proposed. Forgive me—I do not mean this discourteously in any way—but I do not know whether the hon. Gentleman was here throughout our exchanges. Maybe he was; I do not know. What I was seeking to convey, however, was that a new proposition could be put, but the convention would militate against the same, or substantially the same, proposition being put. So I am not closing the door, and, indeed, I specifically said towards the end of my statement that this ruling should not be regarded as my last word on the subject. It is simply meant to indicate the test that the Government must meet for me to rule that a third meaningful vote can legitimately be held during the current parliamentary Session. I do not see that I can expand on that, nor should I be required today to do so.

Mark Pritchard: Further to that point of order, Mr Speaker. [Interruption.] I think that the Speaker decides. Would your advice to those who are, perhaps, becoming exercised about this be, “Don’t panic”? Mr Speaker: I am always inclined to say, “Don’t panic.” I am not in the business of panicking myself. I think I can safely say that I have never lost a wink of sleep over any work-related matter. There is no merit or purpose in doing so. I think that we should approach these matters with calm, deploy reason, and seek to make sensible judgments, not just in our own interests and the interests of the House, but in the interests of the people whom we are sent here to represent. I have always done that, and I am sure that that is what colleagues think it is right to do, including, most certainly, the hon. Gentleman.

I am most grateful to colleagues for the interest that they have shown and the inquiries that they have put, and I thank them for their involvement.
Far-right Violence and Online Extremism

4.43 pm

Janet Daby (Lewisham East) (Lab) (Urgent Question): To ask the Minister for Security and Economic Crime, in the light of the recent terrorist attacks against the Muslim community of Christchurch, New Zealand, to make a statement on the Government’s strategy to tackle far-right violence and online extremism in the United Kingdom.

The Minister for Security and Economic Crime (Mr Ben Wallace): I am grateful to the hon. Lady for asking her question, so that the Government can put on record their position on extreme right-wing, neo-Nazi and other types of violent terrorism. The Home Secretary would have liked to respond to the question personally, but he was visiting the Regent’s Park mosque with the Secretary of State for Housing, Communities and Local Government today to show support for British Muslims following last week’s horrific terrorist attack in Christchurch.

The attack was a sickening act of terrorism which the Government condemn, as we do the incident reported in Utrecht today and the attack in Surrey on Saturday evening.

The Government take all forms of terrorism and extremism seriously. Our counter-terrorism strategy, Contest, does not differentiate between what motivates the threat: it is designed to address all forms of terrorism whatever the ideology, whether Islamist, neo-Nazi, far-right or extreme left.

If we are to tackle terrorism in the long term, we must challenge those seeking to radicalise people. The Prevent policy is designed to safeguard our vulnerable citizens from being recruited or motivated into terrorism. That is why I always urge people to get behind the policy.

Our counter-terrorism strategy is agnostic to the threat: it is not relevant to us in what name terror strikes; it is the use of violence and hate that we seek to stop. Government and law enforcement will direct their funding wherever the threat emerges, and if we are to stay one step ahead as the threat changes so must the funding. We will continue to keep funding for protected security measures under review as that threat moves and will indeed consistently review it for places of worship and other areas that may be vulnerable.

Social media platforms should be ashamed that they have enabled a terrorist to livestream this evil massacre and spread this mantra of hate to the whole world. As the Home Secretary has made clear, enough is enough. We have been clear that tech companies need to act more quickly to remove terrorist content and ultimately prevent new content from being made available to users in the first place. This must be a wake-up call for them to do more. There can be no safe spaces for terrorists to promote and share their sick views. The online harm White Paper will be published imminently and will set out clear expectations for tech companies to keep users safe and what will happen if they fail to do so.

This Government take the growing threat of the extreme right wing extremely seriously, and I can assure the House and our Muslim communities that we will stand together to counter it wherever it manifests itself in our society.

Janet Daby: Last week’s terrorist attacks on mosques in New Zealand killed 50 people and wounded a further 50 people. I am sure the whole House will join me in expressing our most sincere condolences to those who have lost loved ones as well as our solidarity with the people of New Zealand as they come to terms with this and legislate to prevent such incidents from happening again. We have also seen this morning that a terrorist attack took place in the Netherlands, and we offer our sincere condolences to the three people who died during it.

In Lewisham, we have five mosques; two of them are in my constituency, and I have been contacted about the very real concern. This type of racial hatred and violence, whether in the UK or elsewhere in the world, must not be tolerated. It brings with it such immense fear, worry and anxiety for our Muslim communities, for families, children and young people. This should not be happening to people in this country or other countries; this should not be how people live, and the Government need to demonstrate that everything is being considered and done to keep people safe from harm and to promote respect and acceptance of difference and others. Will the Minister therefore state how his Department will deal with social media offences, including the removal of extreme content, and protect free speech, while developing an efficient strategy to tackle hate speech online? Also will he confirm he will be increasing his commitment to financing mosque security?

Mr Wallace: The hon. Lady makes some very valid points. First, on the money to protect vulnerable places—whether places of worship, schools or large public areas where people might gather—we of course continue to fund that where the threat requires it. We will continue to review the places of worship fund. The last round of ‘18-19 was not oversubscribed despite efforts to advertise it to a number of mosques and other places of worship. We will continue to build on that, and if there is more requirement for it we will certainly stand ready to do that, to make sure my constituents in Preston in their mosques and the hon. Lady’s constituents in theirs get the support they need. Every single police force has a national counter-terrorism security adviser whose job is to go out and advise businesses, communities and places of worship about what they can do to mitigate any threat, even if it is threat unseen, and how they can make sure the people who use their premises are kept safe, and I urge people to do that.

On top of that, the National Counter Terrorism Security Office publishes an online manual to help places of worship, specifically, with tailor-made areas. The Home Secretary and the Communities Secretary are absolutely determined to make sure that the threat of attacks such as what we have seen in New Zealand is headed off. There are different factors at play in the United Kingdom but nevertheless, as I said this morning, it is perfectly possible that this type of thing will happen here.

We are already seeing a growing threat from people moving into the extremist mindset of the extreme right wing and neo-Nazis, and that is the pool that terrorists of the future will recruit from. We must all get together—all of us—to make sure that we teach our children about tolerance and equality and that we understand that just because someone disagrees with us, they are not lesser people. If someone comes from a different religion, they
are not lesser, and if they have a different colour, they are not lesser. Until we embrace that, extremism will grow. Doing that is the best way of heading off far-right and neo-Nazi extremism.

Sir Paul Beresford (Mole Valley) (Con): With my New Zealand passport in my left pocket, may I thank the House and the nation who, with a very few exceptions, were extremely sympathetic? That was spread throughout the media. Although in New Zealand the armed forces and sports teams, such as the All Blacks, are fearsome in the field, as a nation the people are known for their friendliness and acceptance of different races, colours, and religions. What is most disturbing is that even with such community integration, a case such as last week’s, which “could not happen in New Zealand”, did. The All Blacks I just mentioned are a positive example, as they are of different races, colours and religions but are brilliantly effective at playing as a team.

One positive point, as I am sure the Minister will agree, is that our gun laws are much tighter at the moment than at least those of New Zealand, if not those of all nations. Does he agree that our laws are sufficient, but the difficulty is the importation of illegal weapons? Will he go for that rather than changing our gun laws?

Mr Wallace: The hon. Gentleman makes many points with which I agree. Tolerance, respect and the underpinning of the British values of democracy and the rule of law are vital in our society, and the more we teach our children about that and the more we clamp down on those who do not believe in that, the better a place we will be.

As for the hon. Gentleman’s questions about the to-be-appointed Prevent reviewer, I cannot speak for that person—

Nick Thomas-Symonds: I referred to the Independent Reviewer of Terrorism Legislation.

Mr Wallace: I will get to that, but the hon. Gentleman did mention the Prevent review. I want the person reviewing Prevent to be as free as possible to examine people’s views, perceptions and evidence, and I would like those who criticise Prevent the most to produce evidence rather than anecdotes. The Government will, of course, listen to whatever the review produces.

I turn to the Independent Reviewer of Terrorism Legislation. Hopefully, the appointment will happen in a matter of days or weeks. We are at an advanced stage in the selection process. Like the hon. Gentleman, I have also been clear that many online companies are a monopoly on virtue. Does the Minister accept that asking online platforms to act is not enough and that we need a new regulator with strong powers to penalise them if they do not curb harmful content?

We must also ensure that our laws and policies are robust and up to date. Will the Minister clarify when the new Independent Reviewer of Terrorism Legislation will be appointed and in post? Will he also confirm that lessons will be learned from both domestic and international experience in the forthcoming independent review of the Prevent programme?

I am not suggesting that any political perspective has a monopoly on virtue. Does the Minister agree that such vile acts of hatred show that we must all redouble our efforts to argue for a society of tolerance and respect?

Mr Wallace: The hon. Gentleman makes many points with which I agree. Tolerance, respect and the underpinning of the British values of democracy and the rule of law are vital in our society, and the more we teach our children about that and the more we clamp down on those who do not believe in that, the better a place we will be.

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On new regulations regarding online harm, I know that Opposition Members will be impatient, but they will have to wait for the publication of the online harms White Paper. The document will obviously examine regulation versus voluntary action, but I have said on the record several times that a voluntary system is not enough and that regulation or other methods of encouragement should be explored.

I have also been clear that many online companies are hugely profitable and global, so whatever regulation we explore will have to be deliverable. That is why I met representatives of the G7 in Toronto last year to discuss what the G7 can do collectively; why the Home Secretary attended the Global Internet Forum to Counter Terrorism, as did his predecessor, to ensure that countries around the world can get to grips with the problem; and why the European Union is taking forward plans to seek regulations in certain areas, especially the time in which content should be taken down.

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If we are to deal with the problem, we must take a layered international approach to regulation—otherwise, companies will simply move their servers to escape their obligations. It is one thing to deal with the big companies that have a nexus here, but there are many tiny companies spreading hate around the world that may have servers in jurisdictions that we cannot reach. That is why we need an international consensus to deal with the challenge.

Sir Peter Bottomley (Worthing West) (Con): The House will welcome the calm and purposeful way in which my right hon. Friend spoke this afternoon and in his broadcast round this morning. He was matched by the Opposition spokesman, who has shown that this is a task for the community. This is not just about other faiths, but the whole community, and we must stand with the Muslims as we stand with the Jews.

Will my right hon. Friend go on encouraging the Community Security Trust—the CST—to share with our mosques and Islamic societies the basic steps that people can take, within the law, to help to raise levels of confidence and security?

Mr Wallace: My hon. Friend makes the strongest point of all, which is that we will defeat this challenge through peer group pressure and by coming together to show what is unacceptable. The CST has already offered online material to help advise other places of worship in how to make themselves safe. But the fact is that our law enforcement cannot do this on their own. The current threat is from sudden violent extremists—people who, in minutes, can step outside their front door, grab a knife or car and wreak murder on our streets. That is not going to be spotted by a police officer on every corner, or a large intelligence service, without the support of the public, who can understand their neighbours and bring any worries they have to the attention of the correct authorities, to make sure we say, “This is not acceptable.”

Joanna Cherry (Edinburgh South West) (SNP): No one who has ever visited New Zealand can fail to have been struck by not only the beauty of the country, but the warm welcome one gets from its diverse people, as the hon. Member for Mole Valley (Sir Paul Beresford) has said. On behalf of the Scottish National party, I wish to condemn the terrible evil we saw in New Zealand last week, and to send our heartfelt condolences to the bereaved and injured.

In Scotland, our Muslim community are a valued part of our society, as they are across the whole of the United Kingdom, but we must always be aware of the particular threat posed to them from far-right extremists. I am sure the Minister will agree that Islamophobia must be combated and condemned wherever it raises its head. Does he also agree that politicians, journalists and those in the public eye should always be cautious never to cross the line on free speech and fair comment to risk stirring up the sort of hatred and “othering” that can feed into the narrative of the far right?

There have been a growing number of incidents across the UK in recent years, and it was good to hear the Minister on the radio this morning and this afternoon saying that he is alive to that threat and will put resources into tackling it. I noticed that on the radio this morning the Muslim Council of Britain was very concerned to ensure that its community should get the same sort of funding as the Jewish community has received to protect its places of worship against attack, and I was pleased to hear the Minister say on the radio that protective security tasks with the threat present. It seems that he does recognise the threat, but will he confirm that he will be meeting the MCB to discuss its requests and to look at directing funds where needed?

Finally, we have seen incidents where far-right extremists have tried to intimidate and silence Members of this House who have called them out for their hate. My hon. Friend the Member for Glasgow South (Stewart Malcolm McDonald), in particular, has suffered at the hands of far-right extremists recently. I know that the Government have been very sympathetic about that, but does the Minister agree that all of us, across this House, must stand united with our colleagues against the threat from the far right?

Mr Wallace: The hon. and learned Lady makes some good points. On her point about Islamophobia, I have publicly spoken out for many years about the fact that Islamophobia exists. It exists across our communities, in all our political parties and in the communities we represent; it exists throughout Europe, not just in the UK, and we have to tackle it.

If you want a good lesson on how to tackle intolerance, Mr Speaker, I should say that one of the early successful policies of the SNP was on dealing with anti-sectarianism. The SNP recognised in Scotland that this starts with sectarianism and it grows into violent extremism. I have to commend the SNP for what it did all those years ago on that, taking strong steps, certainly among the football community, to stamp it out. That is why, in the end, we have to focus upstream. We must focus in the communities and say what is not acceptable. We must embrace policies such as Prevent to make sure that everyone realises that this is ultimately about safeguarding.

On the issue relating to the community trust, the hon. and learned Lady is right. We will direct our funds as the threat changes, and we are completely open to learning every day from the attacks and plots we see, either here or abroad. We shall direct this in that way. My colleagues in government regularly speak to a range of Muslim communities, and many of us in this House will speak to our own communities in our own constituencies.

We will sense the fear that there currently is in some of those communities as a response to the attack in New Zealand and that there was even before that, given the growing rise of Islamophobia, spread through the evils of some of these chatrooms on the internet. We must, all of us, say that that is not acceptable, and neither is intolerance aimed at other people in other discourse around the world, be it in respect of Unionism and nationalism, or Brexit and remain. Intolerance is where this starts as a small seed, and it grows into hate.

Mr John Whittingdale (Maldon) (Con): I welcome my right hon. Friend’s statement, and I strongly agree that the tech companies need to do more to stop the spread of hate and incitement to violence. However, does he also recognise that the internet is a force for good and that many authoritarian countries—China
and, now, particularly Russia—are attempting to impose censorship on it for their own repressive political purposes? Does he therefore agree that any measures we take need to be proportionate and targeted, and must not allow other countries, such as Russia, to claim somehow that they are acting for reasons similar to ours?

Mr Wallace: It is tempting to say that my right hon. Friend is asking the wrong person. As Security Minister, I see daily how paedophiles, organised crime, groomers and terrorist recruiters use the internet as not a force for good. As we speak, the internet is being used to undermine our own democracy.

My right hon. Friend makes a valid point that, in places where there is no democracy and no rule of law, the internet is sometimes people’s only hope to engage with free thought and the outside world. We have to be very careful about how we balance that but, nevertheless, we know these companies can remove extremist content very quickly when they put their minds to it.

There are certain areas on which we all agree. I cannot find anyone in the world who would support allowing child sexual exploitation images to exist on our internet. Violent extremism, beheading videos and bullying online cannot be acceptable in any society. We can all agree that a number of activities should not be allowed or available on the internet without someone taking responsibility for preventing the broadcast or spreading of it. All of us in this House have to try to navigate that fine line, and we will debate it when the online White Paper comes before us.

Ms Angela Eagle (Wallasey) (Lab): Will the Minister admit that the internet has allowed the formation of chatrooms such as 4chan and 8chan, online communities such as the “incels”—the involuntary celibates—who are misogynistic and who blame women for their lack of access to sex, and the bubbles in which both ISIS and, now, neo-Nazi, far-right supremacist groups gather their followers? Does he acknowledge, and does he have a plan for dealing with, the grooming and the escalation of evil and violence that is growing in these unregulated spaces?

Mr Wallace: The hon. Lady makes the right point. Many characteristics are shared across the spectrum of violent extremism. Whether it is Islamist/Daesh/ISIL extremism or far-right extremism, they often use the same methods. They often appeal to the same type of people.

Both the Government and the Opposition Front Bench have been grappling with how to deal with safe spaces, either in the material world or, indeed, online. This concept of safe spaces either in failed states or on the internet, where these people are reinforcing their prejudices and joining up, is characteristic of the 21st century. It could be argued that 10 years ago people sat on their own in their bedroom and spoke to no one, but now they can speak to thousands. That is being used to seduce people, to groom people and to twist people.

We must start in our schools, which is why I am pleased that the state, local education authorities and primary schools have started to teach children about using the internet safely. Some of the big communications service providers, such as Google and Facebook, also go out to schools and teach young children about how to behave on the internet and what to be careful of.

The challenge is growing. Hopefully, the online White Paper will be a doorway we can all go through and will start a big debate about how to tackle this. But there is also the simple issue that we all have to think about what we, our children and our friends are looking at. We have to ask ourselves. “How are we going to stop it in this day and age?” How many people in this Chamber, at any one time, are on their telephone? An awful lot.

Vicky Ford (Chelmsford) (Con): On Saturday morning, I met Muslim families from all over Essex who had come to Chelmsford to meet each other. I spoke to many leaders of the community, but also to young teenage girls and other younger members of the community, and it is clear that they are very fearful and worried. Will my right hon. Friend confirm that our Muslim constituents are our friends, neighbours and colleagues; that they are vital to British society today; and that we as parliamentarians and Government Members will do everything to stand by them and keep them safe?

Mr Wallace: British Muslims are part of Britain. That is it. They are no lesser than any one of us; we are all the same. We all share different politics and different views. We all have views of the north and the south—living in Lancashire, I have an entirely different view of the south, and my Muslim communities in Lancashire will have a different view of the south as well. We stand shoulder to shoulder. We are not going to let these people spread their hate and we will put in all the resource we need to put in to counter it. It is very much incumbent on us all, from all parties, to do it together, because if we do not do it together, the bad people will exploit that difference and make it worse.

Stella Creasy (Walthamstow) (Lab/Co-op): On Friday night, hundreds of local residents in Walthamstow joined together in a vigil for the people of Christchurch. We heard from both our Muslim community and our New Zealand residents, and many were clear with me that they recognise that far-right extremism does not come along talking about Hitler and wearing jackboots; it comes from those people who slowly drip, online and offline, poison into our politics and discussions. It behoves us all in this place, therefore, to stand up to the people who lead that charge. What does the Minister intend to do, when he recognises this twisted mindset, to make sure that nobody in this place gives a platform and a veneer of respectability to people like Steve Bannon, Candace Owens and Fraser Anning? Let us say that they are not welcome here in this Chamber and here in this country.

Mr Wallace: The hon. Lady presents one of the biggest challenges of today—

Wes Streeting (Ilford North) (Lab): Boris Johnson.

Mr Wallace: That is an immature comment. The reality is that, when we talk about tolerance, we talk not about no-platforming or shutting up people with whom we disagree; we talk about a discourse in which we challenge people’s views, because only by challenging people’s views do we sometimes get to the heart of the argument and either come together or agree to disagree. If we shut people down or bully or ridicule people, we are leading down the path of intolerance. Personally, sometimes I find other people who are invited to this
House unpalatable, but I do not think it is my place to shut people out of the heart of our democracy. The way we show them up is by challenging their assertions, proving them to be wrong and taking their arguments apart. That is the best way.

Julia Lopez (Hornchurch and Upminster) (Con): As the Minister is aware, I was a councillor in Tower Hamlets at a time when young schoolchildren were groomed to go to Syria and we had far-right marches going through the borough. It was clear from my time as a councillor just how important Prevent is for giving children the intellectual resilience to resist those kinds of radical, unpleasant and divisive messages. Unfortunately, we have seen too often that people try to spread misinformation about Prevent. Does the Minister share my concern that politicians should challenge that misinformation so that communities feel greater confidence in Prevent and feel confident enough to share the kind of critical information that stops people falling prey to radicalisation of this kind?

Mr Wallace: I feel that the best way for us to deal with Prevent is to publish the statistics about who is referred, how it works and what the outcomes are. No doubt when there is an independent review of Prevent it can examine all the evidence from both sides and take a view. The only observation I have about Prevent is this. I have listened to the critics, some of whom are my friends, over the past two and a half years, and when they explain, they often just explain the Prevent policy but worry about its name. It cannot just be about the name; it has to be about the substance as well. I see good results in Prevent. Over the past three years, I have seen hundreds of people who were really at risk of becoming terrorists being diverted from that path. I think those more than 700 people in the past three years contribute to us being a safer society.

Sir Edward Davey (Kingston and Surbiton) (LD): I send, on behalf of the Liberal Democrats, sincere condolences to the victims, their families and all the people of New Zealand. We stand in unity with them and with all our Muslim brothers and sisters across the world.

Will the Minister condemn without reservation Islamophobic language, whether used by individuals or in the media? The Liberal Democrats have looked at the proposed definition of Islamophobia from the all-party parliamentary group on British Muslims, and we think that it is a very good one and have adopted it. Will the Government do likewise?

Mr Wallace: I condemn Islamophobia. It is racism; it is like any other type of racism. We should not even subdivide it. It is what it is. It is racism, just as antisemitism is racism. I do not need to go beyond that. Anyone who is caught doing it should be called out and dealt with, whether that is in my political party or in any other political party. I have absolutely no qualms about that. They should be dealt with.

On the definition of Islamophobia, I read the all-party group report and I looked at its definition. It is an interesting and good starting point. My right hon. Friend the Home Secretary chaired on, I think, 5 March, a roundtable with the Secretary of State for Housing, Communities and Local Government and members of the Muslim community to discuss Islamophobia and what can be done on it. We will look at the definition and at what we can do to start on that process. But all of this comes back to this: if we over-define, if we start subdividing Islamophobia and antisemitism, we forget what this is really about, which is tolerance. It is really important that we accept that we are tolerant of people. That is what underlines extremism: where people choose not to be tolerant, they start to become extremists. When they think other people are lesser, that is where we are in trouble.

Robert Halfon (Harlow) (Con): I express compassion and solidarity with all Muslims from New Zealand, across the world and in my constituency of Harlow. We have the wonderful Harlow Islamic Centre in my constituency. It is a small community, but a thriving one. In 2013, there was an arson attack on the Harlow Islamic Centre mosque. Will my right hon. Friend set Harlow to ensure that these kinds of attacks do not happen?

Mr Wallace: First, in the Metropolitan police, there are counter-terrorism security advisers who will come out to any mosque, or any place, to help to advise on what steps can be taken to do that. The places of worship scheme, which has received £2.4 million over the past three years, can be applied for. The latest round was not fully subscribed. We will do all we can to advertise it and encourage it. Indeed, the Home Secretary and I have looked at different ways to remove the barriers to people applying to that scheme to make it as easy and as straightforward as possible. We hope to improve that even more. Like my right hon. Friend, I have some very small mosques in my constituency. They are just as vulnerable as some of the very big ones. We must make sure that protective security applies to us all.

Jim Shannon (Strangford) (DUP): May I add the DUP’s sympathies to all those who were killed and injured in New Zealand in that very vicious terrorist attack? Northern Ireland has experienced the unadulterated evil of people slaughtering worshippers in what should be a safe place—for example, in Gospel Hall in Darkley on 20 November 1983. In the face of evil, it is time for good people to stand with those who have been attacked. So can the Minister confirm what support has been offered to New Zealand in relation to policing, to forensic expertise and to counselling support for those victims who have lost loved ones?

Mr Wallace: My hon. Friend knows all too well the cost of terrorism and indeed, in the society in which he lives, the cost of division. We have offered to the New Zealand authorities any help they wish to have, either in the intelligence or the police space, and we will continue to do that, as we will with the Netherlands authorities following the attack today. Ultimately, we must make sure that, when it comes to saying what is acceptable and what is not acceptable, linking violence and politics is not acceptable. That is a good starting point. We must make it very clear across our political discourse that the first point is that that is never acceptable—it is never
acceptable to invoke that and to say that people should be lynched. We should never ever invoke violence in the same breath as politics.

Dr Matthew Offord (Hendon) (Con): I feel that it is a matter of some regret that this urgent question has been framed as one of right-wing extremists, because there are also left-wing extremists; this is terrorism, pure and simple. I am proud that my first question in this House was to ask for the finances to provide security at Jewish schools in my Hendon constituency. Indeed, the Community Security Trust is based in Hendon and provides that security. Now we need to make the same call on behalf of Muslim schools and Islamic institutions in our constituencies. Will the Minister take that suggestion to the Treasury and the Ministry of Housing, Communities and Local Government, and ask for resources to be made available to these communities, because any kind of extremism is not acceptable?

Mr Wallace: My hon. Friend is right. As I said in my statement, as the threat moves, we will tack with it. The Home Secretary’s first point of call is within the Department and then it is the Treasury. We are determined to make all our places of worship safe, and we will do what is necessary.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I too visited mosques and had contact with local Muslim leaders on Friday, and there was a palpable sense of fear. I praise South Wales police and our police and crime commissioner for responding so quickly. I was particularly disturbed to speak to young people who told me that they were watching the video of the horrific attacks in New Zealand. We have to do everything we can to prevent young people from having to see such horrific content. On that note, I have to push the Minister and the Home Secretary further. I do not doubt their sincerity in wanting to deal with these issues, but they say that we need to wait for the online harms White Paper. I have previously raised with both of them the issue of an organisation called Radio Aryan, which is available on Twitter, Facebook and YouTube. I have also raised this matter directly with the social media companies, and it is absolutely clear that they do not give a damn. That content is still online this morning. It advocates antisemitism, Islamophobia, homophobia and white supremacy. Why is it still on there and what are the Government going to do to remove it?

Mr Wallace: As I said earlier, one of the reasons that some of these things remain online is that the servers of the companies are often abroad and out of our jurisdiction. We are seeking the powers to do something about that through the online harms White Paper. If these companies have a nexus in the UK, it gives us more power. If they do not, we have to look at other technical issues and see whether we can do this another way. The White Paper is imminent, and I am happy to meet the hon. Gentleman and any Member from across the House to discuss whether they think it is too soft or too hard, or what needs to be done to improve it.

The hon. Gentleman points out one of the real challenges. The United States’ first amendment protects freedom of speech. We often approach companies in America asking them to take down websites and so on, and we get a first amendment response—that is, that they are obliged to United States law and the first amendment. That is why we ultimately have to seek an international solution to go alongside whatever regulation we look at here.

Tom Tugendhat (Tonbridge and Malling) (Con): I was particularly moved this afternoon to hear the Home Secretary using the Arabic words, “Bi-smi l lil āhi r-rahmān r-rahīm”, meaning “In the name of God, the most compassionate, the most merciful.” We are fundamentally talking about a compassion and a mercy that were not shown to a community—this time in New Zealand, but sometimes at home—and a justice that we now need to extend to members of our own community who feel that they do not have access to the same security as others. I welcome the views that will come forward from the Home Secretary and the Security Minister, and the work that they have done. We need to make sure that addressing these publishers—for that is what they are—who are putting up, or tolerating the publication of, online hate material is absolutely the first line of defence, not the last.

Mr Wallace: The communications service providers around the world need to get the message that we know that they seem to manage to do something when they really want to. We know that their algorithms are often designed to maximise viewing numbers and profits, rather than the safety of our constituents, and we need them to realise that we are on to that and are going to do something about it. Last year, Facebook took down 14.3 million pieces of content, 99% of which was done by automated tools. Before that, it took the Government to set up the Counter-Terrorism Internet Referral Unit—not the CSPs. That unit, on its own, managed to take down 300,000 pieces of content. If we can do it, those multi-billion-pound global corporations can invest more in artificial intelligence, and they can do so much quicker.

David Hanson (Delyn) (Lab): The UK Government currently chair the Commonwealth Heads of Government, of which New Zealand is a proud member. In passing on our condolences and our thanks for the excellent work of Jacinda Ardern, its Prime Minister, will the Minister agree to convene a discussion with the 53 nations about what we can do about Facebook and Twitter to collectively close down extremist content across the Commonwealth?

Mr Wallace: The right hon. Gentleman makes a very good suggestion. At the CHOGM that happened last year there was a session or two on cyber, but his recommendation is a valid one. I will nick it, if I may, and take it forward.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): I was reassured by the Minister’s remarks about the work the Department is doing to help mosques and places of worship to fight hate crime, but could he confirm that that work extends to Scotland and outline what discussions he has had with the Scottish Government in this regard?

Mr Wallace: My understanding is that matters relating to places of worship are devolved to Scotland. However, I am always in contact with officials and ministerial
counterparts in Scotland, and I will continue to discuss this with them. I am due a visit there very soon, and I will no doubt add that to the agenda.

Paula Sherriff (Dewsbury) (Lab): Mass murder of innocents praying at their place of worship is one of the most abhorrent acts imaginable. We must urgently have conversations about the implications of words and actions, including those in the media. My constituents—those of all faiths and none—are fearful of attacks. Is the Minister of the opinion that the police have adequate resources to protect our mosques, other faith establishments and other sensitive sites, and will additional funding be made available to these places of worship so that worshippers there feel safe?

Mr Wallace: The hon. Lady will know, as I met her recently, that a number of colleagues across the House are feeling intimidated, bullied and threatened on a regular basis in our inboxes and in our letters, and often physically in person at our surgeries. That is something we have to deal with. What came across at a meeting we held recently was that there is not enough consistency in the police response, and police leaders are aware of that. Some colleagues in this House have a good police response; others have a wholly inadequate one. That extends to the places of worship where people sometimes feel that when they need help they do not get it. We have to improve the consistency. We also have to improve what the Crown Prosecution Service does in charging and dealing with those who are spreading hate and intimidating people. Again, this is all too random across the country, and that does not provide the reassurance that many Members, and our constituents, need.

Tracy Brabin (Batley and Spen) (Lab/Co-op): Like many across the House, I spent time in mosques and with my community on Friday. Obviously, as you can imagine, this was a painful reminder of what happened in Batley and Spen only three years ago. At times like this, compassion is of course needed, but we also need a strategy that works. Dressed up as free speech, white nationalism is a threat to us all. Does the Minister agree that we need to demand more of our mainstream media outlets that should know better. I am afraid it is also legitimised by people who purport to be mainstream politicians and aspire to the highest office who describe Muslim women as “bank robbers” and pillar boxes without any reaction.

On a day when HOPE not hate has called for action from the Conservative party to tackle Islamophobia within its ranks, when Baroness Warsi has again asked her own party to act and when my constituents are looking to the Government to act, they will have no confidence in this Government to tackle the prejudice they face unless they have confidence in the governing party to tackle racism within its own ranks. I say that with humility but great sincerity. Enough is enough. Condemnation in general is nothing compared with specific condemnation. When will the Minister’s party tackle the racists in its ranks, whether in this House or at the grassroots?

Mr Wallace: The hon. Gentleman is right; we need to show leadership. If we see racism or antisemitism in our ranks, we should deal with it. If we see Islamophobia in our ranks, we should deal with it; if I find it in my party association, those people should not be in the Tory party. I totally agree with everything he said. We have to be cautious about what we say and what we insinuate, given our privileged places as political leaders in society. That goes for my friends, my colleagues and my opponents on the Opposition Benches.

We should also recognise that the next step in intolerance is linking violence to politics. The hon. Gentleman sits in a party whose shadow Chancellor talked about lynching my right hon. Friend the Member for Tatton (Ms McVey) when she was in the Department for Work and Pensions, and whose shadow Chancellor regularly supported Irish nationalism that had a violent streak rather than a peaceful one. Let us see what his actions are when it comes to condemning Labour’s Front Bench.

Hywel Williams (Arfon) (PC): I associate my party with the condemnation across the House of the appalling attack in New Zealand. That shows, if evidence were needed, that such attacks can happen in the most peaceful and unlikely of communities. Security is a reserved matter, though the Welsh Government have responsibility for economic, social and cultural matters to do with the faith community. Is the Minister confident that there is sufficient deep co-operation between the Home Office and the Welsh Government to ensure that such attacks do not occur in rural and city communities in Wales?
Mr Wallace: All I can say is that we have very strong links with the Welsh Government and the police and counter-terrorism units in Wales. I have visited a number of them. We speak regularly, including when it comes to conducting exercises across the United Kingdom so that we can practise our response, and I regularly see bulletins about what is going on in Cardiff and other parts of Wales. I am confident that the Welsh police do an outstanding job in dealing with this issue. Many Members in this House bring examples to me involving the far right. I am confident that they are doing a very good job, and I will continue to work with the Welsh Government to ensure that it is delivered.

Sir Mark Hendrick (Preston) (Lab/Co-op): Will the Security Minister assure communities in Lancashire of the Islamic faith, of any other faith or of no faith that everything is being done through the security and intelligence services and the police to monitor and deter potential attackers from targeting places of worship, including online activity and political campaigns aimed at Muslims and other minority faiths? This should not just be about tolerance, which means accepting something whether we like it or not, but be about mutual respect. Let us talk more about mutual respect, not just tolerating something even though we might not like it.

Mr Wallace: How we respond to that tolerance is about mutual respect: whether we disagree and disagree in a manner that accepts people as equals or whether we disagree and denigrate them for having a different view is about respect. The hon. Gentleman and I are neighbours in Lancashire, and we both represent a multicultural society that has worked very well together. I am determined to make sure that we work with Lancashire constabulary to deliver it, but I know that Preston City Council will help deliver some of the solutions as well, as indeed will he and I as civic leaders.

Mary Creagh (Wakefield) (Lab): People in Wakefield stand together in solidarity with our Muslim community, the people of Christchurch and the victims here at home and in Utrecht today. May I say to the Minister that I think the grief felt by the relatives of those killed and seriously injured will have been immeasurably increased by the knowledge that those deaths and injuries were live-streamed and broadcast around the world? Does he agree with me that the days of the tech companies marking their own homework should be over, that we should be legislating in this country and in the EU to make sure that nobody profits from this type of streaming, and that any media company in this country that profited by seeing their ad revenues go up through hosting those videos on their sites should donate the increased profits and revenues to a fund for the victims and their families?

Mr Wallace: I completely agree with what the hon. Lady has said on all her points. Yes, those who made any profit from that horrendous streaming should donate it.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I, too, express my solidarity with the New Zealand people and our Muslim brothers and sisters. Although I am pleased with what the Minister has said about the regulation of social media platforms, may I remind him that we are seven years after Leveson, and that Leveson 2, which was meant to address that, was completely ignored by this Government? On the issue of prevention, I appreciate that there is a review of the Prevent programme, but what are the Government specifically going to do about socioeconomic inequalities, which are a known driver in developing distrust and alienation between different communities?

Mr Wallace: First, a good economy is certainly one of the ways we can try to make sure that people feel more empowered. We will differ about how to go about that between both sides of the House, but employment is a very good start point. When we mix and engage with people in our workplaces, we learn about people’s differences and, I hope, become stronger together. The Government have also funded—with £63 million, through the Housing, Communities and Local Government Secretary—the Building a Stronger Britain Together fund, which is working with 230 community groups up and down the country to make sure that we work together better, integrate better and understand each other better.

Rushanara Ali (Bethnal Green and Bow) (Lab): Last Friday, the Mayor of London and I attended the East London mosque for a vigil in solidarity with the victims of the terror attack in New Zealand. As we left, an anti-Muslim hate crime attack took place in my constituency, despite what had happened. Will the Minister look at how to take far-right activism, far-right groups and the threat more seriously? For years, we have campaigned for some of those groups to be proscribed, and the Government have fallen short. I ask him to take that much more seriously, to look at making online platforms responsible for the content of what they provide and to consider the German approach of fining online companies when hate crime material—online hate propaganda—is on those sites. Without making them responsible and making them pay for what they host, we are not going to be able to tackle this appalling level of hatred against Muslims and also against other minorities.

Mr Wallace: I do not, and neither do the police or the intelligence services I work with, in any way miss or fail to recognise the threat from the far right. It was this Government who first proscribed a far-right, neo-Nazi group—National Action—over 18 months ago. We did that, and we have subsequently taken action against a number of people and organisers. On hate crime, which is also one of the planks we need to take away from extremists, we have funded a £1.5 million action plan. We have asked the Law Commission to review the hate crime legislation to make sure it is fit for purpose. No doubt, the Law Commission will look at hate crime in the online space as well, and I hope it can feed into the online harms White Paper that is coming soon.

Hannah Bardell (Livingston) (SNP): We stand in solidarity with the Muslim community in Christchurch, New Zealand, and across the world. My mother with my grandparents emigrated there in the 1950s, and only by virtue of lack of employment am I a Scot and not a Kiwi.

The attacks in Christchurch are surely a tipping point for action by social media companies and this Government. I take on board what the Minister says about collaboration and co-operation, but the Government have been dragging...
their heels on the White Paper. I understand that he needs to collaborate with countries across the world, but surely now is the time to show some leadership, step forward and have proper legislation and regulation. Not only should no family lose a loved one in such horrific circumstances, but they should not then find out that the brutal murder of their loved one was streamed online for 17 minutes and is still going around online now.

**Mr Wallace**: I hope that when the White Paper comes out that the hon. Lady is not disappointed. Given the way the internet is constructed, we have to make sure that regulation works. There is simply no point in putting out a load of regulation if everyone puts their servers somewhere like Cuba or North Korea and nothing can change. We have to make sure we have a technical solution alongside a regulatory solution.

**Naz Shah** (Bradford West) (Lab): I thank my hon. Friend the Member for Lewisham East (Janet Daby) for securing this urgent question, and you for granting it, Mr Speaker. May I say how disappointed I am in the “whataboutery” response to the question from my hon. Friend the Member for Ilford North (Wes Streeting)? As a Muslim who has the largest Muslim constituency in the United Kingdom and who spent the weekend reassuring not only my constituents but my own Muslim family, I can tell the Minister how Islamophobia happens: it happens because it goes unchecked; it happens because people in politics have responsibilities that they do not meet. The Conservative party ran the most Islamophobic dog-whistle campaign against the Mayor of London, who happens to be Muslim. The party has yet to apologise for that campaign. Its former chair Baroness Warsi is crying out for an inquiry, as is the Conservative Muslim Forum. The Minister must check that his own party is not contributing to and indeed encouraging all this. When will we seriously tackle the issue of what is in the media?

**Mr Wallace**: I still believe that the best way to challenge the ignorance and misinformation spread by the likes of Katie Hopkins is to call them out and challenge their argument. The best way to bring these people down and show them to be the Walter Mittys or the fake people they are is to put their arguments to the test, because time and again they fail. I read the online advice published by groups such as al-Qaeda; it is by made-up half-trained imams who do not know what they are talking about when they talk about Islam. I see the neo-Nazi and National Action stuff; it is written by pretty much imbeciles making two plus two equal 10. The best way to expose them to our young people is to challenge them, because when they are challenged in any forum they fall over at the first test. That is a good way to put them out of business for good.

**Mr Speaker**: May I say very gently to the Minister and to colleagues that as we have now been on this matter for one hour and two minutes, there is a premium on brevity, on this the occasion of the 574th urgent question during my time in the Chair? I never like to cut answers, rather than orations.

**Anneliese Dodds** (Oxford East) (Lab/Co-op): My city of Oxford saw some truly disgusting Islamophobic graffiti sprayed last weekend. The local police are dealing with it resolutely, but we all know that it comes on top of enormous pressures from knife crime and county lines. Senior police officers have said that they do not have sufficient resources. The Minister is right that this is not just about police resources, but surely that is part of it. Will he be asking for more?

**Mr Wallace**: Last year, when the police and intelligence services came to ask for more, we gave them £161 million more. We made sure that we found the funding, year on year, as the threat increased.

**Mr Khalid Mahmood** (Birmingham, Perry Barr) (Lab): May I send my condolences to the families of the deceased and injured in New Zealand and the Netherlands, and praise the actions of New Zealand’s Prime Minister? Will the Minister hold the internet companies and social media companies responsible in legislation? Will he ask the Home Secretary, who is not in the Chamber at the moment, whether he will meet me and imams from across the country to look at how we can protect our places of worship?

**Mr Wallace**: On the last point, I will make sure that the Home Secretary replies to that request. I am very happy to meet the hon. Gentleman on a regular basis, with his communities if he would like, to discuss what more can be done and to keep an eye on this issue.
Imran Hussain (Bradford East) (Lab): May I join hon. Members from across the House in condemning these horrific, sickening, cowardly terrorist attacks? Can we, as a House, unite today and pay tribute to the heartening response that has been demonstrated by people of faith and no faith up and down our country and more broadly, who have stood in solidarity and made it clear that those who seek to divide us will never ever succeed? This House wants to be very clear in sending that message today.

I want to emphasise the point that, tragically, far right and Islamophobic views are being tolerated and normalised more and more by those in the mainstream—those in power and responsibility, whether in the media, public life or public institutions. Frankly, that is feeding into the rise of the far right and Islamophobia. What concrete steps will the Minister take to address that and end all forms of racism, in particular Islamophobia?

Mr Wallace: When I see Islamophobia in the media, it breaks down into three reasons: laziness, because the journalist could not be bothered to find out about what they were writing about; ignorance, because they do not know anything about the religion, people or communities they are writing about; and naked racism or aggression. We can deal with two of those factors quite well.

We need to make sure that we educate people about different faiths in this country, so that they understand the differences within the faiths and across the faiths. We need to bring more people together to understand our different communities. That is why the £63 million for building strong communities is a good place to start. If we can remove the ignorance and teach tolerance and respect for each other, together we will make a difference. That is a strong message to send.

Mohammad Yasin (Bedford) (Lab): It is very clear that the Government are not doing enough to tackle this crime. The Home Office reported recently that religious hate crime rocketed by 40% across England and Wales in just one year. More than half of it is directed at Muslims. What are the Minister’s Government going to do now to tackle the rise in far-right attacks against British Muslims and other minority communities?

Mr Wallace: As I said to one of the hon. Gentleman’s honourable colleagues, we asked the Law Commission to review hate crime to make sure that the legislation is fit for the 21st century, and can deal with, for example, the online aspect and how things have changed. We will fund that with £1.5 million. We will also make sure that we tackle the ignorance that I talked about in communities; that is the first thing we need to do. At the same time, we need to deal with online harm to make sure that people stop spreading it. We have also funded work with groups such as Tell MAMA, so that people can report hate crime better, because by them reporting it and our getting better data, we will be able to do something about it.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): I implore the Minister, as a member of the Government, to resist the temptation to in any way get into a “he said, she said” party political defence of racism at any level in our society. Does he agree that as political parties that lead, and aspire to lead, the country, we are all responsible for promoting tolerance, equality and being against racism in all its forms, wherever it may appear? As membership organisations, we have a responsibility to ensure that zero tolerance within our ranks means exactly that.

Mr Wallace: I totally agree.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): The Muslim community in Oldham is deeply concerned about the prospect of being targeted in further attacks. The drip, drip of the type of lower-level abuse that I see online creates a culture in which people think that they can go further and push it, that difference is okay, and that there should be even further division. The application deadline for the Government’s fund to protect places of worship closed in August last year. We know that there is an underspend in that budget. There is no reason why the Government cannot have a rolling fund in place, so that applicants do not have to wait until the Government are able to administer the application process. Please take the brake off that fund and give places of worship the protection that they need.

Mr Wallace: The hon. Gentleman has great foresight; watch this space.

Catherine West (Hornsey and Wood Green) (Lab): I put on record that I associate myself with the comments from the hon. Member for Mole Valley (Sir Paul Beresford), who is an Antipodean as well, and I thank you, Mr Speaker, for going to Finsbury Park mosque, one of my local mosques. I challenge the Minister to discuss with the Department for Education how we can help our schools, particularly in areas that are predominantly non-Muslim, to visit mosques, synagogues, Hindu temples and churches in these times when people do not necessarily get taught any religion at home. That way, we can promote awareness across the piece—not just in areas where we have a lot of Muslim constituents, but across all our communities—and this attitude cannot just pop up in a spirit of ignorance.

Mr Wallace: The hon. Lady is right. This starts off in ignorance and is then exploited. The situation is different in different constituencies. In my constituency, people visit different communities and mosques and places such as that. I would definitely urge other people to do that, but I am very happy to write to the Department for Education to make sure that we redouble our efforts and spread that good practice across the country.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): My thoughts are with all those who are affected. Extremism is on the rise on the left and the right, but much of that is being harnessed in our prisons, where hardened extremists are housed alongside young offenders who may be impressionable and extremely risky. What dialogue is the Minister having across Departments on justice to ensure that the policy reaches across Departments, and that our prisons counter radicalisation and are places of rehabilitation?

Mr Wallace: In the last two years, we have worked with the Ministry of Justice to seek, where appropriate, segregation away from vulnerable people. We have redoubled our efforts on taking the Prevent programme into prisons, and have added a bit of compulsion around some offenders going into the Channel programme to make
sure that they are challenged and hopefully diverted from that course. Like the hon. Lady, we totally recognise that that is effectively a captive audience, and that if we do not deal with the issue there, prisons will churn out new extremists.

Kate Green (Stretford and Urmston) (Lab): I also associate myself with the condolences that have been expressed to the victims of the appalling atrocities over the past three days. I support my hon. Friend the Member for Hornsey and Wood Green (Catherine West) in raising the importance of schools with the Minister. Will he also discuss with his colleagues in the Department for Education the problem of some parents choosing to withdraw their children from religious education classes, particularly when they think that the classes will be about Islam and Muslims? Will he discuss what can be done to make sure that parents understand the importance of their children being educated in all things?

Mr Wallace: I would be very happy to raise that with both Ofsted and schools. As the hon. Member for Hornsey and Wood Green (Catherine West) said, ignorance is where this starts, and we must do everything we can to ensure that our children are educated about different faiths and religions.

Ms Karen Buck (Westminster North) (Lab): In November, I was at St John’s Wood synagogue in solidarity after the Pittsburgh shootings, and on Friday, I was 500 yards away at the Regent’s Park mosque after the Christchurch atrocity. Over the last couple of months, these communities have felt a level of risk, a level of abuse and a rising level of hate crime that are unparalleled in modern times. Our local police were there in strength on Friday, but they are stretched, as the Minister has heard from others today. We have lost one third of our police. Our safer neighbourhood teams are on the frontline, embedded in communities and helping to respond to these challenges, but they are being decimated. Please will he listen to the call for support for safer neighbourhood teams to work with our religious communities?

Mr Wallace: The hon. Lady will know that my right hon. Friend the Home Secretary has been listening and has been making representations on that. At the last police funding settlement, we found enough money, plus the precept, to give the police more funding. The calls are being heard, and we will see what we can do.

Mrs Madeleine Moon (Bridgend) (Lab): Is it not time to talk to the general public about how extremism, both on and offline, is there to generate hate, conflict and division, and is sometimes funded, supported financially and generated by foreign states, terrorists and non-state actors, as well as political extremists? The Massachusetts Institute of Technology has shown that we are 77% more likely to forward and project forward something that disgusts or shocks us. Is it not time to talk to ordinary people about the importance of not sharing, but reporting and deleting?

Mr Wallace: The hon. Lady has made the incredibly wise observation that some of this funding, and some of the influences on extremism, are coming from outside this country. Some of it is deliberate, and is done by states and groups, and we should definitely explore what more we can do. One of the best ways to deal with it at this level is through transparency on where money comes from and where it is going. I have always campaigned for that, and we need more of it.

Tommy Sheppard (Edinburgh East) (SNP): Social media may well have turbo-charged the far right’s ability to organise and communicate, but it also provides an opportunity to watch that. I know the Minister cannot give details, but can he give the House reassurance that the intelligence and security forces in this country have the capacity to monitor all known members of far-right organisations; that if necessary, that capacity will be increased; and that it will not be compromised through a lack of budget or resources?

Mr Wallace: As guided by the Investigatory Powers Act 2016, we will do whatever monitoring and investigation we need to, where that is proportionate and necessary, to head off any terrorism or violent extremism, wherever we see it, whatever its cause. The intelligence services and the police have the resource at the moment. One of the reasons why I am such a supporter of Prevent is that if we do not deal with the next generation and the potential pool that terrorism recruits from, we will not have the resource in years to come.
Article 50 Extension Procedure

5.59 pm

Justine Greening (Putney) (Con) (Urgent Question): To ask the Secretary of State for Exiting the European Union if he will make an urgent statement to the House setting out the Government’s plans in relation to the article 50 period extension procedure that the Government will follow, following on from their written ministerial statement to that effect on Friday 15 March.

The Parliamentary Under-Secretary of State for Exiting the European Union (Kwasi Kwarteng): [ Interruption. ]

Thank you very much. That is good advice—always gratefully received.

As set out in a written ministerial statement, and in accordance with the motion approved by this House on Thursday 14 March, the Government will now seek to agree an extension with the European Union. The extension process has been set out in a Government paper published last Thursday. While article 50 does not set out how either party should request an extension, the Government believe it would be appropriate for the Prime Minister to write to the President of the European Council.

It is highly likely and expected that the European Council will require a clear purpose for any extension, not least to determine its length. The European Council has to approve an extension by unanimity. With this in mind, we will look to request any extension in advance of the March European Council. It is the Government’s expectation that the European Council will decide whether to agree any UK request at this meeting.

As soon as possible following agreement at the EU level, we will bring forward the necessary domestic legislation to amend the definition of exit day. That legislation will take the form of a statutory instrument. If agreement is reached at the European Council, the statutory instrument will be laid before Parliament next week. The draft will be subject to the affirmative procedure, and will need to be approved by each House. I hope this reassures hon. and right hon. Members about the procedure that will be followed this week and next.

Justine Greening: There are still many questions that the Minister has to answer in relation to how we will use our time productively over the remaining two weeks. As we have heard today, it is now not clear whether the Government will be able to bring a third meaningful vote before the House; indeed, one reason why I tabled this urgent question was that it was not clear to me whether that vote, if it were held, would even be held this week, before the March EU Council.

It is imperative that the Government set out clear proposals for three scenarios that Britain now faces. The first is that the meaningful vote is held, and the deal passes. However, that does not look likely in the next few days. How will the Government approach that, with the EU Council taking place later this week?

The second scenario is that there is no meaningful vote, but Parliament has the chance to express its will, as the Minister says, on what the clear purpose of any extension should be. That will also take time to negotiate. What will the Government’s approach be to ensure that they do not go against the will of the House, which has consistently—twice—voted to avoid a no-deal exit from the European Union?

The third scenario is that we have no meaningful vote, and Parliament does not have the chance to discuss and agree a clear purpose for an extension. This place has been frustrated time and again by the Government, who have been wasting time and bringing back a deal that has still not passed, instead of allowing this place, through free votes, to reach a consensus on what we feel would be an appropriate way forward. That takes time, and we do not have much time. What approach will the Government take to allow us to ensure that we do not inadvertently crash out at the end of next week and go against the House’s clear no-deal vote? Will the Government propose a provisional extension that can be updated if the House needs more time than the following two weeks to determine a clear purpose for any extension? Will they accept votes in the House that define that clear purpose, and understand that those are binding when negotiating an extension mandate via the EU?

I question the appropriateness of the Secretary of State’s role in negotiating an extension. We had a free vote in the House last week, and I respect that. I also respect the way he chose to cast his vote; he was absolutely within his rights. However, he voted to leave come what may on 29 March. I take a different view from him, as does the House. It is simply not appropriate or credible for him to be the lead person negotiating on this country’s behalf with the European Union. I say that with some regret, but that is nevertheless the position we find ourselves in.

It is absolutely crucial and urgent that the Government chart this country a way through the next vital 11 days. The House has had a series of votes to express its will. The Government have consistently—I really regret this—tried to frustrate that will by ignoring it. In doing so, they have wound down the clock to leave very little time for Parliament to do its duty by our country, which is what it wants to do. We need clear answers, a clear process and contingency plans, and those need to be set out today, so that the House has a chance to debate whether they are adequate and, if they are not, the direction we want to give the Government to make sure we protect our country.

Kwasi Kwarteng: There were lots of questions from my right hon. Friend. She made some remarks about my right hon. Friend the Secretary of State’s votes last week. I voted exactly the same way as he did—I voted against an extension in the free vote.

One of the points about the votes on Thursday was that it was absolutely vital that the House voted against the Benn amendment, which, if it had been successful, would have bound the hands of not just this Government but future Governments. My right hon. Friend the Secretary of State did exactly the right thing by voting to reject the amendment—and, as I remember, it was rejected by three votes. That is exactly what I did, and that is exactly why he voted the way he did.

With regard to the last vote, it was a free vote. My right hon. Friend said, as I did, that we would not seek to extend article 50. However, as Members of the House know, the House did vote to extend article 50. As a consequence, I set out clearly in my statement the process that will be followed. As I said, we will, as soon
as possible following agreement at EU level, bring forward the necessary domestic legislation to amend the definition of exit day. That legislation will take the form of an affirmative statutory instrument, which will be laid before the House after the agreement with the EU, next week.

Matthew Pennycook (Greenwich and Woolwich) (Lab): Thank you, Mr Speaker, for granting this urgent question. I congratulate the right hon. Member for Putney (Justine Greening) on securing it. It is particularly interesting that the Under-Secretary of State for Exiting the European Union has been given the task of responding. As he rightly admitted, he, like the Secretary of State, voted against the Government’s motion on Thursday. He has not reconsidered over the weekend, and he comes before us glorying in the fact that he opposes the Government’s stated policy, which is to seek an extension to article 50. Can he tell us whether he even agrees with what he has just read out from the Dispatch Box?

However, in all seriousness, the written ministerial statement made on Friday throws up a series of important questions. First, given that it appears there is now little chance that the House can approve the deal before tomorrow, for what purpose will the Government seek an extension to the article 50 process, and how long do they propose it lasts? The written ministerial statement is clear that the EU would require a clear purpose for anything longer than a technical extension; it cannot be just the principle that is put to the EU.

Secondly, leaving aside the SI dealing with the domestic legislation, is it the Government’s intention to bring back the terms of any extension that might be agreed, so that the House can debate and vote on them, as the Minister for the Cabinet Office indicated in response to the hon. Member for Grantham and Stamford (Nick Boles) in the debate on 27 February? Finally, have the Government sought or received any legal advice relating to the requirement to participate in the European elections, given that, as the Minister will know, there is a range of views not only inside this place but outside?

The fact that we need to extend the article 50 process is a mark of this Government’s abject failure. For weeks, the Opposition have argued that an extension to the article 50 process is inevitable; on Thursday, the House, if not the Minister and his colleagues, finally accepted that. We need clarity from the Department on precisely how this process will unfold.

Kwasi Kwarteng: Let me respond very briefly to the hon. Gentleman. He suggested that I did not agree with the statement; I fully agreed with everything in it. That is just for the hon. Gentleman’s—[Interruption]—instruction.

Mr Mark Francois (Rayleigh and Wickford) (Con): Division.

Kwasi Kwarteng: A very amusing interjection.

The Government have made clear, and the Prime Minister made clear a couple of weeks ago, that in the event of the meaningful vote not getting through, there would be a number of votes on consecutive days outlining what the process would be. [Interruption.] Members say that they have heard that before. That is because of the process that is unfolding. What we will do now is seek an extension of article 50. [Interruption.] That has been very clearly expressed.

As for the meaningful vote, Mr Speaker, you made your opinion clear in your statement, but I do not want to prejudge whether any meaningful vote will come to the House, or to prejudge its success or otherwise. We have made it very plain that if we are given the meaningful vote, we will seek a short extension, if we get that through the House, and if we do not, we will seek a longer extension. I am pleased to be able to inform the House exactly what the position is.

John Redwood (Wokingham) (Con): May I urge the Government not to seek any extension in the event that their agreement is not successfully put through the House? The Government’s long-term, consistently stated policy has been that we will leave on 29 March 2019, and that is what those who voted for both main parties will expect following the clear statements that were made at the time of the 2017 election. Will the Minister persuade the Government to go to the important meeting with our European partners this week and to table a fully comprehensive free trade agreement? I think that they would be willing to discuss that if the alternative were leaving without such an agreement, and then we would not need to impose new barriers. What’s not to like? Will the Government get on with it?

Kwasi Kwarteng: I am delighted, and not wholly unsurprised, by my right hon. Friend’s intervention. I have followed his speeches and declarations in the House with interest for many years.

The referendum happened, but we must also get legislation through Parliament. We live in a parliamentary democracy, and last week the House made very clear its view that we should take no deal off the table and seek an extension of article 50. My right hon. Friend the Prime Minister outlined a series of measures whereby she and her Government would try to follow the directions of the House in respect of the extension and in respect of taking no deal off the table.

Peter Grant (Glenrothes) (SNP): I commend the right hon. Member for Putney (Justine Greening) for submitting the urgent question, and I thank you, Mr Speaker, for granting it.

Last week, the House voted by a sizeable majority to rule out any possibility of our leaving the EU without a deal. If the Government, by prevarication or otherwise, cause us to crash out without a deal, that will surely be the greatest case of contempt of Parliament in the history of not just this but any Parliament. The Government have 11 days left in which to take the action that they must take to prevent that from happening. When no deal was ruled out last Tuesday, there were 17 days left, so the Government have used more than a third of their time doing precisely nothing. The Minister was full of promises about what they intended to do, but could give no answers about what they had done to seek and secure that extension.

Let us consider the options that we now have. The Minister must accept—I hope that he will accept—that the Prime Minister’s current deal is not coming back. It is finished, and the Government must come forward
with another solution. If they do not—given that the House has clearly rejected the threat of being forced out without a deal—and if they cannot sort this out within 11 days, the only option is for them to revoke article 50.

In a written statement on 15 March, the Prime Minister said:

“[I]n accordance with the motion the House approved on Thursday 14 March 2019 the Government will now seek to agree an extension with the EU.”

Why did the Government not start to do that when the Prime Minister made her statement? What was the purpose of delaying for the best part of a week, a third of the available time for the disaster to be averted? Will the Minister vote for the statutory instrument that he mentioned to extend article 50—given that he has already voted against that—or will he follow the Prime Minister and the Secretary of State into the book of shame that lists the names of those who speak in favour of a measure at the Dispatch Box and then vote against it?

Last Tuesday, the Attorney General published his legal opinion, and within hours we were being told by an hon. Member that the Attorney General had extended that advice. Can the Minister tell us whether the Attorney General has amended, extended, reviewed, revised or in any way changed the legal opinion that he published last week? If so, why has Parliament not been notified—or in any way changed the legal opinion that he published last week? If so, why has Parliament not been notified—or is all the talk about the Vienna convention just a fantasy, an attempt to bring on board reluctant Members to vote for a deal that we now know is dead in the water?

Yesterday, the Prime Minister tweeted that we should all be “pragmatically making the honourable compromises necessary to heal division and move forward”.

Does the Minister recall that the Scottish Government put forward an honourable compromise in December 2016 that would have prevented this mess and that his Government rejected it out of hand? Why does the Prime Minister not practise what he preached in her tweet yesterday? Why do the Government not now accept that they cannot give the answer themselves and that they must talk to other parties to get us out of this disastrous mess?

Mr Speaker: Order. I have the greatest possible fondness for the hon. Gentleman, and I hope that he will not take it amiss if I say that while I greatly enjoyed listening to his dulcet tones, he did exceed his allotted time: indeed, he took three times his allotted time. I savoured every word, but he did exceed it. It was supposed to be a minute, and he took three.

Kwasi Kwarteng: The hon. Gentleman produced a whole battery of questions. He asked why we had not sought an extension. The European Council will start on Thursday; at that point a letter will be sent, and we will seek an extension. He also asked about the statutory instrument and what my vote would be. Perhaps I am part of a tiny minority in the House, but I still think that there is room for a vote on the deal. I think that that may happen, and I do not want to prejudge the situation.

Mr Francois: Given that the European Council is only three days away, may I ask the Minister three questions? First, how long an extension will we ask for, or has Olly Robbins not yet told the Cabinet? Secondly, what is the purpose of the extension? Thirdly, will the statutory instrument be debated on the Floor of the House, rather than upstairs in Committee, and will the Government allocate a whole day for the debate?

You chair the House of Commons Commission, Mr Speaker, and today is D minus 11. If, as a result of these historic events, we do leave the European Union at 11 pm on 29 March, will you, Sir, use your influence with the House of Commons authorities to ensure that Big Ben chimes at 11 pm, so that we can celebrate our freedom?

Mr Speaker: I shall take the last part of the right hon. Gentleman’s question as rhetorical. I do not want to rehearse that particular matter. Suffice it to say that—as the right hon. Gentleman may know, but may not—the idea was canvassed in the House of Commons Commission, but did not enjoy support beyond, if memory serves me, one person, who was perfectly entitled to that view. I am not knocking the person who expressed it, but it was not more widely shared. I absolutely admit that if the right hon. Gentleman were himself a member of the Commission, the support for it would obviously have doubled.

Kwasi Kwarteng: My right hon. Friend asked, essentially, two questions. He asked how long the extension would be. That depends on whether the meaningful vote goes through. If we have a deal and if the deal goes through, we will ask for a short extension. If, for whatever reason, the vote does not happen, or is frustrated, or the deal is voted down, we will probably ask for a long extension. [HON. MEMBERS: “How long?”] That would be a matter for the EU, and for our Government, to decide.

My right hon. Friend’s second question was about the statutory instrument. As a former Whip, he will know that such matters are for the usual channels—for the business managers in the House. I am sure that we will have further clarification later in the week.

Hilary Benn (Leeds Central) (Lab): The Minister’s assertion that my amendment of last Thursday would have bound future Governments comes as a great surprise to me because, as I recall, it asked for a motion to be prioritised on 20 March. But leaving that aside, can the Minister confirm that the Government intend to agree to the extension at the meeting of the European Council later this week, however long that extension is, and do not intend to bring back the length of that extension to the House for endorsement?

Kwasi Kwarteng: On the first part of the right hon. Gentleman’s question, I am not here to wrangle with him about the meaning of his amendment; all we know is that the amendment was rejected so what its force would have been is of academic concern. It was rejected, thankfully, and we can move on.

On the right hon. Gentleman’s comments on the extension, I said—very clearly I hoped—in my opening statement that the Prime Minister would write a letter and the length of the extension would be agreed between the EU and the UK Government.

George Eustice (Camborne and Redruth) (Con): The motion debated by the House last week envisaged a short extension, and as my hon. Friend pointed out there has to be a purpose to a short extension. Given the
absence of a withdrawal agreement will the Government look again at the potential of using such a short extension to apply to join the European Free Trade Association pillar of the European economic area agreement to which we are a party, and thereby rely on our existing legal rights under that treaty?

Kwasi Kwarteng: As my hon. Friend will remember, there were two options. If the deal is adopted by the House, the Government will apply for a short extension of the article 50 period. If it is not—if the deal is voted down or for whatever reason is frustrated—we would have to seek a longer extension. It is not currently the Government’s intention to seek to join EFTA or any other of those organisations. We made it very clear that this was a binary choice: we would have the deal, in which case we would ask for a short extension, or we would have to ask, regrettably perhaps, for a longer one.

Mr Ben Bradshaw (Exeter) (Lab): The Minister seems to be the only person in this House who thinks the deal can be agreed before this week’s European Council meeting. It is not going to be; let us get real about this. Does he understand something we have been trying to impress on the Prime Minister for some time: the one and possibly the only way she can save her deal now would be to bring it back here and make it conditional on putting it to the British people?

Kwasi Kwarteng: I was very struck during last week’s events about this so-called people’s vote, because my understanding was that the Labour party had suddenly changed its policy in favour of it, but then of course when the amendment came from the hon. Member for Totnes (Dr Wollaston), the Labour party refused to back it, so I and others are in a lot of confusion about the nature of the so-called people’s vote. I am not going to prejudge things; I still think there is a chance that the deal can come back and go through the House, but perhaps I am an eternal optimist.

Dr Andrew Murrison (South West Wiltshire) (Con): Given the centrality of Northern Ireland to the Brexit process, does the Minister agree that a solemn and binding change that involved Stormont in the future arrangements in the political declaration or the unilateral declaration would constitute a very significant change to any meaningful vote that was brought before this House?

Kwasi Kwarteng: My hon. Friend is absolutely right: Northern Ireland is at the front and centre of this current debate, and the Government’s intention is absolutely that Stormont, if and when it is reconstituted as a Government, will have a complete role in moving forward both the deal and further Brexit discussions.

Anna Soubry (Bromsgrove) (Ind): May I congratulate the right hon. Member for Putney (Justine Greening) on securing this question? As you know, Mr Speaker, it had widespread cross-party support, and rightly so.

I gently say to the Minister that it might help if he actually were to take a note of questions when they are asked of him, and if he had done that he might have been able to answer the question that I think has been asked by a number of hon. Members. The Minister has told us that he thinks the deal might somehow go through by Thursday and in that event a short extension would be sought to cross the t’s and dot the i’s—those are my words—but in the extremely likely event that it will not go through by Thursday, the Government’s plan is to ask for a longer extension, and the question we are all asking is this: what will the purpose of that extension be? So the Minister understands: we have got to give the EU a reason, so what will the Government’s reason be—the purpose—for the long extension, please?

Kwasi Kwarteng: I must say that, being relatively new to the Government Front Bench, it is a new experience for me to be utterly patronised by a former right hon. Friend, and with respect, Mr Speaker, I will answer the questions in the way I see fit. [Interruption.] If that does not satisfy the right hon. Lady—

Mr Speaker: Order. There is a very high octane atmosphere. The right hon. Lady’s question was entirely in order—I would have ruled it out of order if it were not—but equally I say, with great respect to the Minister, that the Minister’s answer must be heard.

Kwasi Kwarteng: Thank you.

As I have said on numerous occasions in response to questions from the right hon. Lady and others, we have a choice: if we accept the deal, we can ask for a short extension to get through—[Interruption.] She perfectly accepts that; I thank the right hon. Lady. With regard to the longer extension, that is something we have not yet asked for, and when we do so, there will be a debate about the SI that will extend it for next week, and there will be—[Interruption.] I refuse to be patronised by the right hon. Lady and say there will be ample opportunity, as she well knows, to debate the extension of the SI next week.

Sir William Cash (Stone) (Con): So far the Minister has not explained, to my satisfaction anyway, why we need an extension at all, certainly given the votes last week, and, secondly, why on earth would we want a long extension? What is the rationale behind that? Is the Minister also aware that Mr Guy Verhofstadt has just said that the UK could be refused an extension if the Prime Minister fails to get agreement in the Committee on the meaningful vote, and, secondly, does he know that Elmar Brok is saying that the Italians are almost certainly going to refuse an extension anyway?

Kwasi Kwarteng: I am very pleased that my hon. Friend has asked a question. He is a great parliamentarian: he has ample experience over many years in the House of Commons, and he will have noticed that there was a vote on Thursday in which the House said we should extend the article 50 process. It is on the back of that that I have made this statement relating to extending the article 50 process, and that is why my right hon. Friend the Prime Minister has presented these two choices. I am not prejudging the meaningful vote. Many people in this House have condemned it already; I am not prejudging that, but that is why we are going to extend the period.

My hon. Friend may rely on other Governments vetoing the extension of article 50. That may well be the case; I cannot prejudge that. But what we do know is that many people in Europe have said they would accommodate the United Kingdom if it were the case that the Government should extend the article 50 period.
Kate Hoey (Vauxhall) (Lab): Two things are very clear today. One is that our country is being humiliated by the European Union—[Interruption.]

Mr Speaker: Order. I apologise for interrupting the hon. Lady, but the House must try to calm itself. In particular, the hon. Lady must be heard—and however many times her question needs to be put, it will be heard.

Kate Hoey: I was going to add, Mr Speaker, that that humiliation is being helped by some people in this House.

The second thing that is so true today is that any extension of article 50 will be seen as, and is, a betrayal of the referendum vote. When the Prime Minister goes to the Council this week, will she go cap in hand, as she seems to have done, and ask for more for the agreement—for some changes? Or will she go and say very clearly, “This deal has not been accepted by Parliament, so therefore we are leaving, as Parliament voted, on 29 March”?—[Interruption.]

Kwasi Kwarteng: The Prime Minister set out a series of votes that took place last week. We all know the results of those votes. At the end of the process, in the final vote on the Thursday, the result was roughly 420 against 202. The House voted by two to one to extend article 50, and that is what the Prime Minister has said she will do. We have a parliamentary democracy, and the Prime Minister very clearly set out what would happen.

James Duddridge (Rochford and Southend East) (Con): Will the Minister rule out the possibility of our taking part in the European elections?

Kwasi Kwarteng: I would love to do that, but my hon. Friend knows that the way to have done so would have been to vote for the deal so that we could have left on the required date. If the extension is two years, of course I cannot rule out the possibility that these elections might be held, because my understanding is that it is a matter of law that we should have representation in that Parliament.

Alison McGovern (Wirral South) (Lab): I would never try to patronise anybody, so let me ask a blunt and simple question. If, as it appears will be necessary, we have to ask for a longer extension—what for?

Kwasi Kwarteng: I will give a blunt and simple answer. We will have a debate next week when the SI is determined, then there will be a—[Interruption.] That is exactly what the process will be. The hon. Lady knows that as well as I do.

Several hon. Members rose—

Mr Speaker: The hon. Member for Corby (Tom Pursglove) wanted to ask a question, but he is now feverishly writing with his pen. I know that he will know in his head exactly what he wants to ask.

Tom Pursglove (Corby) (Con): Thank you, Mr Speaker. If this agreement is not passed by 29 March, what does the Minister think will be any different on 29 April, 29 May or 29 June? If it cannot be agreed, should we not simply leave on 29 March?

Kwasi Kwarteng: I know that my hon. Friend is a passionate believer in Brexit, but it has been very clear from the events last week that there is no majority in this House for leaving without a deal. The Prime Minister and her Government believe that we should take some instruction from the House to take no deal off the table, and that is what happened.

Liz Kendall (Leicester West) (Lab): The Minister was getting a bit het up earlier about questions being asked—perhaps the Government should come to this place with something to say. There are 11 days before we are due to leave, and the Government have absolutely no plan whatever about how to get the country out of this mess.

Time and again, Ministers have stood at the Dispatch Box and said that the House cannot agree on what it wants, yet the Government whipped people to vote against the amendment tabled by my right hon. Friend the Member for Leeds Central (Hilary Benn), which would have set aside a day for us to put those options forward. Opposition Members know how we want to get out of the mess, so why do the Government not give us the chance to do so?

Kwasi Kwarteng: In my brief time as a Minister, I have been very clear about the way to get out of the mess. The obvious way was to vote for the deal—a reasonable deal. The Opposition voted it down and now they turn around and have the effrontery to say, “What shall we do?” They have been totally negative. That is exactly why I have calmly set out the next steps for the extension of article 50.

Sir Desmond Swayne (New Forest West) (Con): How onerous would the conditions for granting an extension have to be for the Government to desist from their intention to lay a statutory instrument before the House?

Kwasi Kwarteng: That ball is now rolling, I am afraid. My right hon. Friend is still trying to expand on the fantasy of no deal, but no deal has been taken off the table by this House, and that is why we are talking about extending article 50.

Tom Brake (Carshalton and Wallington) (LD): The Minister says that he answers questions in the way he sees fit, but I think the House would say that that is not at all. If he cannot think of a reason for a long extension, who does he expect to come up with one?

Kwasi Kwarteng: As I have said, in a spirit of optimism, I still believe that there is a chance—perhaps a slim chance—that the meaningful vote will go through. People can scoff and laugh, but I still believe that. In the event that it does not go through, we will have to ask for an extension, then the SI will be laid before the House. There will be ample debate next week on what the House might wish to do in that longer extension period.

Henry Smith (Crawley) (Con): You correctly said in your statement to the House earlier, Mr Speaker, that in December we had three days of debate on the withdrawal agreement before the Government pulled that vote. I think we had another five days of debate in January before the first meaningful vote. I think I am correct in
saying that, at that Dispatch Box, the Prime Minister said 108 times that we would be leaving the European Union on 29 March.

This is a very important matter for the country, and the Minister just said that we would need ample debate on the SI to change the date. May I have assurances that we will have at least a week's worth of debates in this House to ensure that we discuss it properly?

Kwasi Kwarteng: My hon. Friend knows the procedures of this House as well as I do. As I said in answer to my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois), that is a matter for the business managers. My right hon. Friend, as a former Whip, knows exactly how time is allocated in this House, and this is not something that I can opine on from the Dispatch Box.

Rachel Reeves (Leeds West) (Lab): May I return to the issue of process? The Minister said earlier that the Prime Minister will write a letter to the EU Council for the meeting on Thursday and Friday. In that letter, I assume that she will ask for an extension, and if we do not have a meaningful vote and agree the withdrawal agreement this week, she will have to say what the longer extension is for and for how long she wants it to be.

Can the Minister tell us now what extension the Prime Minister will ask for in that letter to the EU Council—how long an extension will be asked for and its purpose? I assume that the idea is that that will be agreed at the European Council. It will not be up to Parliament to decide the length of the extension or its purpose, because the Prime Minister, I assume, intends to agree it with her European counterparts this week. Is that correct, Minister?

Kwasi Kwarteng: The hon. Lady asks me to speculate about the contents of the Prime Minister’s letter, and I am not in a position to do that. That will be revealed in the course of the week, I suppose. As for the debate on the SI, we will have ample opportunity to discuss the purpose of any extension.

Tim Loughton (East Worthing and Shoreham) (Con): Mr Speaker, you and I have been in this House together for nearly 22 years, and I do not think that I have known such grave times as those that we are experiencing at the moment. They require serious questions and serious answers. In the not entirely unreasonable event of the EU Council deciding at the weekend not to grant any extension at all to put us out of our misery, what will the Government’s response be?

Kwasi Kwarteng: It is self-evident: in that case, we would leave on 29 March with no deal, because that is what the EU would have forced us to do. vote could go through. Is that because, as the Leader of the House has been muttering in the corridors, the Government intend to try to suspend the Standing Orders to get the vote through, despite what you have said?

Mr Francois: What?

Stephen Doughty: That is what the Leader of the House has been muttering in the corridors this afternoon.

The Prime Minister and the Chancellor of the Duchy of Lancaster both made it clear that the Government would bring forward legislation to implement any extension to article 50 and that the date would be amendable, so will the Minister explain how it will be amendable?

Kwasi Kwarteng: I am unsure what the hon. Gentleman is referring to as being amendable. The motion will or may well be amendable with respect to—[Interruption.] A motion on 25 March will be amendable if we have another vote, but my understanding is that the SI will not be amendable.

With respect to conversations that the Leader of the House may or may not have had, I have no idea what she has been saying in the corridors. I have been in the Chamber for most of the day.

Mr Marcus Fysh (Yeovil) (Con): Will the Government be tabling the memo that was sent to them by the alternative arrangements working group on 13 February in order to try to get changes to the package of documents that might enable the withdrawal agreement to be approved?

Kwasi Kwarteng: My hon. Friend has done good work on that amendment, and we have worked hard to try to incorporate some of that thinking into the withdrawal agreement. That process is ongoing.

Helen Goodman (Bishop Auckland) (Lab): It seems as if the Minister’s answers to our likely questions were written before Mr Speaker’s statement at 3.30 pm, so the Minister will probably have to think a little more creatively. What consideration has he given to allowing the House to vote on a variety of different options for the way ahead?

Kwasi Kwarteng: I thank the hon. Lady for her concern about my answers. They were actually produced after Mr Speaker spoke—[Interruption.] Things move very fast in this place, as she knows. It is not currently our intention to have indicative votes, and I cannot be clearer about that. However, we are going to lay an SI to extend the article 50 period, and I have said that many times.

Alex Chalk (Cheltenham) (Con) rose—

Mark Pritchard (The Wrekin) (Con) rose—

Mr Speaker: What an unenviable choice between two very fine Members of Parliament! C comes before p in the alphabet; on that basis alone, I call Mr Alex Chalk.

Alex Chalk: The Minister indicated that the basis for the extension will be determined following a debate in this House next week. That is the week beginning
25 March, and we are leaving on Friday 29 March. How can we be satisfied that there is sufficient time for the debate to take place, the application to be made and for it to be approved or otherwise in that time?

**Kwasi Kwarteng**: If my hon. Friend is asking me whether the timeframe is short, of course it is short. However, as I have said many times, the House voted last week to extend the article 50 process, and the Government will have to table an SI in order to do that. However, that has to be done after the March EU Council meeting, which takes place on 21 and 22 March. That is the logic behind the timetable.

**Catherine McKinnell** (Newcastle upon Tyne North) (Lab): Every time the Prime Minister or another Minister claims to be being clear on this issue, the Brexit quagmire gets murkier and murkier. This Government have tried to avoid parliamentary scrutiny at every stage, and they are carrying that on today. They think that they can run down the clock without us noticing, but we will. Rather than automatically crashing off a cliff next week after they have run down the clock without properly seeking an extension, will the Minister confirm that the Government have the power to revoke article 50?

**Kwasi Kwarteng**: As I have repeated many times, we have a process, and this urgent question is all about the process, which I have outlined. I know that people are saying that this is impossible, but if the meaningful vote goes through, we will ask for a short extension to get the necessary legislation through. If it does not go through, we will ask for a longer extension. In both scenarios, we would have to lay—[HON. MEMBERS: “Lie?”] Forgive me, we would have to lay—[Laughter.] Let me rearrange the phrasing: a statutory instrument would have to be laid in order to extend the article 50 process. That is the world in which we live.

**Mark Pritchard** (Reading East) (Lab): The Government have put a statutory instrument on the Order Paper and voted through and then ask for a short extension. The House last week, and we are committed to extending the process. I happen to think that the meaningful vote could get through—maybe next week, but who knows? But in the event that it does not, we need a way to extend the article 50 process. That is what I have been outlining this afternoon.

**Joanna Cherry** (Edinburgh South West) (SNP): The Prime Minister’s deal has been defeated twice by huge majorities, and Mr Speaker ruled this afternoon that it cannot be brought back without a substantial change. The EU has said that there can be no substantial changes to the deal, so the only remaining course of action short of no deal or revoking article 50 is to seek an extension, but the agreement to that extension has to be unanimous. Will the Minister therefore acknowledge that if the EU does not agree to an extension, the only course of action open to the British Government to avoid the disastrous consequences of a no-deal exit would be to revoke article 50 unilaterally?

**Kwasi Kwarteng**: We have in fact had many votes on SNP amendments to revoke article 50—

**Joanna Cherry**: We have not.

**Kwasi Kwarteng**: Or amendments to have a second referendum and all the rest of it. It is therefore unlikely that such a motion would get through the House, and it is not the Government’s intention to revoke article 50. As I have said, there is the meaningful vote—the deal—and we will then get a short extension, but if we vote it down, it will be a longer extension.

**Matt Rodda** (Reading East) (Lab): The Government have run down the clock, and they have failed twice. When will Ministers finally set out a realistic plan for an extension of article 50?

**Kwasi Kwarteng**: I cannot stress enough how interested I am in the fact that the hon. Gentleman does not feel that we have set out a plan for an extension. I mentioned the SI that would be laid next week, and I set out that there would be a debate. The Government listened to the House last week, and we are committed to extending article 50, as I said in my initial answer.

**Dr Roberta Blackman-Woods** (City of Durham) (Lab): The Minister will know that businesses and people up and down the country are anxious about the prospect of no deal. Does he therefore accept that they need more reassurance from him saying, “We’re going to bring forward an SI and see what happens”? Will he set out what he will do to reassure people that we will not crash out without a deal? Will he also reassure the House that the Government have no intention of proroguing Parliament as a way of getting their deal through?

**Kwasi Kwarteng**: In respect of no deal, the House has made its voice very clear. In respect of extending article 50, the House, once again, has made its voice very clear and the Government have responded to that. That is why we are going to ask—I could not be clearer—for an extension of article 50. The debate is about how long that will be. I still hope there will be a deal, in which case we will ask for a short extension but, if not, we would have to look at another timeframe.
Hywel Williams (Arfon) (PC): Time is very short, so how is the Minister going to interact properly with the sidelined Welsh Government? So far, the UK Government’s record is not satisfactory—they have not been competent, from the bungling over legislative competence to the workings of the Joint Ministerial Committee, which has been described by others, not remainers and not nationalists, as not fit for purpose.

Kwasi Kwarteng: Let me reassure the hon. Gentleman that the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Worcester (Mr Walker), has met the Welsh Government many times and has had constructive dialogue with them. It is worth remembering that the Welsh Government gave their legislative consent to the European Union (Withdrawal) Act 2018 last summer. So that is something where we worked together admirably and we got a good result.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): We are here because the Government have spent the last three years ignoring the political and practical realities of Brexit, and now the Minister is trying to do the same thing with only 11 days to go. The Prime Minister cannot bring her deal back to Parliament. The European Union will not negotiate a new deal unless the red lines change. So could he stop treating Brexit like some internal Conservative party parlour game, take a real-world decision and tell us how long the extension will be and for what?

Kwasi Kwarteng: The idea that I or anyone else is treating this as a parlour game is completely irresponsible. In 2016, 17.4 million people, including many of the hon. Lady’s constituents, voted to leave the EU and we are taking our responsibilities extremely seriously. She may think it is a parlour game, but we do not agree with her. I have stressed many times that we will be seeking an extension, either a short one if the meaningful vote goes through—[Interruption.]—People are laughing that out of court. I still have some hope that it will go through. If that is voted down, we will seek a longer extension. In both of those cases we will seek to lay an SI.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Is it true that the Conservative party is seeking an extension to replace the Prime Minister with a new leader who can deliver Brexit and make a better attempt—or at least some attempt—for them at winning a general election? So will the Prime Minister be penning a letter of resignation?

Kwasi Kwarteng: No.

Dr Alan Whitehead (Southampton, Test) (Lab): The Minister has stated that there will be time to debate the SI that he is intending to bring before the House. Could he unequivocally state now that it is his intention that the SI will be debated on the Floor of the House and not in a Delegated Legislation Committee? If he cannot do that, will he unequivocally state that, if it is to be debated in a Delegated Legislation Committee, the composition of that Committee will reflect the political make-up of this House and, thus, have no majority for any one party?

Kwasi Kwarteng: Obviously, as I have said in other answers, the nature of the SI debate is something for business questions. I recommend that the hon. Gentleman asks the Leader of the House how that process—[Interruption.—He understands the proceedings of the House and how this House works. That is a matter for the business managers but, having been a Member of this House for nine years, I would be surprised if the SI were not debated on the Floor of this House.

Neil Gray (Airdrie and Shotts) (SNP): Can the Minister explain the source of the chink of light that seems to be guiding his optimism on a meaningful vote passing this week? If he cannot, can he explain to the House how it would work—how would a debate on an SI next week inform a letter to be written this week?

Kwasi Kwarteng: I know that the hon. Gentleman is an acute observer of debate and language, but let me assure him that the debate on the SI will be a full and ample one, as to the reasons at the time. The Prime Minister has made it clear—[Interruption.—It may just be a quirk of my nature, but I am still optimistic that we may well get a meaningful vote through. If we do, we will apply for a short, technical extension.

Wes Streeting (Ilford North) (Lab): We are days away from our planned exit day and the European Council is even sooner. With respect to the Minister, because I do not think this is his fault, let me say that it is completely unacceptable that the Government, at this stage, are not able to say to the House in simple terms the basis on which the Prime Minister will ask for an extension to article 50 later this week. May I help the Minister out of this hole by reminding him of a commitment made by the Chancellor of the Duchy of Lancaster, from the Dispatch Box, that this House would be given, by the Government, an opportunity for a series of indicative votes to see whether a consensus can be built involving a majority of Members? Does that commitment still hold?

Kwasi Kwarteng: My understanding was that the Chancellor of the Duchy of Lancaster’s commitment related to the period after we had decided to extend the article 50 period—that was when potential votes of the nature the hon. Gentleman describes would take place. I cannot stress more passionately to him that I still believe there is a binary choice: we still have the prospect of a deal or not. I still believe that that is an option. He has ruled it out, as have many others, but I still believe there is an option—[Interruption.—The Speaker did not rule it out.

Alan Brown (Kilmarnock and Loudoun) (SNP): The SI is not pointless at all because, as a matter of law, in the withdrawal Act, the exit day is 29 March. The hon. Gentleman will understand that, if we are going to extend the article 50 period, we have to amend the exit day as described in that Act, so the SI is absolutely necessary.
Mike Amesbury (Weaver Vale) (Lab): Can the Minister finally give the House the details of his spirit-of-optimism deal?

Kwasi Kwarteng: This is a quirk of my personality. I am an optimist by nature and I still believe that, until the end of the game, we cannot decide who the winner is going to be. I still believe there is a possibility that we will have a meaningful vote and it will get through this House.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): There are real-world consequences from the Government running down the clock. One of my constituents, Stephanie, has just had to pay £157 for a one-week fast-tracking of her passport in order to be able to travel on 24 March; people need a passport that has at least six months before its expiry. If the date is going to change, that expense will have been for nothing. So what will the Government do to compensate constituents such as mine who have been affected by that, if the Brexit date does change?

Kwasi Kwarteng: I reject the assertion that we are going to run down the clock. We have made it explicit that we will seek an extension. I do not see what could going to run down the clock. We have made it explicit that we will seek an extension. I do not see what could happen, the SI is the means to enact what we say it, to get a deal and to vote for that deal. In the event of the end of the EU27—we assume that will take place at the Council meeting this weekend—and that the EU27 have to agree with us the purposes of the extension before they will agree to it. I assume I am correct, but will the Minister please correct me if I am wrong? The House would then have to vote on a statutory instrument next week.

I gently say to the Minister that I believe he may be wrong in saying that we can debate the purposes of the extension. Those purposes will already have been agreed by the Prime Minister and the European Council before the Government can move the statutory instrument—the Government cannot move the statutory instrument unilaterally.

Kwasi Kwarteng: The hon. Lady gently reminds me of a couple of facts, and I will gently remind her of a couple of facts. We still face a choice. I do not share the assumption that the meaningful vote will not come back and that the deal is dead. I think we can command a majority for the deal in this House. Until the meaningful vote has passed, or until the deal is completely impossible, I do not want to prejudge the reasons why we should have a longer extension. That is my view, and the hon. Lady has her view, which I fully understand.

Peter Grant: On a point of order, Mr Deputy Speaker.

Mrs Madeleine Moon (Bridgegend) (Lab): On a point of order, Mr Deputy Speaker.

Mr Deputy Speaker (Sir Lindsay Hoyle): I was only going to take the first one. Points of order should actually come after the final urgent question, but I know it is in relation to this urgent question and the Minister is waiting.

Peter Grant: In reply to an earlier question, the Minister stated that, on many occasions, the House has considered and rejected amendments that sought to revoke article 50. As a matter of fact, those amendments have never been selected for debate, and therefore they have never been considered and voted on by the House.

Mr Deputy Speaker, can you advise me, first, on how we can give the Minister a chance to correct his error? It is always better to correct one’s own error. Secondly, and more importantly, can you confirm that, given such amendments have never been selected for debate, and therefore they have never been considered and voted on by the House.

Mr Deputy Speaker, can you advise me, first, on how we can give the Minister a chance to correct his error? It is always better to correct one’s own error. Secondly, and more importantly, can you confirm that, given such amendments have never been selected for debate, and therefore they have never been considered and voted on by the House.

Mr Deputy Speaker: As we both know, that point of order is about correction, and the hon. Gentleman has put it on the record. I do not think we need to go any further than that.

Mrs Moon: On a point of order, Mr Deputy Speaker.

Mr Deputy Speaker: Does it relate to the previous point of order? If not, I would like to take all the points of order at the end.

Mrs Moon: During the points of order following the Speaker’s statement, it was said there are rumours that Standing Orders will be suspended to bring forward the Government’s motion again. Mr Deputy Speaker, can you explain how that process would come about and how it could be prevented?
Mr Deputy Speaker: I took the previous point of order because it was a point of correction, but I want to take points of order at the end if they do not relate to this urgent question. If the hon. Lady would like to raise it then, she can do so by all means, but it is not relevant to this urgent question. I am not ruling it out, but I am just suspending it for the moment.

Christian Matheson (City of Chester) (Lab) (Urgent Question): To ask the Minister for the Cabinet Office if he will make a statement on the major Government supplier Interserve entering administration.

The Parliamentary Secretary, Cabinet Office (Oliver Dowden): I have been asked to respond on behalf of my colleague, the Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster.

As I have said repeatedly to the House, the Government are not responsible for decisions taken by companies in the private sector. What the Government are responsible for is the continued delivery of public services, and I assure the House that has happened in this case. Schools continue to be cleaned, roads continue to be repaired and improved, and services in Government buildings continue to run as normal.

I reassure hon. Members that nothing in Interserve’s refinancing will affect the delivery of public services. No staff have lost jobs and no pensions have been affected. The company has executed a contingency plan that it had prudently developed in case shareholders rejected the proposed refinancing deal. This was a pre-agreed transaction, known as a “pre-pack” administration. Hundreds of pre-pack administrations are performed every year, including by well-known companies. It is a well-established and normal process, typically used when a shareholder is blocking a business’s restructuring.

To be clear, the operating companies responsible for the delivery of all Interserve’s services, public and private, have remained wholly unaffected. As a result of shareholders failing to reach agreement on the proposed refinancing, the parent company—Interserve plc—was put into administration. The operating companies, the companies that actually deliver the services, were then almost immediately purchased by a new company, Interserve Group Ltd.

This new company has been considerably strengthened. It now has a much stronger balance sheet, £110 million of additional cash and a greatly reduced debt burden. It is in taxpayers’ interest to have a well-financed and stable group of suppliers, so this has been a positive outcome for the company’s customers, supply chain and employees.

I am clear on the benefits of outsourcing. Working with the private sector allows us to access expertise and economies of scale that can help us to deliver more innovative public services at better value for the taxpayer. As I have said before, this Government are driven by what works, not by political dogma, and the evidence is clear. Research shows that outsourcing delivers savings of between 20% and 30% compared with bringing services in-house.

However, we recognise there is more we can do to improve how we outsource. We have learned from the collapse of Carillion, and we are implementing changes to our procurement and commercial processes, as the Chancellor of the Duchy of Lancaster and I have set out in several speeches. For example, we have published “The Outsourcing Playbook”, which was developed with industry and outlines a range of measures designed to ensure that outsourcing projects succeed.
We are now asking suppliers of critical contracts to provide detailed information to help to mitigate any risk to service delivery in the rare event of corporate failure. These “living wills” are now being piloted by five strategic suppliers, including Interserve. We are taking action on prompt payment, including excluding suppliers from Government procurement if they cannot demonstrate prompt payment to their supply chain. We are also taking steps on embedding social value in Government procurement, and I launched the consultation last week.

These sensible and prudent steps will help us to ensure that we get procurement right first time, that we identify and remedy financial risks to Government services and that we manage taxpayers’ money in a way that achieves the best value for money. Indeed, the fact we had ongoing engagement with Interserve throughout this process, through our Crown representatives and the Government commercial function, demonstrates the strength of the Government’s approach to managing our strategic suppliers.

Once again, although the corporate structure of Interserve changed on Friday, I reassure all hon. Members that public service delivery remains wholly unchanged. No jobs have been lost, no pensions have been affected and no services have been disrupted.

Christian Matheson: Mr Deputy Speaker, would you pass on my thanks to Mr Speaker for granting this urgent question?

The slow-motion car crash that is the Interserve crisis seems finally to have come to a dreadful conclusion. Let us first remember the company’s 45,000 employees and hundreds of small subcontractors living with uncertainty today. In June 2018 the Cabinet Office gave Interserve a red rating, which indicates: “Significant material concerns for Cabinet Office Commercial Relationships Board to consider High Risk designation.” That followed profit warnings issued over the previous year. Despite this, Interserve continued to receive public sector contracts worth hundreds of millions of pounds, including from central Government—a situation remarkably similar to the problems with Carillion just over a year ago. According to the GMB union, the largest of those contracts is worth £66.7 million and was awarded by the Foreign and Commonwealth Office in August.

What checks did the Government make to ensure the contracts they were signing were being given to a company capable of delivering them? Can the Minister also confirm reports that his Department drew up secret plans to nationalise some of these contracts—in other words, to take them back in-house—should Interserve fail? Incidentally, we would support such plans in principle. If such plans were drawn up, why did contracts continue to be awarded to a company that Ministers knew was struggling and was possibly unable to fulfill them?

Will Ministers now activate those plans? If not, what steps will the Government take to ensure continuity of services, especially if parts of Interserve’s business are sold off? Among many other things, Interserve builds motorway junctions, provides maintenance on military bases and runs probation services—badly in the last case, even by the Government’s own admission.

Does the Minister agree this company has simply been hoovering up contracts willy-nilly, regardless of expertise and clearly without regard to the financial implications of such a strategy? Does he agree that Ministers have allowed this to happen based on a false economy of impossible contract prices that, as in the case of Carillion, brought down the whole company and much more around it? Does the Minister accept that the Government’s policy of focusing on just a few major contractors owned by big financial institutions has not only squeezed smaller UK businesses from the scene, but driven the risk to an unacceptable level, at great cost to the taxpayer? The Conservatives’ claim that outsourcing provides value for money has again been shown up for the ideological baloney that it really is. Finally, will the Minister confirm that the Government are looking at all major suppliers to ensure that their finances and ability to deliver contracts are watertight? After Carillion, and now Interserve, the public are entitled to ask who is next.

Oliver Dowden: I thank the hon. Gentleman for his questions. As he knows, I have great respect for him, but he rather overstates the case in respect of Interserve. Let me go through some of the points he raised. First, he asked whether checks were performed on the company before contracts were awarded. Yes, of course those checks were performed.

Rather than trading rhetoric around, let us look at the facts. Interserve issued a profit warning in September 2017, after which no major central Government contracts were awarded to Interserve until it completed its refinancing in April 2018. Since that refinancing, two such contracts have been awarded: one in August 2018 for facilities management for the Foreign and Commonwealth Office in Europe, where Interserve was the incumbent supplier, so it was essentially a continuation of that service; and secondly, a contract with Highways England was awarded in September 2018 for a £12 million bridge over the A63. Of course, contracts are being awarded across the wider public sector but, in respect of the contracts awarded by central Government and for which Ministers are responsible, those are the major contracts that were awarded in the relevant period.

The hon. Gentleman asked whether we will nationalise the company. The point here—indeed, the point about all the contingency—is that there is no need to invoke the contingency. Contingency is used if a company collapses—if it goes into liquidation—whereas in this case the companies that deliver services for the Government are entirely unaffected. All that has changed is the ownership by the parent company. Indeed, what has changed is that the company has got stronger—it has £100 million more on its balance sheets and fewer debts because of the restructuring—so there is absolutely no need to invoke the contingency preparation.

The hon. Gentleman talked about a few major companies winning Government contracts; let me tell him the figures: more than 5,000 companies bid for and win Government contracts. We have set a demanding target of a third of all business going to small and medium-sized enterprises.

If the hon. Gentleman is worried about contracts going to Interserve, perhaps he should speak to a few of his colleagues. For example, a £10 million contract was awarded to Interserve in June 2018—by Labour-run Southwark Council. Perhaps the hon. Gentleman could have a word with Labour-run Wales, which awarded a contract to Interserve just in December.
I really have to say to the hon. Gentleman that at this time when employers, suppliers and public service workers are seeking calm heads and reassurance, we are absolutely clear that they are completely reassured. I would have thought the hon. Gentleman would have done better.

Sir Bernard Jenkin (Harwich and North Essex) (Con): Does my hon. Friend recall the inquiry and report by the Public Administration and Constitutional Affairs Committee, which I chair, on the collapse of Carillion? We found that in this sector there was a habit of companies taking on far too much risk without sufficient compensation from contractors, and we found over-optimism on the behalf of Government that they could transfer risk at unrealistic prices. Is this not another example of a company that is paying that price? Should we not be more optimistic that the company has even put into a pre-pack administration in a much more responsible fashion, with lenders taking a much more responsible view? Is there not also a lesson that shareholders must accept that this is not a sector that lends itself to high risk and high return? We do not want to trust our public services to such a risky model.

Oliver Dowden: I thank my hon. Friend for his question; as a former member of his Committee I know about his considerable expertise in this field. Indeed, the expertise provided by his Committee helped to frame the Government’s response post-Carillion. For example, that is why I launched the outsourcing playbook a couple of weeks ago. It deals with exactly this point, and is a guide to how Departments should allocate risk as between the Government and the private sector.

My hon. Friend is absolutely right about the overall approach that should be taken. I have been clear, as has my right hon. Friend the Chancellor of the Duchy of Lancaster, that outsourcing companies that provide services to the Government should expect reasonable but not excessive rates of return. Through the programme of reforms we have introduced, we are moving towards a new model for outsourcing.

Tommy Sheppard (Edinburgh East) (SNP): The Minister puts a brave face on things and tries to spin well but the truth is that, first with Carillion and now with Interserve, the collapse of these major multinational multi-service companies seriously damages the entire credibility of the Government’s outsourcing procedures and policies. If I understood correctly, he confirmed that contracts were awarded to Interserve last year, after it was known that the company was crippled with debt and facing imminent collapse and restructuring. If that is the case, the procedures will be more robust than they were in this case, to make sure that public money is protected?

Oliver Dowden: I will take as a compliment the hon. Gentleman’s opening remarks saying that I have spun this well. I have not spun it well; I have set out the facts, which are that the situation for the companies delivering the services in question remains wholly unchanged as a result of the change in the parental ownership structure.

The hon. Gentleman asked about the contracts that the Government have awarded, and I have already set out that position. Again, if he thinks it is irresponsible to be awarding contracts to Interserve, I suggest he has a word with his colleagues in Scotland, where Interserve has been winning contracts left, right and centre. In fact, it is even protecting the pandas at Edinburgh zoo through an outsourcing contract. Back in November, the Scottish Government awarded a contract, saying it would “deliver benefits for the North Ayrshire communities as well as long-distance road users upon completion”.

Mark Pritchard (The Wrekin) (Con): Although I do not believe in nationalisation—save for, perhaps, the Brexit process—and although this is not the same as Carillion, I say gently to the Minister that this is a near miss for jobs, investment and the whole credibility of outsourcing. Is this not potentially another case of greedy capitalism—I speak as a Conservative MP—giving capitalism a bad name, rather than considerate capitalism? Will the Minister enlighten the House as to what has happened since Carillion’s collapse and the so-called stress testing, with the unit in the Treasury and the unit in the Cabinet Office, to ensure that this does not happen again? Following on from what the hon. Member for Edinburgh East (Tommy Sheppard) quite rightly said, what else are the Government doing to try to prevent this from happening again?

Oliver Dowden: Let me restate this point. My hon. Friend raised the issue of whether this situation was a near miss, as compared with Carillion. The situation with Carillion was very different: it had problems across all its contract base and issues with its management, which are currently being explored. In this case, there is a specific issue in relation to some of the energy for waste contracts, which are being dealt with. The company sought to refinance to strengthen its balance sheet. It failed to do that because of the position taken, some might say, by some greedy capitalists, in respect of some of the hedge funds that owned shares in the company and refused to consent to its restructuring. None the less, it has gone through a pre-pack, and as a result its position has strengthened considerably. It has £100 million more on the balance sheet and it has reduced its debts considerably.

My hon. Friend is right to challenge the Government on what wider lessons we have learned. It is precisely why we engaged in a tremendous exercise of consultation, engagement and reform. For example, we spent more than 1,400 hours gathering evidence and, as a result of that, we have announced extensive changes through the new playbook.
Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): We can get into the weeds, but the big picture is that only a handful of civil servants in the Minister’s Department actually know in detail at any point what might or might not be happening with a company’s balance sheet. Earlier, the Minister talked about local government, but it is not privy to that information. Indeed, the Minister is not privy to that information. Is not the big risk that things can be happening with very little or no real scrutiny? The public is in the dark, the Minister is in the dark, and certainly other public service purchasers are in the dark, and is that not one of the big problems?

Oliver Dowden: I take this opportunity to reassure the hon. Lady and the House that I am most certainly not in the dark about the position of our strategic suppliers. Almost every week I meet the senior officials she referred to in order to understand the situations of our strategic suppliers. Moreover, I regularly meet the Crown Representatives who, as she knows, are responsible for managing the strategic suppliers on behalf of the Government.

Bob Blackman (Harrow East) (Con): I thank my hon. Friend for the answers that he is giving. Clearly, there are big advantages both on costs and quality of service provided by outsourcing, but does he not agree that some of these conglomerates that provide a whole spread of different outsourced services are disadvantaging the small and medium-sized enterprises that could otherwise gain these contracts directly? Clearly, with this restructuring, they could miss out. When restructuring happens, someone loses out. Should the Government not now be considering a wider spread of smaller contracts so that SMEs can properly compete against the conglomerates?

Oliver Dowden: As ever, my hon. Friend raises a very important point. He is absolutely right that, post-Carillion, we must ensure that we strengthen the supply chain. One of the ways in which we do that is through increased diversity, particularly by enabling small and medium-sized enterprises to bid and win Government contracts. That is why we have reduced complex pre-qualification questionnaires, why we have set a very demanding target of 33% of all contracts going to SMEs and why, in November, I announced proposals to ensure that strategic suppliers who did not pay their subcontractors on time would face exclusion from winning Government contracts.

Rachel Reeves (Leeds West) (Lab): The Minister spoke as though just a couple of bad mistakes were made at Interserve, but the truth is that this company had gross borrowings of £850 million and an operating profit last year of just £93 million, owing to a whole series of bad mistakes. When my Select Committee did our inquiry into the collapse of Carillion, we warned that it was unlikely to be a one-off and that the whole model, the whole system, was broken. As with Carillion before, the vultures are circling this firm, earning tens of millions of pounds. A total of £90 million was paid out in the past 12 months to advisers—EY, now acting as the administrator; Rothschild, which is advising Interserve; and Grant Thornton, which is bringing in money as well. Why not let the hospitals, the schools, the local authorities and others take these contracts back in-house and manage them in-house in future rather than have this failed contracting-out model? Rather than paying out millions of pounds to advisers, this money should be invested instead in the crucial public services on which we all rely.

Oliver Dowden: I have a great deal of respect for the hon. Lady and I know that she has considerable expertise in this field. It is precisely for that reason that in reforming the process of outsourcing—the so-called playbook, the decisions that the Government go through in deciding how and whether to outsource—we now consider whether it is better to bring services in-house or to outsource them. There is a lot of evidence to show that outsourcing brings genuine efficiency savings and genuine innovation—the evidence shows that it can be between 20% and 30%. She castigates me for my description of the situation in respect of Interserve. It is very different from Carillion. There is one major problem for Interserve and that is in respect of the energy for waste contracts. I would much rather that Interserve had dealt with that itself and not been forced into a pre-pack administration. Unfortunately, the shareholders did not consent to that, but the net effect of all of this is that the company is strengthened. It has £100 million more in cash and has considerably reduced debt.

Alex Chalk (Cheltenham) (Con): One of the key lessons that emerged from the collapse of Carillion was that small companies that were acting as subcontractors were left dangerously exposed by unethical and over-lengthy payment terms. Can the Minister confirm that no subcontractors, whether in my constituency or elsewhere, have been adversely affected in this case? Will he update the House on what he is doing to ensure that these big companies cannot continue to act unethically in this way, but should play by the rules?

Oliver Dowden: As ever, my hon. Friend is absolutely right. First, straight off the bat, I can give suppliers in his constituency that assurance. There is absolutely no change in the status of the credit rights of those suppliers who are providing services, as the operating companies remain unaffected; it is the ownership that has changed. He rightly raises the point about supply chain finance. That is a major issue. I have twice already brought in strategic suppliers and reminded them of the importance of paying their subcontractors on time, and we are backing that up with action. In November, we announced a prompt payment initiative to ensure that, in future, if they fail to pay their suppliers on time, they will be excluded from Government contracts.

Chris Stephens (Glasgow South West) (SNP): I refer to my entry in the Register of Members’ Financial Interests and to my position as chair of the Public and Commercial Services Union parliamentary group. May I correct the Minister on two things? First, the Foreign and Commonwealth Office contract was not renewed in August 2018—that was when the bid was accepted. Can he confirm that the actual renewal date of that contract was December 2018 and can he perhaps explain the four-month delay? Was it because of Interserve’s financial position? Secondly, he said that jobs are protected. Will he therefore explain why the Interserve FCO contract plans to make five employees redundant on Friday and issue them with redundancy notices? I really seek an assurance from the Minister that pay, jobs, pensions and employment terms and conditions are protected for Interserve employees delivering public services?
Oliver Dowden: I thank the hon. Gentleman for both of those questions. Let me deal with each in turn. Interserve will make decisions as to employment and other things on an ongoing basis. Nothing has changed between Friday and now; none of those job changes will be as a result of this change in the corporate structure, as the operating companies are wholly unaffected. Clearly, I cannot, from this Dispatch Box, give commitments on the future employment decisions of a private company going forward, but I can assure him that none of those will arise from this change in the corporate structure. He made a point—a pedantic but an important one—in relation to a contract being accepted. Essentially, that happens when the relevant Department, the Foreign Office, has signed the contract, because at that point, it is legally obliged to enter into it and deliver on it. There may be a gap between the contract being agreed and it actually being entered into. That is the point at which the assessment is undertaken, which was in August.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): When Carillion collapsed, 30,000 small businesses lost, on average, £141,000. For one business in my constituency, the figure was over £176,000. I appreciate that it is not exactly the same, but may I urge the Minister to look at my Bill for project bank accounts, which would have protected the small businesses that lost that money in Carillion? Project bank accounts would also protect businesses that must be worried about their future in Interserve, and other companies, and would ensure that late payments are prevented.

Oliver Dowden: I welcome the hon. Lady’s acknowledgement that this situation is different to Carillion. She rightly raises the point about project bank accounts, and I know that she has been a strong campaigner on that issue. I agree that there is an important role for project bank accounts to play, particularly in the construction supply chain. That is why last year I hosted a roundtable at the Department for Business, Energy and Industrial Strategy with suppliers to understand their experience of project bank accounts and to consider how we can use them more widely across the public sector.

Laura Smith (Crewe and Nantwich) (Lab): Interserve is the second giant probation privateer to collapse in less than a month, despite hundreds of millions of pounds in bail-outs. Will the Minister explain why the Government are planning to repeat the mistakes of the past and re-let probation contracts on an even larger scale? Is it not time to call a halt to the process and bring these services back in-house?

Oliver Dowden: The Ministry of Justice, in consultation with the Cabinet Office, the Treasury and others, is looking at the approach to probation contracts. It has already made announcements and will be making further ones. The new playbook sets out the approach that we should take to outsourcing Government contracts, and looks at questions such as the balance of risk, whether a contract would best be provided by the Government or an outsourcer, and the balance between the amount done by the Government and the amount done by the outsourcer. Those exact tests will be applied in the next stage of probation contracts.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Thinking about the defence of our country, Interserve is doing great work for our armed forces in bases such as the Falklands, Ascension Island and elsewhere. As the Minister said, the trouble has largely been caused by the activities of two hedge funds—sheer speculation. What measures or reforms might the Government consider to prevent these activities from getting in the way of our vital national security?

Oliver Dowden: I understand the hon. Gentleman’s frustration with the behaviour of some of the hedge funds concerned, and their failure to agree to this refinancing. However, I reassured him that there will be no change to the delivery of any contracts that Interserve carries out, including the ones that he listed. Those services are being delivered in exactly the same way today as they were on Friday; there has been no change in jobs, no changes in pensions and no change in the delivery of those services.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): Interserve has the contract for the long-awaited bridge across the A63 in my constituency, and Highways England is doing everything it can to ensure that work continues as normal. I am giving the Minister the opportunity to offer me and the people of Hull the reassurances and guarantees that we need, because we will not be very happy if there are any delays to the bridge, after waiting 20 years to have one. Will the Minister offer guarantees that as Interserve goes through administration, there will be no delays to the building of the bridge, no delays to the payment of the people working on the bridge, and no delays to payment of local subcontractors?

Oliver Dowden: Once again, I remind the House that that contract was awarded in September 2018 by Highways England. I absolutely assure the hon. Lady that there will be no change in the delivery of these services by Interserve as a result of the change in the corporate structure. Clearly, I cannot guarantee the whole schedule of the building works and so on, but I can 100% assure her that no change will arise as a result of this change in the corporate structure, because the operating company remains completely unaffected; it is just the ownership that has changed.

Mike Amesbury (Weaver Vale) (Lab): I am afraid that some of the Minister’s answers will come back to haunt the Government in the not-too-distant future. Some 45,000 jobs are at stake—£2 billion-worth of public sector contracts. Is it not about time to get the referee on the pitch and bring the contracts in-house?

Oliver Dowden: I am acutely conscious of the jobs that are at stake, which is why I welcome this refinancing. It means that there is £100 million extra cash in the company and there are lower debts. I can reassure every one of the employees that their jobs and pensions are not at risk as a result of the restructuring, and neither is the service delivery.

David Hanson (Delyn) (Lab): The community rehabilitation company Working Links collapsed a few weeks ago, and the assessment by the Government
through the National Audit Office was that £467 million-worth of additional costs had to be met. Now that eight of the 21 community rehabilitation companies are changing their ownership and management, what assessment has the Minister made of additional costs to the Ministry of Justice for probation CRCS?

**Oliver Dowden:** Once again, I reassure the right hon. Gentleman that there will be no additional costs in respect of those contracts as a result of the corporate restructuring, as the company delivering the contracts remains wholly unchanged.

**Dr David Drew (Stroud) (Lab/Co-op):** On the back of the collapse of Carillion, I was told by someone who works in the business of two other companies that they would go the same way in due course. They said that the second company to go that way would be Interserve; I will not mention the third. What due diligence did the Government carry out on the implications for other service companies? If it was known in the industry, why was it not known by the Government?

**Oliver Dowden:** As I have said repeatedly from this Dispatch Box, the Government undertake appropriate contingency planning in respect of all our strategic suppliers. We have not had to invoke that contingency with Interserve because the companies delivering those services remain wholly unchanged; no jobs are lost, no pensions are affected and no services are disrupted.

**Jim Shannon (Strangford) (DUP):** When Carillion went down, lots of jobs were lost and projects were put on hold, and confidence was badly dented. At that time, we were informed that steps were being taken to ensure that the situation would not happen again. Only a matter of months later, Interserve has experienced difficulties, and yet again the general public are losing confidence. It seems that outsourcing has become a gamble. Could the Minister outline steps to restore confidence? Is he satisfied that Interserve’s financial position has been secured, and what discussions have taken place with other companies to check and monitor that no other big companies are facing major financial problems?

**Chris Stephens:** On a point of order, Mr Deputy Speaker. The Minister has said on two occasions that no Interserve employees would lose their jobs, but there has been an acknowledgement that five redundancy notices will be issued on Friday. I would suggest that those statements are incompatible. Can you advise me on how the Minister can correct the record about jobs being lost, and is there any other way in which Members can lobby the Foreign and Commonwealth Office to ensure that those five employees are not served with a redundancy notice on Friday?

**Mr Deputy Speaker (Sir Lindsay Hoyle):** The hon. Gentleman has resolved the matter by putting it on the record. I know that through his good offices, and given his background, he will not let the issue drop today. I am sure that he will find other methods to ensure that he continues to support the employees whose jobs may be at risk.

**BUSINESS OF THE HOUSE (TODAY)**

**Ordered,**

That, at this day’s sitting, proceedings on the Motion in the name of Jeremy Corbyn relating to the Human Medicines (Amendment) Regulations 2019 (S.I., 2019, No. 62) may continue, though opposed, for 90 minutes after the commencement of proceedings on the motion for this Order, and shall then lapse if not previously disposed of, and Standing Order No. 41A (Deferred divisions) will not apply.—[Iain Stewart.]
Human Medicines (Amendment) Regulations

7.38 pm

Jonathan Ashworth (Leicester South) (Lab/Co-op): I beg to move.

That the Human Medicines (Amendment) Regulations 2019 (S.I., 2019, No. 62), dated 14 January 2019, a copy of which was laid before this House on 18 January, be revoked.

This motion concerns the serious shortage protocol. I thank the business managers for allowing time for this debate, but it really should not have come about as a result of the Official Opposition tabling a prayer against the regulations. The Government should have brought these proposals to the House for full debate and scrutiny, because the serious shortage protocol is perhaps one of the most far-reaching and contentious of the Government’s changes to medicines regulation in recent times.

The Government are using Henry VIII powers to enable Ministers to issue a serious shortage protocol for pharmacists to follow. The Department of Health and Social Care has stated that the protocol “could be issued…in instances of serious national shortages and would enable community pharmacists and other dispensers to dispense in accordance with the protocol—rather than the prescription—without contacting a GP”.

These reforms represent a quite extraordinary power grab whereby Ministers can grant themselves the authority to instruct local pharmacists to ration drugs, overrule the GP’s prescription and dispense therapeutic generic equivalents or reduced dosages in the event of a medicines shortage.

Norman Lamb (North Norfolk) (LD): Is the hon. Gentleman aware of the particular concern among people with epilepsy, who require absolute consistency of supply and for whom any change in medication can have dire consequences? The brilliant organisation SUDEP Action has raised very specific concerns about the risks to people with epilepsy.

Jonathan Ashworth: I thank the hon. Gentleman. He is quite right to raise those concerns about patients with epilepsy, which I will touch on in the course of my remarks, echoing the point that he made with great eloquence.

These changes represent an extraordinary power grab. Ministers should have brought them to the House for proper scrutiny, and then, of course, they should have gone out for proper consultation with patients, patient groups and health stakeholder. That is why the Academy of Medical Royal Colleges stated that it is “inexplicable and unacceptable that an issue of this importance is not the subject of wide consultation and that medical royal colleges as doctors’ professional bodies were not specifically engaged in the process.”

The British Medical Association said that it “should have far more time to adequately consider the Government’s proposals for change.”

That is why we have brought this prayer motion and why I am pleased that we have the opportunity to debate these proposals today.

It is worth saying a word about the context in which we debate these proposals. Notwithstanding the confusion on the Government Benches about when we actually do exit the European Union—the Under-Secretary of State for Exiting the European Union, the hon. Member for Spelthorne (Kwasi Kwarteng) has given us no greater guidance today in his remarks at the Dispatch Box—it is worth recalling that, as The Lancet said only last month, Brexit, especially a no-deal Brexit, will affect the healthcare workforce, NHS financing, the availability of medicines and vaccines, the sharing of information and medical research.

Our effective joint working with our European partners has been vital for the NHS over recent years, in everything from infectious disease control to the licensing, sale and regulation of medicines. Developing new medicines depends on the international co-operation that is fundamental to accessing clinical trials. Patients in the UK are currently able to access EU-wide trials for new treatments, and the UK has the highest number of phase 1 clinical trials across the EU.

Thanks to the strength of our pharmaceutical base, every month, 45 million packs of medicine move from the UK to the EU, with 37 million packs going from the EU to the UK. We know that 99% of the insulin used in the United Kingdom is not manufactured in the UK. Current EU legislation allows for the legitimate trading of medicines quickly and swiftly cross-border, but the cost of no deal could see pharmaceutical products subject to 44 separate checks and controls at the borders, hugely delaying access to medicines.

Daniel Zeichner (Cambridge) (Lab): My hon. Friend is making some very important points. I wonder whether he has seen the advice from the UK BioIndustry Association, which knows what is going in the life sciences sector and says:

“Despite the expertise and efforts of the MHRA…with 12 days… until Brexit, being prepared for a ‘no deal’ is an impossible task”.

Jonathan Ashworth: I thank my hon. Friend. As the Member of Parliament for Cambridge, he works very closely with the life sciences and pharmaceuticals industries and is a great champion for them. He is quite right to raise those concerns—although it is not clear if we are leaving in 12 days because, as I said, the Minister at the Dispatch Box earlier was pretty hopeless in giving the House any clarity on that matter. I suppose we will have to wait for further statements from the Government tomorrow, unless the Health Minister wants to clarify matters for us in a moment.

One of the issues that the organisation my hon. Friend mentioned is concerned about is the parallel trade in medicines, where pharmaceutical exporters seeking to profit from currency fluctuations could see medicines intended to meet UK patient requirements being quickly distributed out to the EU because of the advantage that a fall in sterling, perhaps, could accrue to them in those circumstances. This is why we have seen widespread concerns about medicine shortages in the event of no deal.

Dr David Drew (Stroud) (Lab/Co-op): This is not something just for the future. I am already getting reports that certain medicines are in short supply, and patients are being advised to go back to their GPs to see if there are alternatives because somebody somewhere is already stockpiling and there is not the flow through. Does my hon. Friend accept that?
Jonathan Ashworth: My hon. Friend raises a very important point. There have indeed been reports of shortages in certain medicines. In recent weeks, we have heard of shortages of Naproxen, an arthritis medicine, with similar reports about EpiPens a few weeks ago. I have heard from some community pharmacists, directly themselves, that there is even a shortage of aspirin. I emphasise that these are anecdotal reports rather than information based on any national reporting that I have seen—this is what community pharmacists have told me when I have been in their pharmacies discussing this with them—but yes, there are shortages now as a result of the uncertainty in the pharmaceutical market.

Diabetes UK has warned that “despite reaching out directly to the Department of Health and Social Care in December, we still have not seen the concrete detail needed to reassure us—or people with diabetes—that the UK Government’s plans are robust enough to guarantee no impact on insulin and medicine supplies in the event of a no-deal Brexit.”

It was a similar story from the epilepsy bodies, who said: “We do not have confidence in the current arrangements to ensure the continuity of life-saving medications for people with epilepsy.”

The Government have sought to reassure patients that their contingency plans are fail-safe, but the report in The Lancet that I referenced earlier also said that “stockpiling arrangements cannot cope for more than a few weeks.”

It also noted that some affected products, such as radioisotopes needed for treating some types of cancer, simply cannot be stockpiled. This chimes with the Royal College of Radiologists, which last month issued staggering concerns about the supply of medical isotopes, spelling out how the expected disruption would force clinicians to alter treatment plans and mean the prioritisation of some cancer patients over others. That is why the Government are proposing the serious shortages protocol contained in this statutory instrument and effectively using Henry VIII powers to enable Ministers to issue a protocol to pharmacies for them to follow.

As I said, this is an extraordinary power grab. It will effectively mean that a GP’s prescription can be changed by a pharmacist. No longer would a medicine be prescribed by a doctor who knows the medical history of the patient but instead by a pharmacist acting in accordance with a protocol drawn up by the Government. That is why these emergency measures have, quite rightly, raised alarm among various patient groups—because these changes could cause real problems for people with long-term conditions.

Anne Marie Morris (Newton Abbot) (Con): Does the hon. Gentleman accept that it would be sensible if there was a sunset clause, because clearly giving that much power to a pharmacist as opposed to a physician who knows the patient is very dangerous if it is to be used for the long term or perpetually and not just to deal with the current crisis?

Jonathan Ashworth: The hon. Lady makes an entirely reasonable observation. I trust that the Minister took note of it and look forward to her reply to that point.

Norman Lamb: Does the hon. Gentleman agree that this puts individual pharmacists into quite an invidious position because they may well be having to make decisions that may impact adversely on a patient’s health and wellbeing when they are not necessarily skilled to make those judgments? My concern particularly relates to epilepsy but it applies to other areas as well.

Jonathan Ashworth: The right hon. Gentleman hits the nail on the head. That is exactly the point that has been put to me when I have visited community pharmacists and discussed this with them. Of course there are other pharmacists who have perhaps done more training and want to work at the top of their licence and believe that there is a role for more autonomy. However, there are real concerns about the way in which these changes are being rushed through without any resource put into education, explanation or wider training that may be needed. In those circumstances, it is appropriate that we raise our concerns, support our motion and oppose the Government’s proposal today. He is absolutely right—I have heard that concern expressed directly. Many community pharmacists do not necessarily want this responsibility, given the wider concerns and implications that he highlighted.

Helen Goodman (Bishop Auckland) (Lab): The point made by the right hon. Member for North Norfolk (Norman Lamb) raises two issues. First, what is the point of doctors having all this training if anybody without it is suddenly able to dole out prescriptions? Secondly, are pharmacists insured, and is there an insurance scheme for them if they make mistakes? Doctors have a professional insurance system, and pharmacists presumably have a completely different one.

Jonathan Ashworth: My hon. Friend is right. That is exactly the point that community pharmacists put to me in Loughborough about three weeks ago when I visited them to discuss this. Echoing her point, the BMA has said that it does not support a “blanket approach” to allowing pharmacists to provide therapeutic equivalents where a prescribed drug is not available. The National AIDS Trust has said:

“The only person qualified to safely alter the medication prescribed to a person living with HIV is that person’s HIV consultant.”

SUDEP Action, alongside a broader coalition of epilepsy charities, is particularly worried about these proposals.

After facing pressure from those groups, the Government accepted that replacement drugs were unsuitable for epilepsy patients, but they have left it open to pharmacists to reduce the strength or dosage of epilepsy medication. I am not convinced that that will eliminate the big risks faced by these patients. As the right hon. Member for North Norfolk (Norman Lamb) said, many patients with epilepsy—especially the elderly—are on other medications, and any changes require careful management because of the interaction between different medicines. Up to 90% of people with epilepsy state that even a deterioration in their mood can have a negative effect on seizure control. Anti-epileptic medications have more significant interactions than any other group of drugs.

There are situations where the specific brand, type, form or strength of a treatment must be carefully tailored to the individual based on their responses, which is done by the prescriber and the patient over time. If that is changed by a professional who does not know the patient or their individual risks, some have warned that...
the consequences could be a loss of control of the condition, failed treatment and an unnecessary emergency, with very serious consequences indeed.

Anne Marie Morris: The hon. Gentleman is making a first-class point. This puts patients at risk, and it is not appropriate for the pharmacist to make that decision. People think that generics are the same thing as branded drugs, but they are not. For some, a particular brand is crucial. I commend him for what he is doing.

Jonathan Ashworth: I am flattered to receive such commendation from the Conservative Benches, and I commend the hon. Lady for her extremely well-made point, with which I agree entirely. I hope that the Minister will respond to the second good point that the hon. Lady has made.

The stakes are too high to get this wrong, yet there has been no impact assessment or risk assessment undertaken on serious shortage protocols for this statutory instrument. This is an unacceptable risk to anyone with a long-term condition and should be recognised by anyone making contingency plans. I was particularly horrified to read in the explanatory memorandum for this SI—it is quite shocking: “The main benefits of the protocol would be the NHS cost savings associated with GP time.”

In the same breath, it casually goes on to say: “There may be some risks to patients.”

That is in the Government’s own paperwork. It is astonishing. How can the Government seriously prioritise NHS cost savings over patients’ lives and allow an explanatory memorandum to go out with that sort of wording in it? I hope that the Minister can explain how that got in there and at least reassure us that it is not the Government’s position. If it is the Government’s position that there may be some risks to patients, that suggests that the Government should have come to the House sooner to explain why they are making this regulatory change and not left it to the official Opposition to table a prayer motion to get this debate.

I would like clarity from the Government on a few things. It is not entirely clear from the legislation exactly when these powers would be used. I would like to hear from the Minister whether these powers will be introduced in a no-deal Brexit scenario only or whether we can expect them to be more permanent. I am also concerned that there will only be a review of new powers one year after a serious shortage protocol is issued by Ministers. This speaks to the point made by the hon. Member for Newton Abbot (Anne Marie Morris). One year is too long to wait if this causes serious problems for patients and the wider sector.

Considering that the stakes are so high, it is essential that the Government deliver extensive communication and training to GPs, pharmacists, other healthcare professionals and the public, to help them understand any new protocols and manage expectations and any dissatisfaction. I would be grateful if the Minister outlined the Government’s plans. I talk and listen to frontline NHS staff all the time, and I know that there is a well-founded fear about the implications of a no-deal Brexit for hundreds of thousands of people in need of life-saving medicines. I am interested to hear from the Minister what information about these protocols has been shared with the health sector and professionals involved.

When the Secretary of State gave evidence to the Health and Social Care Committee a few weeks ago, he informed it that he will prioritise medicines over food. That glib assertion from the Secretary of State hardly offered the reassurance that patients deserve. Brexit should not compromise patient safety in any way. It is up to the Minister to allay the widespread concerns, but if she is not able to do so, we will test the opinion of the House. I commend our motion.

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): I am grateful for the opportunity to address the House and reassure Members on both sides of the House about the purposes of the regulations. I have been asked a number of questions, and I will try to answer all of them as best I can.

I want to start by saying that there is considerable misinformation out there about these regulations, which are designed to most efficiently manage the supply of medicines in the event of a shortage. I should also make clear to the House that this is not just a Brexit regulation; it will apply in any case, not just in the case of no deal, not least because recent events have shown the challenge in managing medicines. The regulations on how pharmacists will be able to apply this protocol are designed to minimise not only the demand on GPs but the risk to patients, because pharmacists will only be able to use their powers under these regulations according to very clear criteria, and we will still encourage them to speak to prescribers where there is any element of doubt.

Anne Marie Morris: Will the Minister give us some details about what those criteria will be, so that clear decisions can be made by pharmacists and so that when a particular brand is really important for a patient, there is no possibility that a generic will be substituted?

Jackie Doyle-Price: The circumstances will be different from protocol to protocol, which is not a very clear answer—but we would have to look at each incident. The hon. Member for Leicester South (Jonathan Ashworth) mentioned HIV medicine. Another example is antipsychotic medicines, where there is a clear relationship with the patient; obviously, it would not be appropriate to unilaterally change those items of medication.

When a prescription is issued, the pharmacist has to dispense that medicine according to strict instructions under the terms of the prescription. For example, if the prescription was for packets of 200 mg tablets and there was a shortage of those, they could be substituted with a different measurement. All those issues would be dealt with from protocol to protocol, having been considered by a pharmacy panel who can properly and rigorously challenge what an appropriate substitute would be in the event of a shortage of any medicine.

Anne Marie Morris: Is the Minister not concerned about the challenge that, however qualified the pharmacist, they do not have the patient’s notes? She has referred to an amount, and I understand how having two smaller...
pills will equal what should have been prescribed, but when it is a generic versus a specific branded medicine, that is a very difficult and challenging decision to make.

**Jackie Doyle-Price:** I come back to what I said to my hon. Friend earlier. The terms under which pharmacists will be able to exercise their discretion will be clearly set out in each protocol, and there will be full consultation by an expert panel, with ministerial approval in such an event.

**Norman Lamb:** Will the Minister clarify whether, if there are adverse effects as a result of some change that has been made in these circumstances, the prescriber, the dispenser or the Government would ultimately be liable?

**Jackie Doyle-Price:** The protocol will be very tightly drafted, which will really limit the ability of the pharmacist, who would only be able to prescribe outside the terms of the prescription within the narrow confines of the protocol. As I say, this has been done to secure continuity of supply when there is a potential challenge, but I would expect to take advice from a pharmacy panel, in conjunction with those most affected, to make sure that we put in place appropriate risk management on those occasions.

**Helen Goodman:** What kind of timescale is the Minister considering? Let us take people with epilepsy. As my hon. Friend the Member for Leicester South (Jonathan Ashworth) said at the Dispatch Box, if somebody’s condition changes, it might take six months to work out what the right prescription ought to be. The Minister surely cannot say that we will write a protocol in Whitehall in the event of some sudden shortage and implement it across the land because, as we keep saying, different people have different medical needs.

**Jackie Doyle-Price:** We are talking about a protocol that can deal with an immediate shortage, but we would not expect that shortage to continue indefinitely. It enables us to manage the shortage, while trying to secure the ongoing supply.

Reference has been made to EpiPens, and that is exactly what happened in that context: we knew that we had a shortage and that there was a supply coming, so steps were taken to manage the supply so that everybody who needed EpiPens had a supply of two, with dispensaries managing that supply. We would expect the same to happen. Where we issue a protocol, we would expect prescribers to go back to their normal supply of medication once we had corrected the supply problem, and this is to get us through that period. It is also to encourage people not to stockpile medicines in the event of worries about a shortage. This is about giving people the reassurance that we will manage such shortages effectively.

The hon. Member for Leicester South mentioned that there had been criticism about a lack of consultation. It is worth noting that the Government have been challenged by the Good Law Project on a number of grounds, but it is also worth telling the House that the High Court decided last week that permission for judicial review would not be granted on the issue of lack of consultation.

I want to clarify the purpose of the regulations. First, they implement the EU falsified medicines legislation on certain safety features on the packaging of medicines. They also extend the exemption for the supply of naloxone hydrochloride, so that drug treatment services can supply all dosage forms of that medicine; at the moment, we can only supply injectables, but we now know that nasal administration is more efficient. In addition, and this is obviously the main crux of the debate today, they enable retail pharmacies, where appropriate, to supply against a serious shortage protocol, instead of against prescriptions, if such a protocol has been issued.

Not implementing this statutory instrument would have dire consequences. Not only would the Government lose this tool to manage shortages of medicines, but we would also deny drug treatment services the ability to supply all dosage forms of naloxone hydrochloride. Without this SI, we would not be able to introduce UK-specific flexibilities for the falsified medicines safety features scheme, meaning that a disproportionate burden would be put on the supply chain.

On the safety features, I would like to say that we are committed to stopping falsified medicines from reaching patients. Our No. 1 priority is safe access to medicines in the most efficient way. I can also say that we want to retain a close working partnership with the EU on medicines regulation, for all the reasons the hon. Gentleman outlined, and we wish to ensure that patients continue to have timely access to safe medicines and medical innovations.

The new safety features measures under the EU delegated safety features regulation are directly applicable, and they already require UK manufacturers to place a unique identifier and tamper-evident features on packaging for almost all prescription-only medicines. These medicines need to be scanned on supply to the patient to verify their authenticity. Our position is clear that, as a member state, we were obliged to implement these requirements. We worked extensively with stakeholders to understand the detail and to develop the best approach on the flexibilities and enforcement specifically for the UK, and this was tested through a formal consultation process.

It is worth noting that the UK has a very complex supply chain. Without the national flexibilities in this statutory instrument, the burden on industry would be disproportionate and it would risk patients not getting timely access to medicines; nor would we be able to enforce the requirements already in place. The reputation of UK medicines, the UK pharmaceutical industry and regulators could be seriously undermined. I have already mentioned the issue of naloxone hydrochloride. It is administered in the event of a heroin overdose, so we clearly want to make that available in the most efficient way possible.

To come back to the serious shortage protocol provisions, these will provide the Government with an additional tool to deal with a shortage of medicines. Over 2.5 million prescription items are dispensed in primary care in England alone every day, and the vast majority are not subject to supply problems. However, we must have a robust system in place for when they are. We work closely with the Medicines and Healthcare Products Regulatory Agency, the pharmaceutical industry and NHS England in operating and managing the supply chain to help prevent shortages, and to ensure that the risks to patients are minimised when shortages do arise.

The issue of EpiPens is a very good example. Last autumn, we faced a serious international shortage of EpiPens. That shortage had a knock-on effect on other
adrenaline auto-injectors and, despite efforts by the Department and the industry, there was not enough supply to meet the demand in the country. We were therefore forced to ration the available injectors so that the available supply could be spread out across all patients who needed them until more stock became available. To be able to do that, we put in place a dispensing protocol.

The protocol required pharmacists to check with patients how many adrenaline injectors, including expired ones, they had so that pharmacists could decide on the number of injectors to supply. Patients below a certain weight had to be referred back to their prescriber. Again, another risk management tool that we would apply in issuing a protocol would be to make sure that pharmacists were referring people back to their prescriber if there was such a question. This ensured that, throughout the duration of the shortage, we managed the available stock in such a way that each patient had access to at least two injectors. It was this incident with the adrenaline injectors, as well as our EU exit preparations, that led the Government to formalise what was done in the EpiPen situation should be put in place to manage other serious shortages, should they arise.

I say again that this is not the Government’s plan for dealing with medicine shortages in a no-deal exit. That is simply not the case at all. We wanted to introduce these provisions before 29 March so that we would have the option of issuing protocols, but only as part of our multi-layered approach to minimise any supply disruption in a no-deal exit. We are confident that our other management plans will deal with that. These include securing additional roll-on roll-off freight capacity for goods; buffer stocks and stockpiling; extra warehouse space; and space on aeroplanes for products with a goods; buffer stocks and stockpiling; extra warehouse securing additional roll-on roll-off freight capacity for management plans will deal with that. These include

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The serious shortage protocol enables retail pharmacists to supply in accordance with a strict protocol for a specific prescription-only medicine, rather than against a prescription, without going back to the protocol. That will be done only in exceptional circumstances, in the event of a serious shortage of a medicine, when all other mitigation measures have been exhausted or would be likely to be ineffective, and all the clinical community think it is appropriate to issue such a protocol. The protocol may prescribe one of the following options: an alternative quantity, an alternative pharmaceutical form, an alternative strength, a therapeutic equivalent or a generic equivalent. However, as I said, each case will be considered on its merits, and of course the risk of various health conditions. We believe that therapeutic substitution will be extremely rare. It would need to be clinically appropriate, and a sufficient stock of any alternative would be required.

As I have said, any serious shortage protocol will be developed with clinician input. Which clinicians are involved will depend on the expertise required, but we would involve, for example, the relevant royal colleges and societies. We would also work closely with patient representative groups, as we did in the EpiPen shortage. Each protocol would clearly set out what action can be taken by the retail pharmacy, in what circumstances, for which patients, and during which period. I re-emphasise that this is not about pharmacists acquiring prescribing rights by the back door. It is entirely about ensuring that patients have access to the medicine they need by making the best possible use of highly qualified pharmacists and freeing up GP time for patients who need to see their GP. If a pharmacist is in any doubt about what they are prescribing, they can always exercise their professional judgment to refer an individual patient back to the GP, and if patients do not want the alternative under the protocol, they can always go back to their prescriber.

Let me be very clear: patients will not be given alternative medicines where this is not medically appropriate. This includes patients with complex medication regimes or conditions such as epilepsy or HIV. However, that does not mean that they are exempt from the protocol. For example, a protocol for a reduced quantity of anti-epilepsy medication could be issued, as we did for EpiPen. That would have to be considered against a backdrop of all the available stock being spread out across all patients, and there being time for patients to see their prescriber if the supply issues become long-term. Without the protocol, some patients would receive the medicines prescribed to them, but some would leave the pharmacy empty-handed. Clearly, we need to make sure that all patients have timely access to their medicines.

In the event of a serious shortage of any medicine, it is vital that patients continue to receive the treatment they need. The introduction of strict protocols, developed with specialist doctors, is a sensible step that will, in exceptional circumstances, allow highly trained pharmacists to provide an appropriate alternative or quantity, as set out in the protocol, to reduce the impact on patients. This ensures a co-ordinated response to a shortage and timely access to medicines.

Of course, I hope that we never have to introduce a serious shortage protocol, but there may be times when we have no other options, because all other measures have been exhausted or are likely to be ineffective. Not implementing the statutory instrument would put
patients’ timely access to medicines at risk, first, by not enabling drug treatment services to supply all dosage forms of naloxone hydrochloride; secondly, by imposing much more burdensome implementation of safety features of packs of medicines with flexibilities to accommodate the specific characteristics of the UK supply chain; and thirdly, by denying the Government an important tool to manage shortages of medicines and to ensure that patients continue to get the right medicines in a timely manner. I hope that the motion is defeated.

8.15 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): We are discussing changes to the Human Medicines Regulations 2012. I welcome the implementation of the falsified medicines directive, with its provisions on unique identifiers and anti-tampering devices. I also welcome the change to allow nasal naloxone to be used to deal with opioid overdose. But snuck in among those perfectly reasonable measures is the serious shortage protocol. That deals with prescription-only medicines and highlights what we face with Brexit coming in 11 days.

Forty-one million packets of drugs a month go from the UK to the EU, and 37 million are imported into the UK, including almost all insulin—the UK does not produce insulin to a large extent. There are many other drugs that the UK does not produce. We have previously and in this debate raised the issue of radioisotopes, although this clearly does not apply to that. There will also be problems with the supply chain of raw chemicals to produce drugs in the UK and with processes such as batch testing for UK exports into the EU, because the EU will not recognise batch testing not carried inside the EU. One of the key words missing from the withdrawal Act that was scattered throughout the Chequers deal, if we can call it that, is “frictionless”. Do a word search. It is not there. We have been discussing this matter in the context of no deal, but there will be issues regarding the supply chains in making drugs and moving drugs around even if the Government’s withdrawal agreement goes through.

Bizarrely, section 8 of the explanatory memorandum to the regulations claims:

“This instrument does not relate to withdrawal from the European Union.”

As we would say in Scotland, “Aye, right.” It continues that:

“if withdrawal from the European Union were a contributing factor to a serious shortage...a serious shortage protocol could be used”.

That is the thinnest fig leaf I have ever seen in my whole life.

The documents talk about the Minister or Ministers being able to add drugs to the serious shortage protocol list. Who is meant by “Ministers”? Is it the devolved Ministers in Edinburgh and Cardiff, or are we merely talking about all the junior Ministers and the Secretary of State here in Westminster? Health is devolved, and in this debate raised the issue of radioisotopes, although this clearly does not apply to that. There will also be problems with the supply chain of raw chemicals to produce drugs in the UK and with processes such as batch testing for UK exports into the EU, because the EU will not recognise batch testing not carried inside the EU. One of the key words missing from the withdrawal Act that was scattered throughout the Chequers deal, if we can call it that, is “frictionless”. Do a word search. It is not there. We have been discussing this matter in the context of no deal, but there will be issues regarding the supply chains in making drugs and moving drugs around even if the Government’s withdrawal agreement goes through.

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The documents talk about the Minister or Ministers being able to add drugs to the serious shortage protocol list. Who is meant by “Ministers”? Is it the devolved Ministers in Edinburgh and Cardiff, or are we merely talking about all the junior Ministers and the Secretary of State here in Westminster? Health is devolved, and the use of drugs and the diseases dealt with vary across the UK. It is important that health is not pulled back away from devolution. I would like that to be clarified, particularly when the Minister suggests that this is not a short-term solution, but envisaged as a long-term solution for shortages.

I accept that shortages can arise, but normally they are few; normally it is possible to get access to information about what is causing them, making it easier to come up with solutions. However, as has been said, the review will take place only after a year, which is quite a long time for a protocol to be in place. It would be useful to send information on what replacements could be used to the GP or prescriber, rather than to the pharmacist. If it is known that there is a national shortage, why wait until the point of dispensing the drug? Tell GPs. Tell non-GP prescribers. Do not leave it to the last minute, when someone is in the pharmacy. That is the issue: the shortage protocol gives pharmacists the power to override the prescriber. Predominantly, that is a GP, but not necessarily.

I say to other Members that pharmacists can change the strength, but not the dose. If someone is on a 10 mg tablet and is used to taking one 10 mg tablet, they may be given two 5 mg tablets. That may seem innocuous, but an elderly, vulnerable or slightly confused patient who knows that they take one tablet every morning might end up taking half the dose they require. Even worse is if they are given a larger dose that they are meant to cut in half. That is much more complex. The number of tablets patients have to take could cause confusion.

The statutory instrument talks about quantity. At the moment, patients are usually given eight weeks of a prescription and pay a prescription charge. If they only get four weeks of their medication, will they get the second four weeks without paying another prescription charge or will prescription charges be doubled? That is not an issue in Scotland, but it is certainly an issue here in England.

Dr Whitford: It is critical that the patient’s dose is not changed or put in danger. The management of any condition is dose sensitive. We cannot go down to homeopathic doses of antibiotics or blood pressure medication—that would be crazy.

Pharmacists can give a different form, such as liquid, solid or capsule. Again, for some patients that will not be a problem; for others, it will. The hon. Member for Newton Abbot (Anne Marie Morris) mentioned generic drugs. Generally, NHS prescribers use generic drugs as the default to save money. However, I have had patients who had appalling side effects from the generic form of tamoxifen, but not from the non-generic brand. There always has to be a right for GPs to say, “In this case, I will use the brand.”

The most important bit of this statutory instrument is that it allows a change to a completely different drug. It may be a drug that is approved by a panel sitting somewhere in London with the colleges, who say that it is a reasonable replacement for the other drug, but that does not take into account the fact that patients are all individuals. I can tell you that they are all individuals.

Pharmacists are very knowledgeable—in Scotland, we have had community pharmacists for over a decade and they contribute massively—but they work to their
own protocol, they work within limits and they do not have access to the patient’s notes. Therefore, they cannot see that the patient has been on a drug in the past and had terrible side effects. They will replace with a protocol drug, but what about the responsibility? Why is this happening right now?

It suggests to me that the Department of Health and Social Care is expecting massive shortages, to the point where the simple act of picking up the phone and saying to the GP, “I don’t have drug A. Would drug B be reasonable for Mrs Smith?”, is somehow impractical. I find that very worrying. It may be that Mrs Smith has had six drugs to control her blood pressure. Drug 2 and drug 5 caused her to faint or have blackouts, but the pharmacist does not know that.

Epileptics have been mentioned. The issue with epileptics is that any change can destabilise their epilepsy. They are therefore never prescribed by generic, but are prescribed by brand to avoid precisely that.

Norman Lamb: The hon. Lady makes a very good point. Does she agree that there is often an interaction between epilepsy drugs and other drugs that the patient may be on and that any interruption of that relationship may cause problems?

Dr Whitford: The right hon. Gentleman makes a very good point, and one that applies to many drugs. When we prescribe, we sit and look at the interactions. I would expect a pharmacist to look at that. They will have the patient’s full prescription and should, therefore, be able to look at interactions.

Norman Lamb: They do not have the patient’s records.

Dr Whitford: That is the key thing: they do not have the patient’s records and they do not know what problems a drug may have caused in the past.

This change could have a real impact on epileptics. It brings the danger of a fit, and the fit itself may be a threat to them. Obviously epileptics are exposed to sudden unexpected death in epilepsy and can suffer from trauma, depending on where they are when they take the fit. They can even lose their driving licence for a year because they have one fit. The social impact of that on epileptics is enormous.

It says in the explanatory notes that, because of that, epilepsy drugs and biological drugs would not be considered suitable for the protocol. However, it does not say that in the SI—they are not excluded. It is important that such people are protected.

Lyn Brown (West Ham) (Lab): I have been listening closely to the hon. Lady. This is already happening. A friend of mine went to her chemist to pick up some drugs and the dosage was halved by the pharmacist, not by her doctor. She had enough drugs to keep her going until she went to the doctor again, who reinstated the original drug. I just think it is really scary at the moment; people do not understand why this is happening. It cannot be about Brexit, because it is happening now.

Dr Whitford: I am just coming on to that issue. I reiterate that it is the strength, rather than the dose, so I imagine the hon. Lady’s friend would be expected to take two smaller tablets, not to reduce her dose.

As I have said, the obvious thing would be to share the protocol with the prescribers, not to aim it at the pharmacists who are right at the end of the process.

Why is it that we are seeing the shortages now? Quite simply, there are two ways to stockpile: either by increasing production, which it is not necessarily within the gift of the Department or even the Secretary of State to do, or by setting aside some of the drugs within normal production. When I talk to my GP friends, they talk about a massive surge in shortages over the past nine months. That coincides almost exactly with the acceleration of stockpiling. My concern is that drugs are being set aside into the stockpile and that is causing shortages right now.

There should be publication of the list of drugs that are at risk of shortage, so that a GP can say, “For this lady or gentleman it is not that important, so if it is a shortage drug I won’t use it, but for this other patient I will have to use it.” Apparently, that is currently hidden behind commercial sensitivity.

It is important that a consultation and an impact assessment are carried out. I was shocked that the BMA was given a week to respond and the General Medical Council was not even consulted. This statutory instrument totally reverses medical and prescriber legal responsibility, so who is legally responsible? How do pharmacists feel about the fact that they might be held answerable for changing the drug, or will the Government underwrite that? I think that this has been appallingly handled and has been smacked in with no scrutiny and no debate.

The hon. Member for Leicester South (Jonathan Ashworth) talked about cost and time saving for GPs and, secondary to that, the impact on patient safety. If we look at the basis for the review in a year, it says that No. 1 will be the function of the market and that No. 2 will be the impact on patients, so again we see that patient safety is not being put at the heart of this. This proposal has not been properly thought through, particularly if it is envisaged as a long-term solution to drug shortages. No deal should now be off the table, as particularly if it is envisaged as a long-term solution to no-deal planning, but not being introduced purely for no-deal planning, but increasing in a no-deal scenario. To me, it absolutely beggars belief that Cabinet Ministers in this Government were willing last Thursday purposefully to vote against an extension and therefore in favour of the risk of no deal, or will the Government underwrite that? I think that this has been appallingly handled and has been smacked in with no scrutiny and no debate.

8.29 pm

Norman Lamb (North Norfolk) (LD): I very much agree with the concerns that were raised by the Scottish National party spokesperson, the hon. Member for Central Ayrshire (Dr Whitford). Let me make a general point first. I recognise that this statutory instrument is not being introduced purely for no-deal planning, but clearly, there is a recognition that the risk of shortages increases in a no-deal scenario. To me, it absolutely beggars belief that Cabinet Ministers in this Government were willing last Thursday purposefully to vote against an extension and therefore in favour of the risk of no deal in just a few days’ time, knowing that the risk to patients would increase as a result. It is extraordinary that Ministers in a Government could choose to vote in that way knowing that patients would be put at greater risk.

I want in particular to address the concerns of patients with epilepsy, including the concerns raised by the really good organisation, SUDEP Action. For those who are unaware, SUDEP means sudden unexpected death in epilepsy, so we are talking here about all those people...
who lose their lives as a result of epilepsy. There are very real and legitimate concerns about the impacts that the measure will have on those people. To bring this into really sharp focus, Simon Lees, one of the trustees of SUDEP Action, who has epilepsy, was today refused the supply of one of his three epilepsy medications because of a shortage. His brother died from epilepsy shortly after his medication was changed, so the risk to patients is very real.

As others have said, pharmacists are highly skilled professionals, but they are not specialist prescribers or skilled in assessing the risk of unexpected death through epilepsy. There is a particular concern about people with a learning disability who may also have epilepsy, who are particularly at risk. As the SNP spokesperson said, pharmacists do not have access to the full patient record. The need for consistency for these patients in the supply, dosing, timing and formulation of anti-epileptic medicines is very real. The need for consistency for these patients in skilled professionals, but they are not specialist prescribers or non-specialist prescribers with expertise and access to the full patient record are so concerned about this issue.

I also want to make some particular points that SUDEP Action has raised. The current documentation on the protocol indicates that there is no requirement for patients to be made aware of medication changes—that seems extraordinary to me—or a recognition of the channels available to them should they wish to challenge or question those changes. Without those safeguards, people with epilepsy may be unaware of medication changes that have occurred, putting them at significant risk, particularly if these changes result in increased side effects or changing seizure control. It is also unclear whether the pharmacist, the original prescriber or the Government are ultimately accountable for adverse effects—I made this point in my challenge to the Minister—caused by one of the protocols being activated. Should a death occur following a lack of consistency of supply of anti-epileptic medication, who will be held to account for that change? As others have said, it seems essential that the Government make publicly available a list of the medications that are at risk of shortage. There should be an early warning system for prescribers so that they are aware of the risks of medications running short in supply.

In conclusion, there are legitimate and serious concerns here, and that is why I will be joining others in voting in favour of the motion to revoke the regulations.

8.34 pm

Mr Ivan Lewis (Bury South) (Ind): I am glad we have had the opportunity to have this debate. Like other hon. Members, I want to focus on the impact these changes could have on those with epilepsy. I thank SUDEP Action, which the right hon. Member for North Norfolk (Norman Lamb) mentioned, for the work it has done to bring concern about this issue to the fore. I also agree with many of the concerns my hon. Friend the Member for Leicester South (Jonathan Ashworth) expressed in his opening remarks.

The Secretary of State was unable to address bereaved families and clinicians at the recent summit held by SUDEP Action, but will he meet me, other hon. Members and representatives of SUDEP Action and talk directly to families about the concerns they have? If he could agree to do that, it would be very helpful.

Medicines shortages pose a serious risk to people with epilepsy. As hon. Members are aware, it is a high-risk condition, requiring complex, tailored care. As other hon. Members have said, many people with epilepsy are particularly vulnerable to changes to that care. I have recently met families, such as that of Rachel Shah, whose daughter Emily died aged 19 shortly after a non-specialist prescriber made an error with her medication. The family and the non-specialist were entirely unaware of the risks of sudden unexpected death in epilepsy, and the error was not noticed. That is quite shocking.

Studies show that people on existing medications are put at risk when those medicines are changed. Tried and tested systems mean that, when there is a medicines shortage, specialist prescribers with expertise and access to the full patient record are involved in any changes. There are known risk factors that can increase the risk of death among people with epilepsy. However, those can be carefully managed through open, positive relationships between clinicians and patients. Those clinicians have often had responsibility for the patients’ medication schedule, which has often been worked up with the patient over many years.

The serious shortage protocols, passed under the Human Medicines (Amendment) Regulations 2019 give pharmacists the right to supply a different quantity or pharmaceutical quality of medicine in the event of the country experiencing a serious shortage of prescription-only medicines. As other hon. Members have said, pharmacists are skilled professionals in medicines and medicines management, but they are not specialist prescribers. Nor are they specialists in assessing SUDEP or other epilepsy risks in individuals, and they do not have access to full patient records.

Jackie Doyle-Price: With your indulgence, Madam Deputy Speaker, I would just like to reassure the right hon. Member for North Norfolk (Norman Lamb) and the hon. Member for Bury South (Mr Lewis). We do not consider that treatment for epilepsy would be appropriately covered by a serious shortage protocol, as it is specialist prescribing and very bespoke to the patient. In the event of a shortage of epilepsy drugs, the clear guidance would be for the pharmacist to refer the patient back to their prescriber. The shortage protocols will be very tightly defined, within given circumstances, as to what drug will be an appropriate alternative treatment; they are by no means meant to be very one size fits all.

Mr Lewis: I think the Minister for that reassurance. I think we will want to see that in writing. Having that clarity is incredibly important, so that when the guidance is published, the reassurance is there for people with epilepsy and their families. That is incredibly important.

We should remember that laws that sought to allow change in the prescription of epilepsy medications were rejected in 2010 after a public consultation that highlighted major patient safety concerns. The MHR guidance in 2017 included vital safeguards against switching medication for people with epilepsy. These issues have therefore been interrogated in the past.
A precautionary approach concerned with patient safety would include analysis and openness about the causes of medical shortages; include an impact and risk assessment; aim to avoid any risk of worsening medical shortages; follow good practice in the regulation of medical shortages; include training and communication arrangements for all affected; and include clear, robust and timely accountability to patients and the public for adverse events and avoidable deaths. Nurses and clinicians are currently unable to gain access to a number of medications. They need to know which are on the list of likely shortages, and whether all the possibilities of measures to prevent such shortages have been exhausted.

People with epilepsy are recognised to be a high-risk group in current legislation. They must be protected against shortages of any medications that they take—not just their epilepsy medication—by a requirement in the legislation, and in any accompanying guidance, for the involvement of a specialist prescriber at all times. To be fair, that is the assurance that the Minister sought to give this evening.

It is not good enough to say in the explanatory memorandum that protocols will not apply to certain epilepsy treatments for which a brand is required. Any change in the 2017 MHRA guidance on epilepsy medication should be avoided, although, if such a change is required owing to a serious shortage, it must follow public consultation with the involvement of the third sector and patients. I think that patient groups feel they have been excluded from the process thus far. I urge the Minister to agree—in the spirit in which she has engaged with the House this evening—to meet SUDEP Action along with me, and other Members, if the Secretary of State is not willing or does not have time to do so.

The Government should make publicly available the list of medications that are at risk of shortage. If people living with long-term health conditions, and their clinicians, know about serious shortages that may affect them, they should have opportunities to contribute to any consultations and debates. An early-warning system for prescribers is essential, but it must be extended to all specialist prescribers. Many are on the front line, trying to ensure continuity of medication for patients, and they will be able to provide the necessary reassurance for those patients if they are aware of potential shortages.

We should not forget the anxiety that this will cause among people who are already extremely vulnerable, and the fact that that anxiety could lead to further health problems. All who are involved in the chain need to be able—where appropriate—to offer the maximum clarity, information and reassurance. The Government should also publish an operational framework and guidance to ensure that there is good practice and medicine shortages can be managed safely. They should commit themselves to patient-centred and shared care decision-making.

Perhaps this is the most important point that has been made so far: it is still not clear where accountability lies in the event of an adverse event—worse of all, a death—when there has been a failure of continuity of supply lines. That issue has been highlighted by the Pharmacists’ Defence Association. Obviously the association is very concerned about the potential negative effect on pharmacists, but a greater concern relates to the potential impact on patients and families.

This legislation is not simply another complication caused by Brexit. It may present serious challenges for many years to come. It is first and foremost about patient safety, and in those circumstances, the Government need to take appropriate time and care when making their decisions.

8.43 pm

Helen Goodman (Bishop Auckland) (Lab): I am pleased to have an opportunity to make a short contribution to the debate.

It is ironic, given that one of the main Brexit campaign slogans, on the side of a bus, promised £350 million for the NHS, that one of the most serious problems we are having to consider is the problem of medicine shortages in the event of Brexit. The Minister has still not made clear the extent to which those shortages are related to Brexit. Common sense suggests that this is a Brexit statutory instrument, and I am assuming that it went through the usual Brexit process of being dealt with by the European Statutory Instruments Committee, but the Minister has not made clear why we are having these shortages in medicines, which are happening already. I have a constituent with a child with epilepsy who is finding it difficult to get their child’s prescription. If this is not Brexit-related, how come all these shortages are suddenly happening now, at a time when the pharmaceutical industry is being told it needs to stockpile?

Matt Rodda (Reading East) (Lab): I wholeheartedly support the points my hon. Friend is making and the concern she is raising about the potential link to Brexit, which would seem to many Members to be an obvious connection. Does she agree that Brexit is not only threatening the NHS through these potential shortages of medicines, but threatening the staffing of our NHS? I represent a seat where 13% of the staff at the local hospital come from EU countries, and many are leaving and going home, which is of deep concern to our residents.

Helen Goodman: Of course what my hon. Friend says about staff shortages and Brexit is absolutely right.

I was going on to say that I have a GlaxoSmithKline factory in my constituency, and obviously I have discussed this issue with it. It is extremely underwhelmed by the Government’s no-deal planning, and extremely underwhelmed by the fact that it is having to pay for these extra stockpiles. All these Brexit costs that are being put on to the industrialists mean that there is less money for research and development, investment, job creation and all the things we would all like to see.

It is notable that there are very high numbers of people with the conditions most likely to be affected. There are 4 million people in this country with diabetes, 500,000 people with epilepsy, and 250,000 people whose allergies are so serious that they need an EpiPen. Given that we clearly have 5 million, 6 million or perhaps 10 million people whose health is likely to be at risk if there are medicine shortages, I would have thought that the Government would have not just done a full risk and impact assessment but produced for us today, alongside the statutory instrument, the protocols. The Minister knows which drugs and conditions we are talking about; surely, given all the problems we have had with the industry, doctors and patient groups not being properly consulted, it would have been sensible to make those
protocols at this moment, so we could look at them alongside the statutory instrument. I hope the Minister will come to the Dispatch Box and answer some of these points. She is shaking her head.

**Jackie Doyle-Price:** This is a tool to manage serious medicine shortages. I do not expect any medicine shortages, but this tool exists in the event of them arising. As for the idea that we could bring together a list, we do not anticipate that there will need to be a list.

**Helen Goodman:** Brexit is now 11 days away. Collapsing out of Europe with no deal is obviously far less likely following the votes of last week, but it is still a possibility, and at that point the probability—that the probability of these medicine shortages will increase very significantly. Here we are, less than a fortnight away, and the Minister has not got these protocols in draft at the moment. [Interruption.] The Minister is still chuntering; I am sorry, but she has not provided us with the reassurance that we want. I speak as someone who carries an EpiPen; I am not very taken with the idea that I will not be able to get an EpiPen, and my husband will not be very taken with the idea that he cannot get his epilepsy tablets. If the Minister and Department of Health and Social Care officials think that this is a way to save money, they could not be more wrong.

When things go wrong—when a person has a fit, or goes into anaphylactic shock—they are taken into A&E, and they might be there for 12 hours. That is not cheap; they goes into anaphylactic shock—they are taken into A&E, and they might be there for 12 hours. That is not cheap; money, they could not be more wrong. Social Care officials think that this is a way to save tablets. If the Minister and Department of Health and Social Care officials think that this is a way to save money, they could not be more wrong.

**Question put.**

The House divided: Ayes 240, Noes 292.

**Division No. 365**

**AYES**

Abbott, rh Ms Diane  
Abrahams, Debbie  
Ali, Rushanara  
Amessbury, Mike  
Antoniazi, Tonia  
Ashworth, Jonathan  
Austin, Ian  
Bailey, Mr Adrian  
Bardell, Hannah  
Benn, rh Hilary  
Betts, Mr Clive  
Blackford, rh Ian  
Blackman, Kirsty  
Blackman-Woods, Dr Roberta  
Bloomfield, Paul  
Brabin, Tracy  
Bradshaw, rh Mr Ben  
Brock, Deidre  
Brown, Alan  
Brown, Lyn  
Buck, Ms Karen  
Burden, Richard  
Burgon, Richard  
Butler, Dawn  
Byrne, rh Liam  
Cameron, Dr Lisa  
Campbell, rh Sir Alan  
Carden, Dan  
Carmichael, rh Mr Alistair  
Champion, Sarah  
Chapman, Douglas  
Cherry, Joanna  
Clwyd, rh Ann  
Coaker, Vernon  
Cooper, Julie  
Cooper, Rosie  
Cowan, Ronnie  
Coyle, Neil  
Crausby, Sir David  
Creagh, Mary  
Creasy, Stella  
Cryer, John  
Cummins, Judith  
Cunningham, Alex  
Cunningham, Mr Jim  
Daby, Janet  
Dakin, Nick  
Davies, Geraint  
Day, Martyn  
De Cordova, Marsha  
De Piro, Gloria  
Debonnaire, Thangam  
Dent Coad, Emma  
Dhesi, Mr Tanmanjeet Singh  
Docherty-Hughes, Martin  
Dodds, Anneliese  
Doughty, Stephen  
Dowd, Peter  
Drew, Dr David  
Dromey, Jack  
Duffield, Rosie  
Eagle, Ms Angela  
Eagle, Maria  
Edwards, Jonathan  
Efford, Clive  
Elliott, Julie  
Ellman, Dame Louise  
Elmore, Chris  
Esterson, Bill  
Evans, Chris  
Farron, Tim  
Fellows, Marion  
Fint, rh Caroline  
Fovargue, Yvonne  
Foxcroft, Vicky  
Furniss, Gill  
Gaffney, Hugh  
Gardiner, Barry  
George, Ruth  
Gethins, Stephen  
Gibson, Patricia  
Gill, Preet Kaur  
Glindon, Mary  
Goodman, Helen  
Grady, Patrick  
Grant, Peter  
Gray, Neil  
Green, Kate  
Greenwood, Lilian  
Greenwood, Margaret  
Giffin, Nia  
Grogan, John  
Haigh, Louise  
Hanson, rh David  
Hardy, Emma  
Harman, rh Ms Harriet  
Harris, Carolyn  
Hayes, Helen  
Hayman, Sue  
Healey, rh John  
Hendrick, Sir Mark  
Hendry, Drew  
Hill, Mike  
Hiller, Meg  
Hollern, Kate  
Hosie, Stewart  
Howarth, rh Mr George  
Huq, Dr Rupa  
Hussain, Imam  
Jardine, Christine  
Jarvis, Dan  
Johnson, Diana  
Jones, Darren  
Jones, Gerald  
Jones, Graham P.  
Jones, rh Mr Kevan  
Jones, Sarah  
Jones, Susan Elan  
Kane, Mike  
Keeley, Barbara  
Kendall, Liz  
Khan, Afzal  
Killen, Ged  
Kyle, Peter  
Lake, Ben  
Lamb, rh Norman  
Lavery, Ian  
Law, Chris  
Lee, Karen  
Lewell-Buck, Mrs Emma  
Lewis, Clive  
Lewis, Mr Ivan  
Linden, David  
Lloyd, Stephen  
Lloyd, Tony  
Long Bailey, Rebecca  
Lucas, Caroline  
Lynch, Holly (Proxy vote cast by Mark Tami)  
Madders, Justin  
Mahmood, Mr Khalid  
Mahmood, Shabana  
Malhotra, Seema  
Mann, John  
Marsden, Gordon  
Martin, Sandy  
Maskell, Rachael  
Matheson, Christian  
Mc Nally, John  
McCabe, Steve  
McCarthy, Kerry  
McDonald, Andy  
McDonald, Stuart C.  
McFadden, rh Mr Pat  
McGovern, Alison  
McKinney, Catherine  
McMahon, Jim  
McMornin, Anna  
Meams, Ian  
Monaghan, Carol  
Moon, Mrs Madeleine  
Morgan, Stephen  
Morris, Anne Marie  
Morris, Grahame  
Murray, Ian  
Newlands, Gavin  
Norris, Alex  
O’Hara, Brendan  
Onasanya, Fiona  
Onn, Melanie  
Onwurah, Chi  
Osamor, Kate  
Owen, Albert  
Peacock, Stephanie  
Pearce, Teresa  
Penneycook, Matthew  
Perkins, Toby  
Philips, Jess  
Phillipson, Bridget  
Pidcock, Laura  
Platt, Jo  
Pollard, Luke  
Powell, Lucy  
Qureshi, Yasmin  
Rashid, Faisal  
Rayner, Angela  
Reed, Mr Steve  
Rees, Christina  
Reeves, Rachel  
Reynolds, Jonathan  
Rimmer, Ms Marie  
Rodda, Matt  
Rowley, Danielle  
Ruang, Chris  
Russell-Boyle, Lloyd  
Saville Roberts, Liz  
Shah, Naz  
Sharma, Mr Virendra
Human Medicines (Amendment) Regulations

18 MARCH 2019

Human Medicines (Amendment) Regulations

Tellers for the Ayes:
Colleen Fletcher and Bambos Charalambous

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, rh Stephen
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berger, Luciana (Proxy vote cast by Mr Chris Leslie)
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Breeretion, Jack
Bridgen, Andrew
Brine, Steve
Brooks, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Caims, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria

Freeman, George
Frey, Mike
Fysh, Mr Marcus
Gapes, Mike
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nasrul
Gibb, rh Nick
Givan, Paul
Glen, John
Goldsmith, Zac
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harrison, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Heron, Lady
Hinds, rh Damian
Hoare, Simon
Hollingbery, George
Hollinsrake, Kevin
Hollobone, Mr Philip
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr Marcus
Kawczyński, Daniel
Keegam, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Philip
Lefroy, Jeremy
Leslie, Mr Chris
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Ann
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, David
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
O’Brien, Neil
O’Toole, Dr Matthew
Opperman, Guy
Parish, Neil
Patel, rh Priti
Patonson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, rh 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, rh Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas (Proxy vote cast by Tracey Crouch)
Rowley, Lee
Jonathan Ashworth (Leicester South) (Lab/Co-op): I beg to move.

That an humble Address be presented to Her Majesty, praying that the Amendments Relating to the Provision of Integrated Care Regulations 2019 (S.I. 2019, No. 248), dated 13 February 2019, a copy of which was laid before this House on 13 February, be annulled.

I am grateful that we have found time to debate this prayer motion in my name and the name of my right hon. Friend the Leader of the Opposition. For the Government to have attempted to make these changes without proper scrutiny is a huge discourtesy to the House. These changes are fundamental, with potentially far-reaching implications for the NHS, and they have aroused concern—[Interruption.]

Madam Deputy Speaker (Dame Eleanor Laing): Order. It is not fair to the hon. Gentleman that people who have voted are now having conversations here. I would be grateful if people who wanted to talk about other things left the Chamber.

Jonathan Ashworth: The changes in the regulations have aroused considerable concern in the country, and proper parliamentary time should have been made available for a proper debate on them; they should not have been made through secondary legislation.

The Opposition oppose the regulations and will seek to test the House’s opinion on them. We oppose the changes not because we are against integration. We have long called for greater integration of services to offer seamless care to patients, because the demands on the NHS are of a different nature from those of 71 years ago, when a Labour Government created the NHS with a tripartite structure. In those days, life expectancy was so much shorter, and infectious disease was the overwhelming medical challenge. In 2019, we are worlds away from the days when 30,000 hospital beds were set aside for the treatment of tuberculosis, or when wards were filled with row after row of iron lungs to treat those suffering from polio. Today, we are all living longer, with a variety of complex conditions, from diabetes to cardiovascular disease and chronic obstructive pulmonary disease—conditions that increase the risk of a poorer quality of life and mean a greater risk of premature death. Indeed, around 14.2 million people in England—nearly a quarter of all adults—have two or more conditions. More than half of hospital admissions and out-patient visits, and three quarters of primary care prescriptions, are for people living with two or more conditions.

The issue is not just ageing and frailty; poverty takes its toll. People in the most deprived areas of England can expect to have two or more health conditions at 61 years—10 years earlier than people in the least deprived areas. Health inequalities are widening, while advances in life expectancy are stalling. An ageing population, the increase in long-term conditions, and the increasing number of people with multiple health conditions means that we need to integrate services. Sometimes in these debates, when we talk of long-term conditions, we suggest that we are talking about a homogeneous group, but it is quite the opposite. We could be
Jonathan Ashworth: Talking of a 61-year-old man with renal failure and high blood pressure, or a 101-year-old woman with profound deafness and blindness. The way that such conditions affect quality of life, and the extent to which they are amenable to medical intervention, is likely to vary.

If health services are not better co-ordinated and not integrated, there is a greater risk to patient care through the poor co-ordination of medical care and increased time spent managing illness. The need to manage multiple medications may lead to poorer medication adherence, adverse drug events, and the aggravation of one condition by the symptoms or treatment of another. It can also mean damaging self-management regimes in which there are competing priorities, and a bewildering landscape for patients, who are often of an advanced age, with cognitive impairment and limited health literacy, so we support integration.

I have seen integration working on the ground. Just last week, I was in Bolton, where I visited the Winifred Kettle centre to see the model of integrated multi-agency work bring together mental health professionals, pharmacy, physio, occupational therapy and social workers. In Bury, I heard about how the local council's chief executive doubles up as the chief executive of the clinical commissioning group. In Luton and Dunstable I saw with my own eyes that the hospital trust has various social care workers in its discharge unit, helping to avoid the indignity of huge numbers of elderly patients being trapped in hospital, ready for discharge but delayed for days on end, as happens too often. In Wolverhampton, a fascinating example is being developed: the hospital trust is taking on and employing GPs directly. In Wolverhampton, they call it vertical integration, although some might wish to go as far as to suggest that it is the nationalisation of general practice, something that not even Nye Bevan was able to achieve.

A Labour Government would move away from a competitive landscape of autonomous providers to one of area-based care delivered through integration, collaboration, partnership and planning. We will restore a universal, publicly provided and administered national health service. Locally, we envisage something akin to social care workers in its discharge unit, helping to avoid the indignity of huge numbers of elderly patients being trapped in hospital, ready for discharge but delayed for days on end, as happens too often. In Wolverhampton, a fascinating example is being developed: the hospital trust is taking on and employing GPs directly. In Wolverhampton, they call it vertical integration, although some might wish to go as far as to suggest that it is the nationalisation of general practice, something that not even Nye Bevan was able to achieve.

Mr Jim Cunningham (Coventry South) (Lab): Very quickly, does my hon. Friend not agree that the big problem with integration, if we support it, is the lack of funding, and the lack of proper training in the various disciplines? Only a couple of years ago, there was a cut in the funding for pharmaceuticals.

Jonathan Ashworth: My hon. Friend makes a very important point. Integration is not about saving money. For integration to work properly, it needs to be fully funded, and, of course, the NHS has been through the biggest financial squeeze in its history. We do not oppose integration. Indeed, that is why the previous Labour Government introduced a section 75 partnership arrangement, and why we were so vociferous in our opposition to the Andrew Lansley Health and Social Care Act 2012, which went completely counter to international evidence and exacerbated local fragmentation of health structures. It is a delicious irony that Ministers, all of whom were dragooned through the Lobby to support the Lansley Act, despite expert after expert warning them what a mistake it would be to press ahead with it, are now trying to propose regulatory changes, so that we can essentially work around that Act. The reason why we cannot support the regulations today is that the most damaging part of that Act is still on the statute book.

Tracy Brabin (Batley and Spen) (Lab/Co-op): On the point about the Health and Social Care Act, a third of the contracts have been awarded to private providers, and millions were wasted when they collapsed. The explanatory memo for this statutory instrument says that it is expected that organisations holding an integrated care provider contract will be statutory providers, such as NHS foundation trusts, but that is not legally binding. To protect our NHS, do we not need to know definitively that providers will be public, not private?

Jonathan Ashworth: My hon. Friend is absolutely right. Of course, the Minister cannot give that reassurance because of the Lansley Act that Ministers voted for in 2011.

Justin Madders (Ellesmere Port and Neston) (Lab): I am only sorry that I cannot be with my hon. Friend on the Front Bench tonight. I have really enjoyed working with him; he is a fine shadow Secretary of State, and I know that he will make an excellent Secretary of State. Unfortunately, I cannot be with him, because when we on these Benches vote against the Whip, we have to deal with the consequences.

As my hon. Friend knows from many debates I have taken part in for the Opposition, despite repeated questions to various Ministers, there has been no absolutely no reassurance that the private sector will not continue to be involved in these matters.

Jonathan Ashworth: My hon. Friend makes his point typically eloquently and with force. May I say to him that we miss him on the Labour Front Bench? He was a real rock in the shadow Health and Social Care team. It is typical of him that when he decided last week that he could not support the Labour Front Bench position on a referendum, he took the honourable course of action and chose to leave the Front-Bench team. I think that he has the respect of many in the House for that position.

This is the nub of our opposition tonight. Contracts are still being put out to competitive tender, even when some commissioners claim that they do not wish to do this. Here lies the danger: nothing prevents, and some commissioners claim that they do not wish to do this. Here lies the danger: nothing prevents, and some commissioners claim that they do not wish to do this. Here lies the danger: nothing prevents, and some commissioners claim that they do not wish to do this. Here lies the danger: nothing prevents, and some commissioners claim that they do not wish to do this.
people and packaged up for 10 to 15 years could be handed over to a big provider. That is why the Health Committee, which is broadly supportive of these integrated care models, issued this warning in its report:

“The ACO model”—it was using the terminology of the time—

“will entail a single organisation holding a (10–15 year contract for the health and care of a large population. Given the risks that would follow any collapse of a private organisation holding such a contract and the public’s preference for the principle of a public ownership model of the NHS, we recommend that ACOs, if introduced, should be NHS bodies and established in primary legislation.”

We agree.

The impetus for this contract comes from the example of Dudley, which I am sure the Minister will want to talk about. When the chief executive of Dudley CCG attended the Select Committee, even he conceded—although he said that it was unlikely—that because of the procurement rules, it would not have been possible to have kept out private providers applying for the contract. When asked whether the contract could go to a private provider, he said:

“In theory, it is technically possible for that to happen”. Although Mr Nigel Edwards of the Nuffield Trust shared the Minister’s scepticism that the contract could go to a private provider, he did concede before the Select Committee that:

“To privatise in the sense of handing over all the assets and staff to a private contractor is a theoretical possibility.”

NHS England’s own analysis of the contract published at the end of last week concedes:

“However, it should be understood that current NHS law and EU and domestic procurement law prohibits CCGs or NHS England from taking steps, whether through evaluation criteria used in a procurement or otherwise, to disqualify certain categories of provider (e.g. independent sector providers) from bidding or being awarded commissioning contracts.”

This is our first objection, because Labour is not prepared to nod something through when there is a theoretical possibility hanging over us that, in the words of NHS England, an independent sector provider could not be disqualified from being awarded commissioning contracts.

Liz Twist (Blaydon) (Lab): Does my hon. Friend agree that to cure these problems, we need not secondary legislation, but a thoroughgoing review of NHS legislation?

Jonathan Ashworth: My hon. Friend is right; we need to sweep away the Lansley legislation and put the NHS on a sustainable public footing. NHS England attempts to reassure those who are concerned about this contract by putting in place some further conditions. It talks about transparency and insisting on a “minimum level of assets”. Note the qualifier “minimum”—not all assets. It also talks of a “restriction on carrying out any business other than that required by the ICP Contract”.

Again, note the words used—not a prohibition on other business activities, just a restriction. This is in the circumstance when the contract is awarded to a non-statutory provider.

NHS commissioners are obliged by law to advertise many larger NHS contracts, giving firms such as Virgin Care the chance to bid. Since the Lansley Act came in, £10 billion of contracts have gone to private providers, and there is a further £128 million of NHS tenders in the pipeline. It is all very well for the Secretary of State to go to the Health and Social Care Committee as he did a few weeks ago and say:

“There is no privatisation of the NHS on my watch, and the integrated care contracts will go to public sector bodies to deliver the NHS in public hands.”

The Secretary of State is not in a position to make that promise to the Committee, because of the legislation that is in place.

Dr Sarah Wollaston (Totnes) (Ind): As my Committee has already been quoted, I think that it might assist the House if I were also to quote from the conclusions that we came to on this issue. The Committee said:

“We recognise the concern expressed by those who worry that ACOs could be taken over by private companies managing a very large budget, but we heard a clear message that this is unlikely to happen in practice. Rather than leading to increasing privatisation and charges for healthcare, we heard that using an ACO contract to form large integrated care organisations would be more likely to lead to less competition and a diminution of the internal market and private sector involvement.”

Jonathan Ashworth: The hon. Lady makes an interesting point. She is correct in as much as there is not currently a long queue of companies lining up to take control of whole health systems, but that could change if some new form of Transatlantic Trade and Investment Partnership is brought in by a post-Brexit deal. A number of these companies are becoming increasingly litigious in the courts, which is why Virgin Care took the NHS in Surrey to court. However, even if a private provider is not gifted a whole contract, which is the point that the hon. Lady is making, there is nothing to prevent it from buddying up with NHS bodies in joint ventures as a way of exercising influence over the way in which local health systems are configured. There is already evidence of private sector involvement in the establishment of the integrated care system, with Centene UK—an offshoot of an American health insurer—working with Capita in the Nottingham ICS.

Karin Smyth (Bristol South) (Lab): Earlier in his remarks, my hon. Friend talked about confidence for people locally in what is happening in the NHS. Further to the point made by the hon. Member for Totnes (Dr Wollaston), only in February NHS England itself issued its case for primary legislative changes in which it says, with regard to these proposals, that it wants to “start a broad process of engagement with the NHS, its partner organisations and those with an interest in how our health service operates.”

That will hopefully involve patients and the public. In Bristol, we embarked on a 10-year contract for community services on the day after the NHS plan was invoked without consultation with local people, an assessment of basic health needs or alignment with the rest of the situation. The problem is that we have yet another change that people locally do not have confidence in. It really is time for the Government to come forward with a cohesive change for the future.

Jonathan Ashworth: That is absolutely right. Notwithstanding the sincere views of the Select Committee, there is a lack of confidence out in the country about the way in which these commercial contracting
arrangements work. We are seeing that in Bristol, as my hon. Friend so eloquently outlined. Despite the blasé attitude of the Secretary of State in the Select Committee, this is the same Secretary of State who has sat back and done nothing while a PET-CT cancer scanning contract in Oxford is privatised, leading to a fragmented service putting patient safety at risk.

Anneliese Dodds (Oxford East) (Lab/Co-op): I know my hon. Friend has been working very hard on this issue. I have had droves of patients and staff contacting me with their concern about what is happening. They are astonished that this privatisation is continuing given the comments made by the Secretary of State. There seems to be no willingness at all for any challenge to NHS England’s decision, which is going above the heads of those who deliver the care and which, as my hon. Friend says, would threaten its quality and safety.

Jonathan Ashworth: We keep being told by Ministers, by those who are in favour of integrated care and by various interested stakeholders that Labour Members are scaremongering and that we have nothing to worry about—that it is all going to be fine and all going to be in the public sector—yet at the same time we are seeing controversial privatisation after privatisation all across the country, of which the one in Oxford is just the latest example. This has happened since the Secretary of State went to the Select Committee and said that there would be no privatisation on his watch.

In south-east London, private companies are in a three-way fight for the biggest-ever NHS pathology contract—a £2.2 billion contract for 10 years. If the Secretary of State was sincere in his commitment to no privatisation on his watch, he would bring forward legislation to ensure that ICPs are statutory public bodies that are publicly accountable. He would first take the advice of the NHS itself, as embodied in the long-term plan and the subsequent proposals for legislative change, and rid our NHS of the morass of competition law and economic regulation that was brought in by the Health and Social Care Act 2012. Everyone agrees that this particular aberration has had its time.

While the NHS proposals do not yet go as far as Labour Members would want and would not resolve all the problems of the internal market and private sector involvement that our NHS struggles with, they would remove the default assumption for competitive tendering that would currently make many ICs feel obliged to put contracts for ICPs out to tender for fear of falling foul of the competition rules. Overall, they provide a far preferable base from which to pursue integrated care than the maze of contradictions and obstacles that Andrew Lansley’s Act forced them. Rather than this regulated change, why is the Minister not bringing forward the legislation that NHS England has called for?

I have two other quick points for the Minister. The new secondary legislation seeks to substantially change the regulations underpinning the existing contractual arrangements for the provision of NHS GP services. We should remember that general practice is already hard to recruit for and we are already losing GP numbers, yet the proposal to incorporate GP practices into ICPs appears to cut across the idea of GPs beginning to work in wider networks covering 30,000 to 50,000 patients, retaining their GP contracts but sharing common resources. That was highlighted as a direction of travel to be celebrated by the Prime Minister when launching the long-term plan.

GP practices can already network and collaborate without this new contract. The contract will offer a sweetener to GPs of new money if a GP practice signs up to the new contract, but the proposals have been opposed by the BMA. Dr Richard Vautrey has said: “We have repeatedly expressed our serious concerns about ICP contracts which leads to practices giving up part or all of their General Medical Services contract as a result. Practices should not feel pressured into entering an ICP contract as to do so could leave their patients worse off.”

Perhaps the Minister can explain why he is correct and Dr Vautrey is wrong.

I want to make a quick point about the pooling of budgets with respect to universal free-at-the-point-of-use NHS and means-tested social care. If the boundaries between health and social care are dissolved, will the Minister mandate ICPs and clearly specify that which is considered healthcare and that which is considered social care? I raise that because we are already seeing CCGs across the country cutting back on their responsibilities to provide continuing healthcare for some of the most vulnerable people. Can he guarantee that some services currently provided free on the NHS—whether rehabilitation care or nursing care provided by district nurses, such as wound care or continence care—will not suddenly be designated as social care, so that charging creeps into the system?

Kevin Hollinrake (Thirsk and Malton) (Con): The hon. Gentleman talked about the funding of social care. One of the recommendations made by the Health and Social Care Committee, in concert with the Housing, Communities and Local Government Committee, as a solution to adult social care funding, was a system of social insurance. Would he support that on a cross-party basis?

Jonathan Ashworth: The hon. Gentleman is a passionate campaigner for his social insurance proposal, and I have heard him make that point many times. I say to him gently that when the Government bring forward their Green Paper—I emphasise the word “when”—we will engage fully in the debate, and I am sure he will make that point then, whether the debate happens this year, next year or the year after; we will wait and see.

There is a problem with the dissolving of boundaries between health and social care and what that could mean, with charges creeping into the system for some services that were previously considered NHS services but are now designated as social care services. Is the Minister prepared to mandate ICPs, so that we have clear guidelines about that? Finally, where is the patient voice in any of this? Where are the guarantees that decisions will be made not only in public but with the public involved in the decisions that affect them locally?

We on the Opposition Benches support integration; we have long called for it. We support greater collaboration. We support the planning of health and social care delivery in local areas. We support restoring local area-based health bodies delivering care, rather than the fragmented
mess we have today. We have, of course, had such bodies before—we used to have district health authorities and strategic health authorities, and some have suggested rather mischievously that we seem to be going back to what we used to have in the past.

Until the default assumptions of tendering and wasteful procurement exercises are removed from primary legislation, such secondary legislation will always create further dangers of private operators gaining control of NHS services. Until that is done, Ministers will have no one to blame but themselves if the spectre of privatisation continues to haunt their ICP plans. We oppose NHS privatisation. We oppose NHS cuts. We oppose anything that undermines the fabric of a public national health service. We oppose these regulations. We seek to annul them, and I commend our motion to the House.

9.34 pm

The Minister for Health (Stephen Hammond): Although we oppose the motion, I welcome the opportunity to debate the regulations. The NHS long-term plan, which was published in January, set out a clear blueprint for fully integrated community health in the NHS for the first time in its history. The plan highlighted the intention to dissolve the historical distinction between primary and community health services and to break down the traditional barriers between care institutions, teams and funding streams, so as to support the increasing number of people with long-term health conditions, rather than viewing each encounter with the health service as a single unconnected episode of care.

NHS organisations will increasingly focus on population health by delivering the so-called triple integration of primary and specialist care, physical and mental health services, and health with social care, which is consistent with what doctors have consistently reported they need. I obviously welcome the commitment from the shadow Secretary of State, the hon. Member for Leicester South (Jonathan Ashworth), to integration. Today, the integration of services can take place through collaboration and co-operation, including some local alliance arrangements. However, in some areas, people working on the ground have told us that it would be better to have a lead provider to take responsibility for the integration of services for a population through an integrated care provider contract.

It is worth making the distinction between integrated care providers, which we are discussing tonight, and integrated care systems. An integrated care system growing out of the current network of sustainability and transformation partnerships will provide a platform on which commissioners can make shared decisions with providers about how to use resources, design services and improve population health. The long-term plan has set out an ambition for all STPs to evolve into ICSs. Integrated care providers, or ICPs, will be a new way of integrating health and care services so that people’s care is co-ordinated around them.

NHS England has developed the ICP contract to enable local areas to commission local health and care services, including primary medical services through a single contract. The intention is to establish the right organisational and financial incentives to encourage providers to collaborate in order to deliver preventive, proactive and co-ordinated care. It is important to underline that ICPs are not new types of legal entity, but provider organisations that have been awarded ICP contracts.

In the long-term plan, NHS England underlined that, when the contract is made available for use, it expects ICP contracts to be held by public statutory providers, and I want to discuss that a bit more in my remarks later.

Turning to the particular statutory instrument we are discussing tonight, we have identified a number of regulations that need to be amended to allow the first ICP contract to be awarded.

Thelma Walker (Colne Valley) (Lab): In the last year, I have been on numerous Delegated Legislation Committees, and I have been shocked by the complex and far-reaching changes the Government have forced through without appropriate scrutiny. Can the Minister justify why substantive change to existing regulations should not be part of a Bill and subject to parliamentary scrutiny?

Stephen Hammond: As the hon. Lady knows, this has been subject to considerable scrutiny. It has been scrutinised by the Health and Social Care Committee, as she has already heard from its Chairman. She will also have heard that it has been subject to a number of other scrutiny processes, including judicial reviews.

Dr Paul Williams (Stockton South) (Lab): The Minister is correct in saying that there has been some analysis of integrated care partnerships by the Health and Social Care Committee, but it has not scrutinised this statutory instrument. The Select Committee actually recommended very clearly that ACOs or ICPs should be NHS organisations. Will the Minister say why he should not accept the Committee’s recommendation?

Stephen Hammond: As the hon. Gentleman knows, the long-term plan has set out that the ICP contracts will be held by public statutory providers. That point has been made and reiterated several times not only in the Select Committee’s scrutiny, but in the remarks that the Committee and a number of people have made about privatisation. The Chairman of the Health and Social Care Committee has already intervened on the shadow Secretary of State, but she has said:

“...the evidence to our inquiry was that ACOs, and other efforts to integrate health systems and social care, will not extend the scope of NHS privatisation and may effectively do the opposite.”

Dr Wollaston: Will the Minister assure the House that only public statutory providers will hold these contracts? That would be reassuring, as the language on this is not completely clear. Will he also give some assurance regarding the Select Committee’s other proposal, which is that the policy should be carefully piloted and evaluated? If it is done first in Dudley, followed by careful evaluation, I would be prepared to support it. If he cannot give reassurance on those points, it would be difficult for me to support the regulations.

Stephen Hammond: I can give the Chair of the Select Committee the assurance that the ICP contract will be made available in a controlled and incremental way, conditional on the successful completion of NHS England and NHS Improvement assurance through the integrated support and assurance process. That incremental process is, I think, in line with what she and her Committee recommended.
Jonathan Ashworth: Will the Minister confirm that, because of the competition and procurement rules and the regime brought in by the Andrew Lansley Act, he cannot rule out the possibility of an independent provider winning a contract? He might say it is unlikely, but he cannot rule out the possibility, so why does he not introduce a measure—a simple one-clause Bill, perhaps—to give the assurances that many campaigners want?

Stephen Hammond: The hon. Gentleman is right: it is highly unlikely. More than that, it is stated and restated in the long-term plan that NHS England has the clear expectation that the ICP contracts will be held by public statutory providers. He knows that, and others who have discussed this point have made it clear.

Justin Madders: I have a simple question and we would like a simple answer. Yes or no: do the Government intend to repeal section 75 of the Health and Social Care Act 2012?

Stephen Hammond: As the hon. Gentleman knows, the NHS has proposed in a recent legislative document that it looks at a number of issues. It is important that that round of engagements takes place, and the Government will consider what is said.

The majority of the amendments we propose simply ensure that the regulatory framework that applies to contractual arrangements for the provision of healthcare services continues to apply where services are provided under the new ICP contract and to those organisations that hold a contract. That is an important safeguard that, in simple terms, helps to ensure that care provided under an ICP contract is subject to all the same rules as care provided under existing and other NHS contracts, such as those governing the handling of complaints and the reimbursement of travel expenses.

The shadow Secretary of State has asked me to comment on the substantive change being proposed, underpinning the existing contractual arrangements for the provision of NHS GP services. The regulations will allow GPs who are currently providing services under existing contractual arrangements for the provision of medical services arrangements to suspend, rather than terminate, those arrangements in order to provide services under an ICP in what is known as a fully integrated arrangement. The British Medical Association has underlined that GPs should not be pressured into joining an ICP arrangement, and we want to make it clear to the House tonight that the participation of any individual GP practice is entirely voluntary. Any role in any ICP will be for them to decide. Allowing the suspension of GP contracts allows GPs to take part in an ICP arrangement but keeps the option available to them of returning to their previous contract.

The hon. Gentleman expressed a number of concerns about the ICPs. He implied that they had been brought in by stealth. In fact, the proposals have been subject to significant scrutiny by Parliament and the public, particularly in the last year. We have already discussed the examination of the evidence by the Health and Social Care Committee, which published a report last summer, which is, I believe, largely supportive of ICPs, recognises potential benefits and sets out helpful recommendations on introducing them in England. I have described the consultation processes previous iterations of the ICP contract and the regulations have gone through.

Moreover, as the Health and Social Care Committee was promised, NHS England has completed a full public consultation on the ICP contract and announced through the long-term plan that the ICP contract will be available for use. NHS England’s full response to the consultation was published on 15 March.

Various people have made points tonight about the privatisation of the NHS and said that ICPs are a route to privatising the NHS. They are clearly not.

Lyn Brown (West Ham) (Lab): Yes they are!

Stephen Hammond: The NHS has stated clearly that NHS England’s expectation is that these contracts will be held by public statutory providers. The hon. Lady, who is making a number of points—[Interjection] She says she is not making them, but shouting at me. Indeed, she is shouting at me.

Lyn Brown: Chuntering.

Stephen Hammond: Oh, she is chuntering at me. While she is chuntering at me, she might like to consider what the King’s Fund has said about the claims of mass privatisation, which is that they are “hugely overstated”. I have already quoted the Chair of the Select Committee, who said that the evidence to its inquiry was that ICPs and “other efforts to integrate health systems and social care, will not extend the scope of NHS privatisation and may effectively do the opposite.”

It is important to recognise that NHS England has taken measures to build a clearer narrative around integrated care. The long-term plan, which will be backed by £20.5 billion extra by 2023-24, will introduce integrated care for patients in England over the next decade. Where local commissioners propose to use ICP contracts, they will have to ensure that it is an effective and beneficial option for the local area. The regulations will ensure that the healthcare of this country is improved by integrated care providers. I commend them to the House.

9.46 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): As I have said in many debates, I totally support integration. That is the journey we have been on in Scotland for almost 20 years. We amalgamated some trusts after devolution, we got rid of hospital trusts in 2004 and we got rid of primary care trusts in 2009. We had the health side run by health boards, which are statutory bodies that carry out area health and social care planning for a population. The integration between health, which is free, and social care, which is means-tested, was passed in legislation and introduced in 2014.

I warn Members that that is much more difficult than integrating the NHS itself. The NHS in England has become really fragmented. It is important to put that back together before integrating it with social care. What integration stops is the arguments between acute care and social care about which purse the money comes out of to look after a particular patient, but there does have to be money in the purse to start with. In Scotland, we spend £163 a head more on health and £113 a head more on elderly social care. The money is needed to provide the service. Scotland is the one place...
in the United Kingdom where we provide free personal care, because we think it is cost-effective as a way of allowing people to stay at home.

The Minister says that these will be statutory bodies and that they are unlikely to be private companies. If that is what the Government believe, they should put it in legislation, because that removes any doubt or concern. The response to the consultation says that “further requirements around financial controls, transparency and accountability will be developed before the ICP Contract is made available for use.”

When will that be? Will it be before contracts are put out? The transparency is critical. If any private companies are running ICPs, they will hide behind commercial sensitivity and will not be open to freedom of information. That would be unacceptable. What about their contracting, which is mentioned in this SI? Will section 75 be revoked so that we do not have a replay of what happened in Surrey, when commissioners tried to bring the new contract back to the NHS, were sued by Virgin for over £2 million and settled out of court?

If outsourcing continues, fragmentation rather than integration will continue. Will tariffs be abandoned because they reward admission to hospital, whereas the aim of this proposal is to support people at home? How will the components of an ICP between a main acute hospital, a small cottage hospital and social care or community services be funded? It may all sound very good if it is a gentleman’s agreement, but if one part of that system goes bankrupt because the financing system has not been changed, all bets will be off and all co-operation will disappear.

Social care is critical to this and Age UK says that well over 1 million people are not getting the social care that they need. It is necessary that the ICPs deliver prevention, early treatment, chronic disease management, acute care, mental health, social care and end of life. That is a lot of different players to bring together and it is important that the Government recognise that the Health and Social Care Act 2012 fragmented and blew apart the whole system. For integration to work, they need to admit that it failed, bring back proper legislation and put the system back together in a way that is not budget-centred, care.

9.51 pm

Sarah Newton (Truro and Falmouth) (Con): Promoting integrated health and care services for my constituents in Cornwall has been a top priority for me since I was elected in 2010. I am delighted that promoting integrated care is a priority for the NHS long-term plan, enabling an NHS that is increasingly joined-up and co-ordinated, overcoming the traditional barriers between care institutions, teams and funding streams.

The NHS has been developing, testing and evaluating new models of care to integrate services for some time. I was delighted to support the Kernow clinical commissioning group to participate in the integrated care and support pilots, a precursor to the vanguard programme. The vanguard programme built on that work, and evaluation shows that the new models of care enabled more people to be cared for closer to home and at home, supported by joined-up services. That leads to fewer unplanned and emergency admissions to hospital.

That learning is enabling the further changes that this SI will make. I know from conversations that I have with local commissioners of health and care services that, too often, different funding streams, organisational structures and governance arrangements get in the way of commissioning patient-centred, joined-up services for people who need support from NHS primary and secondary care, as well as Cornwall Council. The integrated care contract that we are considering tonight has been carefully consulted upon and will give a new opportunity and more choice to local health and care professionals on how they can improve the services that they provide locally. No two communities are the same. Providing world-class health and care services to people in Cornwall needs a very different approach from the approach in Manchester. I welcome the intention of the SI to enable the right clinical, organisational and financial incentives for providers to collaborate to deliver preventive, proactive and co-ordinated healthcare for the communities that they serve. This is an important SI that will enable improved patient care and I am delighted to support it tonight.

9.53 pm

Lyn Brown (West Ham) (Lab): Should my Whip, who is not listening at the moment, wish me to sit down, he needs to indicate that to me and I will do exactly what I am told. The changes that we are discussing today are technical, but important. The creeping fragmentation and privatisation of our NHS, where more and more services are contracted out to unaccountable profit-making companies, has occurred precisely because of such obscure, technical changes.

My constituents need integrated care services across different organisations, as well as more preventive health and public health action. That is urgent, it should be a priority, and there should be legislation and full debate to make it happen. Currently, just 54% of my constituents—barely more than half—receive the breast cancer screenings they need. We have lower rates of physical activity than the national and London averages, as well as higher rates of smoking, and 44% of local children leave primary school obese. If the legislation we are talking about were just about joining up care for patients, creating genuine efficiency by avoiding duplication of services, or enabling patients to receive effective care closer to home in the community, rather than in hospital, I would absolutely welcome it.

Jonathan Ashworth: My hon. Friend is making an excellent speech, and I hope she continues to make an excellent speech. On the point about what is happening in east London, there is a very good integrated programme there for dealing with diabetes. The point is this: there are very good examples of integration taking place across the country without the need for this contract, which could usher in greater privatisation.

Lyn Brown: My hon. Friend is absolutely right. I believe, and I know he believes, that these changes are important and should not be done by statutory instrument. The goal of healthcare integration can and should be pursued with the full scrutiny provided by primary legislation.

Locally, these plans have raised huge concerns. Currently, Newham is in a sustainability and transformation partnership with seven other boroughs—Havering, Redbridge, Barking and Dagenham, Waltham Forest,
[Lyn Brown]

Tower Hamlets, Hackney and the City of London. Those are really very different places, not only politically but in terms of age, ethnicity and levels of deprivation. Any integration plan that covers that wide an area will be incredibly difficult to get right.

I understand that the current thinking is more about dividing that eight-borough STP into three new integrated care systems, or ICSs. Newham will be lumped together with Waltham Forest and Tower Hamlets. I am very worried that pushing these areas together, with one extremely overstretched budget, will result in money being taken away from my constituents in Newham, whose needs are extremely high. If the Government were talking about enabling greater integration at local authority level, where democratically elected councillors could be properly involved, the issue would not be that much of a concern.

To be frank, I have absolutely no confidence that there would even be a proper consultation about integrating Newham into a three-borough ICS. I know that that is what local leaders expect only because I asked them about it before the debate. I am told that not one health body locally actually wanted to sign up to the STP—not one local body. But that did not matter to those who are really in control, so it was just put in place anyway as the East London Health & Care Partnership. This supposed partnership was given an incredibly complicated governance structure. Again, no one actually wanted it. That was not because health bodies do not want to collaborate; it was because this Government’s failed reforms do not have the confidence of clinicians.

There are many basic questions that need to be answered and that have not been. I have five for tonight. One, how do the Government plan to prevent fragmentation, given that there are so many different ways that these arrangements could be made? Two, how will existing borough-level partnerships slot into these new structures? Three, how are dedicated NHS staff, elected local representatives or even—horror!—patients themselves going to have control over how these structures are implemented, which areas are joined together and which services are included? Who will have that control?

Four, once one of these integrated bodies has been set up, what actual accountability will there be? As we know, public health and social care services are currently in the hands of councils. Even beyond that, many health and wellbeing objectives are the statutory responsibility of local councils too. Therein lies accountability to local people, but it is totally unclear to me how councillors will be able to hold the new ICPs to account in turn. If those new bodies are going to be responsible for making decisions, they should have to be transparent and accountable. I am not at all opposed to the integration of services, but we must create more accountability, and not risk losing the little that is currently there.

My fifth and final question is this. How will the Government guarantee to my constituents that this change will not become another back-door privatisation? How can they reassure me that the enormous, inefficient, profiteering “health maintenance organisation” monsters that exist in the United States will not be given a foothold here in exchange for, say, a trade deal post Brexit? This is what I find most offensive about the statutory instrument. Ministers have been offered the chance, time and again, to say that private companies will not be able to act as integrated care providers, and will not be able to bid for the huge contracts that will be created. But I have heard no good reason why the Government will not make those commitments.

Rosie Cooper (West Lancashire) (Lab): The House of Commons Library recently confirmed that 26 health service contracts worth more than £128 million are currently out to tender, on the basis of legislation that NHS England recently urged the Government to repeal. Does my hon. Friend not think that private companies should be blocked from securing these contracts, and that the Government should deal with the counter-productive effect that these competition rules and powers have on the integrity of NHS care? There is a branch of Virgin Care in my local community. Someone who attends a podiatry appointment, for example, will be told that no qualified staff are on hand, but only people who can cut nails. It is outrageous that those people are being paid on the same basis as everyone else.

Lyn Brown: My hon. Friend is absolutely right. Private companies are able to work within the structure set out in primary legislation such as the 2012 Act. The Minister said in an interview that one of the reasons why we cannot have this in a Bill is that it would be too complicated to draft. As far as I can see, however, it is quite simple. The Government should bring forward new legislation to put these reforms on a proper transparent footing with full scrutiny, and should argue for the decisions that they want to make—including decisions about openness to private contractors, if that is something that, ideologically, they want to defend.

The Government should give the English electorate a plan that they can see and can judge for themselves. The Government should tell the electorate what they are doing with the NHS. My feeling is that their proposals are contained in an SI because they hoped that they would slip by, would not be seen and would not be judged, but I tell the Minister that he will be judged.

Question put.

The Deputy Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 20 March (Standing Order No. 41A).
Exiting the European Union (Agriculture)

Madam Deputy Speaker (Dame Rosie Winterton): With the leave of the House, motions 4 and 5 will be debated together.

10.3 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley): I beg to move that the draft Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.

Madam Deputy Speaker: With this we will consider the following motion:

That the draft Organic Production and Control (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.

David Rutley: These statutory instruments are made under the European Union (Withdrawal) Act 2018 which incorporates EU law into UK domestic law on exit. This Act also gives powers to the UK to make amendments to the retained law to make it operable. One of the things these instruments do is take powers currently held by the Commission and transfer them to the appropriate Ministers in the UK.


I should make it clear that the instruments do not make any changes to policies; they are purely technical in nature. They correct technical deficiencies in organic legislation to ensure it remains operable on exit and to preserve the organic standards of the current regime. The Government are strongly supportive of organic standards, many of which were developed in the UK and adopted by the EU. The UK has a world-recognised standard of food production and labelling which we wish to see maintained.

The UK organics industry is currently regulated by EU law, which sets out standards for organic production. Regulations apply to the production of food, animal feed and livestock, including bees and farmed fish, marketed as organic. The regulations set out the requirements for organic production, processing, labelling and imports as well as the inspection systems that must be in place to ensure the requirements are met. They stipulate that organic food must be inspected and certified within the scope of a tightly regulated framework and originate from businesses registered and approved by organic control bodies on the basis of a rigorous annual inspection.

The UK has over 6,000 organic operators and the sector is worth over £2.3 billion in the UK economy. Many operators are farmers and small and medium-sized enterprises. Indeed, the Soil Association reports that in 2018 the organic sector was worth £2.3 billion to the UK economy, with organic sales increasing by 5.3% in 2018. The market is in its seventh year of growth. Home delivery of organic produce through online and box schemes is growing fastest, at 14.2%, and independent retailers maintain strong sales of organic, with sales increasing by 6.2%. Key categories driving growth in the market are beers, wines and spirits and chilled foods, and in 2017 exports are estimated to be worth £225 million, excluding food from other processing and animal feed. Ambient grocery products, which include tinned and packaged food, are the largest export.

The first instrument, the Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 makes operable retained EU legislation in Council Regulation (EC) No. 834/2007. Commission Regulation (EC) No. 889/2008 and Commission Regulation (EC) No. 1235/2008 deal with reserved measures covering imports and trade in organic food, feed and vegetative propagating material or seeds for cultivation. For example, the instrument transposes powers from the Commission to the Secretary of State to recognise countries and control bodies that can operate for the purposes of export to the UK. Organic control bodies in third countries will be able to apply to the UK to be recognised to certify products from around the world to import to the UK.

The instrument also sets out minor technical amendments and maintains the status quo until 31 December 2020. To maintain the status quo, this SI gives recognition to certified organic products imported from the EU, the EEA and Switzerland for 21 months. The instrument also applies for the same period of time limit during which the UK would not require additional border checks for organic products imported from the EU, EEA and Switzerland.

Bill Wiggin (North Herefordshire) (Con): My hon. Friend will, I hope, come to this later in his speech, but how will we ensure that the standards of our organic farmers in the UK are not undermined if we are not overly attentive of what is being shipped in at the borders?

David Rutley: My hon. Friend can be assured that we are in no way seeking to water down our standards. We will no doubt talk further about that during the rest of the debate.

The approach that I have referred to responds to industry concerns and helps to maintain continuity, ensuring a flow of products. The organic regulations will now apply to imports at UK borders rather than EU borders and will ensure the continued regulation and certification of imported organic products to the standards currently applicable in the UK—I underline that point. The import system allows traceability of each product at all stages of production, preparation and distribution. This gives consumers confidence that imported organic products have been produced to the same high standards as UK organic produce.

The draft Organic Production and Control (Amendment) (EU Exit) Regulations 2019 ensure that organic standards remain the same for organic operators within the UK by making operable EU legislation in Council regulation 834/2007 and Commission regulation 889/2008. Without these amendments, part of the legislation would not be operable when applied in a UK-only context—for example,
[David Rutley]

references to the UK as a member state. The certification and traceability of organic food and feed products will continue and standards will remain the same. This instrument sets out minor technical amendments. It also references the time-limited period of 21 months during which we would not require additional border checks for organic products being imported from the EU, European economic area and Switzerland.

The first set of regulations concerns reserved matters, as these regulations relate to the control of imports and exports. The second set concerns devolved matters. That is why we have two SIs before us today. Although there is no formal duty to consult as there are no substantive changes to the status quo, we have engaged with the United Kingdom Organic Certifiers Group, UKOCG, and from that engagement it is clear at the outset that the UK organic control bodies are particularly concerned about continuing recognition of UK certified organic products by the EU and recognition of EU imports by the UK. Our decision to continue to recognise products from the EU, EEA and Switzerland for a time-limited period has been welcomed by the group as it provides certainty on imports for the immediate future.

We continue to work closely with the group on this and on the future implementation of the UK regulations.

These statutory instruments apply to the United Kingdom, and we have worked with the devolved Administrations on their development. Officials have had very helpful discussions with their counterparts in the DAs, and we are working with them on all aspects of the organics regime to form an agreement on how we can all work together moving forward.

Jim Shannon (Strangford) (DUP): The Minister is probably aware that concern has been expressed by some agri-food companies in my constituency, although perhaps not those in the organic business, about packaging, labels and access to those things. There seem to be some delays either from the Department of Agriculture, Environment and Rural Affairs in Northern Ireland or the Department for Environment, Food and Rural Affairs here in London. They are asking what food stamp they will have to have on their packaging so that they can export their products. There is some cloudiness or mystery about exactly what that will be. Can the Minister clarify where we are?

David Rutley: I understand, I think, the hon. Gentleman’s point, in the sense that there are a number of labelling issues, as he appreciates—I know he is an expert in these matters. I think the point he is making is about exactly what that will be. Can the Minister clarify where we are?

Dr David Drew (Stroud) (Lab/Co-op): I am delighted to be taking part in this debate at this fairly late hour. We could have done this in a Committee Room upstairs at 6 o’clock, so it is good to know that the timetabling really is working well. At least we have a packed Gallery wanting to listen to our every word. We would not have had that if we had been doing this upstairs at 6 o’clock, because our Second Delegated Legislation Committee earlier was also packed—with no members of the public. There is something about what we are saying or doing that is not quite hitting the public’s imagination. However, these draft regulations relate to an important issue for the organic industry. The topic of the earlier Committee—the movement of animals—was also important, for reasons that I set out then, and I do not intend to repeat them.

The Lords debated the two statutory instruments that we are considering now on 13 March, so there has been some scrutiny. However, our caveat, as always, is that the process has been terribly rushed, and none of us knows quite what the repercussions will be. Although the civil servants are doing a wonderful job of cutting and pasting 43 years’ worth of European regulations, no one knows how well that is being done. We will not see the impact for some time, but there will be an impact.

We do not have any particular problem with taking the two statutory instruments together, but the issue at the heart of all this, as has been picked up by the National Farmers Union and the Soil Association, is to what extent we can guarantee that the quality of our organic industry will not be undermined by cheaper imports. That is a real threat, because the proposed trade deals are with countries that have different organic standards. The US, for example, does things very differently from us when it comes to the treatment of organic produce, both in growing it and in trying to keep it as fresh as possible for as long as possible.

It took some time to work all this regulation through with our EU neighbours. There was no quick fix, and our approach to organic standards is different from that of some other EU countries. It is good to see the former Minister, the hon. Member for Camborne and Redruth (George Eustice), in his place, because he signed off one of these statutory instruments, so I am glad that he has come to check that we are doing a good job. He may have something to say about what he did in signing it off. The draft regulations are about ensuring that we not only do not dilute our standards, but keep our export markets in place. The last thing we want is to shut down our potential future exports when we have been successful. Even though we are still a major importer of organic produce, we have a good reputation based on what we sell abroad.

I have some questions for the Minister; it would be a surprise if I did not. The first is about what would happen if we crashed out of the EU on 29 March. What guarantees that existing regulations and, dare I say, the certification bodies are able to handle a purely UK-based measure of good organic quality? We already have
different measures, as there are six mainland bodies and two from Northern Ireland, about which the hon. Member for Strangford (Jim Shannon) will no doubt say something later. We need to be absolutely clear that those bodies can undertake proper scrutiny of what is good-quality food, because if our standards slip, we will lose our export markets.

Although the Soil Association is by far the largest certification body, it is not the only one, so if things go wrong next week, what is in place to ensure that this industry, which is a microcosm of British agriculture, but a very important part of it, can cope with whatever is coming its way? Those are the concerns that have been expressed to me and, no doubt, the Minister. If we go through this transition period, as we hope, we will have 21 months available. What measures will be put in place to ensure that we do not in any way undermine the quality of produce in this country during that period? Labelling is so important. In this area of agriculture, we need to know that what is on the label is actually being delivered. We have to get that right, but we also have to be clear that anyone in the EU from whom we import materials during those 21 months is keeping to their side of the bargain.

This is really about how important the Government see this industry as being. It is still a nascent industry in which we want more farmers involved; 6,000 producers are defined as organic, and we want that number to increase, because this is a successful niche market. We would hope that the Government had good strategies to ensure that growth continues.

As usual, I have my ask about access to the TRACES—trade control and expert system—database. Presumably, that has been pretty important in enabling us to know that things that are defined as organic across the EU can be defined in that way, and so can be put on a database in which there is some commonality. What progress is being made on that? I asked the Minister earlier about the animal issues that we were looking at during debate on the agricultural statutory instrument. It would be interesting to know what progress the Government were making on the alternative to the TRACES database, or whether they are able to pay money to keep their place on the database. I am not totally sure about that. In the interim, will we be stuck with some manual processing of the certification measures?

It would have been helpful if we had got the Agriculture Bill through, because what we are dealing with here might have been part and parcel of that. Sadly, we hear nothing of the Agricultural Bill or, sadly for my hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard), the Fisheries Bill. We rushed through those before Christmas, so that we could have a comprehensive approach to fishing and agriculture, but sadly those Bills seem to have disappeared into the ether. I hope that we will not be faced with their having to be reintroduced in a new Session, as some of us worked hard on them. It would be hard for some of us to have to go through them all again, given that even though we disagreed on elements of those Bills, we did make some progress. We were hoping that on Third Reading, and particularly on Report, we would be able to make further progress and that the Government would listen. In conclusion, I hope that the Government have got the message that we have tried to play our part in scrutiny, and in looking seriously at these important bits of legislation, albeit at nearly half-past 10 at night.

We have a number of other SIs before us this week—I believe I have seven, which for me is a record—so we will be meeting on a regular basis. It is important that we undertake this scrutiny to the best of our ability, and we can do that only if the Government are absolutely clear on why they are bringing legislation forward, and on how they will at least maintain standards and, if at all possible, improve them.

10.24 pm

George Eustice (Camborne and Redruth) (Con): I rise to support these two statutory instruments. I will be brief because, although I intended to serve on the original Committee, I appreciate that I have not had a chance to give you a great deal of notice of my intention to speak in this debate, Madam Deputy Speaker.

I pay tribute to our civil service and the officials in the Department for Environment, Food and Rural Affairs who, on these regulations and many others, have done a sterling job in making sure that retained EU law is operable should we leave without an agreement at the end of this month. Over the past six months, I have seen at first hand the huge amount of work put in by DEFRA officials, working late at night, to ensure that we have such statutory instruments in place so that retained EU law is operable when we leave.

We often read media reports that we are not ready for a no-deal exit and that we could not possibly leave without an agreement, and on that basis Parliament decided last week to vote to say that we should not leave without a withdrawal agreement. My experience in the Department until quite recently is that a huge amount of work has been put in, and the civil service has made sure it is an option for us to leave without an agreement, should that be necessary and should Parliament have the courage to do so. Obviously, we will find out in the next couple of weeks whether, indeed, that is still necessary.

Both sets of regulations, in common with all statutory instruments tabled under the European Union (Withdrawal) Act 2018, make very minor changes simply to make existing retained EU law operable.

Sandy Martin (Ipswich) (Lab): Does the hon. Gentleman share my fear that people working extremely hard very late at night to get through vast quantities of regulations might make some mistakes?

George Eustice: No, I do not. Having worked in DEFRA for five and a half years, I have tremendous admiration and respect for all those people. Although they work very hard through the night, somebody will mark and check their work the next day. That is how our civil service works, and it has made a sterling effort to make sure we have all these regulations in order.

As a general rule, almost every regulation of these two statutory instruments substitutes “Secretary of State” for “European Commission”. These regulations are not complicated but rather straightforward. We often hear a lot about so-called Henry VIII powers in such debates, and there is a suspicion that, through the use of statutory instruments, we might be making changes to primary legislation that should not be made.

In truth, the most pernicious use of a Henry VIII power in modern times has been section 2(2) of the European Communities Act 1972, which has run rampant through whole pieces of primary legislation, even important
flagship Acts that predate our membership of the European Union. We are in a rather odd situation in debating on the Floor of the House whether it is okay to change “European Commission” to “Secretary of State”, as the original powers implied by these statutory instruments were imposed by the European Union without any debate in this House, typically through either an implementing Act or a delegated Act, and therefore with little or no scrutiny by the European Parliament and often with little or no scrutiny by the European Council. The role of this Parliament, if it was lucky, was to receive an explanatory memorandum but, by and large, only ever to receive letters to the European Scrutiny Committee advising on what the European Union had done to us.

Nevertheless, this is what taking back control means. It means that our Parliament, for once, is starting to take an interest in these matters, rather than leaving them to the European Union.

Rebecca Pow (Taunton Deane) (Con): I pay enormous tribute to my hon. Friend. I was his Parliamentary Private Secretary when he was an Agriculture Minister, and I went through a great amount of this important work with him. On organic standards, is it not the case that we very much see ourselves as setting the bar not just nationally but across Europe and across the world, that we have influenced Europe on these standards and that we ought to keep these standards as high, if not higher, in leaving?

George Eustice: My hon. Friend makes an important point. Of course, that is exactly what the regulations are about. We have had some influence on the organics regulations. Indeed, when I first became Agriculture Minister, something called the organics dossier was going through the European Parliament, and it concluded that journey only around six or nine months ago. Along with the smarter rules for safer food dossier, it became something of an internal joke about an interminable debate taking place in the European Union. In the end, we managed to get that agreement into something that was satisfactory to us, although it meant that not much had changed.

Finally, let me recognise something in the statutory instrument related to the control of imports. As the shadow Minister said, we are indeed ready to replace the EU trade control and expert system with a new UK system that has been in development in DEFRA for at least the past nine months. There has been a prototype version for several months and it will be ready to replace TRACES from the point at which we leave the European Union. I welcome the Minister’s point about the recognition of existing EU logos and standards for a 21-month period. Of course, we all hope that the European Union will do the honourable and sensible thing and reciprocate.

10.31 pm

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): You wait ages for one Drew to come along, Madam Deputy Speaker, and then two come along together.

Agriculture is a critical industry for the rural communities throughout Scotland. It is very important to the people who elected me and many of my colleagues. The regulations are part of a process that takes away rights from people, takes away guarantees and opportunity, takes away power from the Scottish Parliament and puts business and food production at severe risk.

The agriculture sector in Scotland currently depends on 10,000 non-UK migrant workers in the soft fruit and vegetable sectors for the harvest in the summer and autumn, especially in the highlands. Tens of millions of pounds could be lost as there is no certainty about whether the LEADER programme will continue. The programme has provided £50 million from the EU with match funding of £50 million. Nor is there any certainty that funding for agri-environment schemes that support climate-change objectives will be available post-Brexit. That means a potential loss of around £40 million per year.

No rural constituency in Scotland voted for Brexit—none of them voted in favour of leaving the EU—yet Scotland is having to leave with the rest of the UK. All Brexit scenarios are bad for Scotland. We are 11 days away from leaving the EU and we still do not know whether we will leave with no deal or, if there is a deal, how that will affect rural Scotland. All sectors of the Scottish rural economy would be negatively affected by a no-deal Brexit, but the farming and food and drink sectors are particularly exposed. Brexit is bad for our EU friends, neighbours and colleagues.

A no-deal Brexit is projected to result in EU migration falling and potentially turning negative. That would create skills shortages for industries such as agriculture and food processing, which, as I said, rely on EU and seasonal workers. EU citizens who are currently working and living in the rural economy will be able to stay only if they apply for settled status. The Migration Advisory Committee’s proposals and the £30,000 salary requirement for skilled workers would mean that many sectors in Scotland’s rural economy would find it hard to recruit seasonal migrant workers.

Under the common agricultural policy, the EU provides £500 million for Scotland’s rural economy. There have been no guarantees from the UK Government on that funding after 2020. We do not know whether funding will be available to pay farmers and crofters after the scheme year 2021; the UK’s guarantee on agricultural support is to the end of this Parliament only.

The food and drink sector estimates that a no-deal Brexit could lead to a loss of £2 billion-worth of food and drink sales, with implications for the rural communities where many producers are based. We will lose the European Food Safety Authority’s expertise in the risk assessing of marketing applications for genetically modified organisms, unless the UK remains in the European economic area or European Free Trade Association after leaving the EU.

Owing to strict health rules, the EU bans the importation of seed potatoes from third countries with the exception of Switzerland. Therefore, leaving without a deal would close the EU market to around 20,000 to 30,000 tonnes of seed potatoes exported annually, which currently generates around £6 million.

There is no certainty that the alternative markets for this seed, at home and abroad, can be found, resulting potentially in price depression across the whole of the Scottish seed industry. We will no longer be part of the EU’s Community Plant Variety Office and if we leave
without a deal, applications for registrations of plant varieties and intellectual property protection will have to be made in both the UK and the EU, resulting in a doubling of registration costs or for plant breeders. We will also not have access to the advisory group on food chain and animal and plant health, which covers Scotland’s tree health interests.

The Scottish Government’s position is that the EU organics legislation is devolved and that functions in the proposed regulations could be exercised for a devolved purpose. The provisions in the organics legislation are observing and implementing obligations under the CAP. These should not be transferred solely to the Secretary of State. Food standards, post-Brexit, will be a critical issue and it is crucial that neither food safety nor standards are diluted or diminished. That is a commitment that should be legislated for in the forthcoming Report stage of the Agriculture Bill.

The stockpiling of food in preparation for Brexit demonstrates the drastic effect that the Brexit process has on the most basic of human needs. It is scandalous that this is even having to be considered. The UK Government must now either extend article 50 and set in motion plans to hold a second EU referendum with remain on the ballot paper or revoke article 50. Staying in the EU is the best for all. It is what Scotland and Northern Ireland voted for. It is the only way to protect our jobs, living standards, our public services, economy and food standards and supply. Scotland did not vote for Brexit and we should not be dragged out of the EU against our will. The way that Scotland has been treated is the best—if not the best—in the world. Converting to organics takes longer in this country than it does in other EU countries, even under present legislation. We must remember, as we move forwards, these other things must work, in order for that to happen. That is why we have to be very careful to ensure that we can trade successfully in a no-deal situation. Much of our produce will have to pass from Dover through into Calais, and we have to be absolutely certain that they will process our food and let it into the EU.

George Eustice: My hon. Friend makes an important point about being listed as a third country so that exports can continue. Shortly before I left the Department, there was a request from the European Union that we dynamically align our regulations for a period of nine months, and in return the EU would recognise our third country status from the start. We are obviously willing to agree to that.

Neil Parish: I very much welcome that comment, because two or three weeks ago, the Environment, Food and Rural Affairs Committee went to DEFRA, where we saw the regulations being laid out and had a look at what was happening. I welcome what my hon. Friend the Member for Camborne and Redruth, that DEFRA has admitted this to me, although it is not its fault—is that every time the Department contacts the European Union about registering as a third country and ensuring that there is third country equivalence, we just do not get a reply. To a degree, we can let the imports flow in because we can recognise the previous EU standards, but it will be much more difficult to get that food across the channel if the EU decides to play hardball.

Dr Sarah Wollaston (Totnes) (Ind): My hon. Friend rightly makes the point that we can unilaterally decide to be freer about letting goods come across our border. However, surely one issue is that a free-for-all and a lack of proper checking could put the organic sector at risk.

Neil Parish: The hon. Lady raises a good point. Milk production is a good example. Organics is a selected market; although a good number of people buy organics, there is a ceiling of around 10% of people who actually buy organics overall. Therefore, exporting organic food is as important as importing it. On the dairy side of organics, the big milk co-operative Omsco trades very successfully into the United States, but that has to be maintained—and we must have the certification, and all these other things must work, in order for that to happen. That is why we have to be very careful to ensure that we can trade successfully in a no-deal situation.

I spent a number of years in the European Parliament, so I know that our great French cousins are able, for example, to stop cheese coming in from Holland when they suddenly decide that there might be a problem with it and that it might actually help the French market to keep it out for a while. The European Commission then challenges them, and eventually they capitulate and the cheese comes back in from Holland. The point that I am making quite clearly tonight is: let us go in with our eyes open to the fact that there could well be a problem.
in the future if we do not get these rules right and recognised, and if we do not actually get that produce back into the EU. As we leave the European Union, it is very important that we take as much of trade with us as possible, and then we can also have future trading relationships across the world.

Thank you for letting me speak in this debate, Madam Deputy Speaker.

10.44 pm

Rebecca Pow (Taunton Deane) (Con): I am delighted to take part in this debate.

The organic sector in this country prides itself on its high standards. We set a very high bar and are renowned for expertise in this area. Indeed, we have been leaders in the field globally. I therefore welcome these regulations ensuring that our organic standards will remain exactly as they are when we leave the EU. We will embrace the current regulations but I am led to believe that, as and when the EU, after we have exited, decides that it might change its regulations, we will consider the regulations and decide, on their merits, whether they are right for us and whether to adopt them. This is one of the benefits of leaving, in that we can start to plan much more freely for ourselves.

Crucially, we have to keep these high standards. That is very important because we currently have 6,000 organic producers in this country who will be wanting certainty so that they can continue business as usual. We have many such businesses in the south-west.

Peter Heaton-Jones (North Devon) (Con): I am delighted give way to a fellow Member from the south-west.

Rebecca Pow: I will of course give way to a fellow Member from the south-west.

Peter Heaton-Jones: I am grateful to my hon. Friend. She raises exactly the right point. It is good to see so many south-west constituencies represented across the House today. It is a very important region for producers in the organic sector. The crucial point is that many of them are very small businesses. They are often not large farms or large producers but small farmhouse-table businesses. These small producers with narrow margins have to know where they stand and get certainty. That is why this statutory instrument, and all the work that was done under the previous Minister and is being done under the current Ministers, is vital.

Rebecca Pow: Absolutely. I thank my hon. Friend—I could not agree more. He is right about the south-west. I was going to name just some of the businesses in the area. We have Riverford Organic Farmers, which has franchises all over the region; there may be some in his constituency. We have Merricks Organic Farm in Langport and Stream Farm in the Quantocks. They often do a whole range of products—beef, chicken, lamb, and even trout and strawberries. They are holistic but often small businesses that are absolutely dependent on keeping the purity of the standards for organic produce.

Bill Wiggin: What I find most important is that the consumer has confidence, when they see what the label says, that that is actually what they are going to buy.

That is not always true of pasture-fed produce, but it needs to be. The support that the organic sector has had from the legislation under which the Government has been tremendous. I would like us to spread this much further and encourage more businesses like those my hon. Friend mentioned. I hope she agrees.

Rebecca Pow: I thank my hon. Friend for that intervention. I thoroughly agree. I know that his own beef animals are pasture-fed—an excellent system in its own right that is really good for sequestering carbon in the grass. He is so right about the labelling. The consumer needs to know what they are buying. That is why these regulations are really important. If people are buying organic, they need to know that it is organic and up to our high standards, not some watered-down standards from somewhere else.

We have quite a large number of organic milk farms, as my hon. Friend the Member for Tiverton and Honiton (Neil Parish) mentioned. In Somerset, we have Coombe Farm Organic—milk producers who have three main farms and 1,000 cows. It is imperative for companies such as that that we know that their produce is organic, why it has been classed as organic and that it has been checked. Often, it has been checked by the Soil Association, which is the main organisation in this country that certifies organic produce. It has 27,000 members and is very much valued. It developed the world’s first organic certification system, way back in 1967. The standards have been widened since that time, so they encompass agriculture, aquaculture, ethical trade—I have a company in my constituency, Hambleden Herbs, that imports lots of spices and herbs, all organic—food processing, forestry and horticulture. It is really important that we maintain this system of standards so that these businesses can carry on operating from day one on leaving the EU and we can know that they are doing the right thing. It is important that we keep our high standards.

The organic sector is valuable, as we have heard—it brings £2.2 billion per annum to the UK economy, and our exports are worth £200 million, so that is also significant. The sector is growing because there is now a lot more emphasis on what we might call environmental farming or eco-farming. That is all referenced in the Agriculture Bill, the new environmental land management schemes, the 25-year environment plan and the forthcoming environment Bill. I believe that the organic system will grow, which is why it is even more important that we maintain our standards.

Just today, as luck would have it, I hosted an event on soil in Westminster, which was attended by more than 200 people. We talked about the degradation of our soils and the cost to the economy, which is a staggering £1.2 billion a year. I am pleased to say that there is a great deal of talk about soil going on through the Bills that are being introduced. The way to prevent soil degradation is to introduce policies that ensure healthy soils and biodiversity, with all the things that soil brings to us, including carbon capture, which will help with our climate change targets and mitigation—I see the Minister for Energy and Clean Growth sitting on the Front Bench—as well as flood resilience and providing healthy food.

Inevitably this soil health agenda will drive us towards management systems that are along more environmentally friendly farming lines and, for purists,
along more organic lines. The standards will remain very necessary, as they will if we work towards improving biodiversity in this country, which is equally important. For example, there has been a desperate crash in insect numbers here and globally, with flying insect populations globally down by two thirds. Insects are the workforces of agriculture—they pollinate our crops, and we rely on them. The sustainability of the planet depends on redressing these crashes in biodiversity across the board for all sorts of species. That inevitably means that we will use less pesticides and adopt more environmentally friendly methods of farming through land management systems, and if we head towards organic, the standards that we will maintain through the regulations will be more important than ever. The regulations apply to imports and exports; that is very important. We must ensure that they cover vegetative material for propagation in the horticultural industry and others and seeds for cultivation.

One of the most exciting and interesting television series I ever presented back in the day was called “Loads More Muck and Magic”. It was an organic gardening series—I think it was the only one ever on television—and it was filmed in conjunction with the Henry Doubleday Research Association, which was the expert in organic growing at the time and is now called Garden Organic. That series instilled in me a great knowledge; I learned a great deal. I will never profess to be an expert, but I realised what purists organic farmers are and how valuable they are to the environment. They remain so, and I believe they will have more influence. The regulations will ensure that those standards are maintained, and I fully support them.

10.52 pm

David Rutley: This debate has been interesting; I think we should do it more often at this hour. I will keep this short, because my good friends in the Whips Office are giving me the evil eye—I always want to ensure that I do what they want—and I know that Madam Deputy Speaker is keen for us to move quickly on.

We have had some fantastic contributions, not least from my hon. Friend the Member for Taunton Deane (Rebecca Pow). I did not know about her involvement with “Loads More Muck and Magic”, but clearly we have some real talent and expertise on this subject in the House, for which we are grateful. We also heard the enthusiasm of my hon. Friend the Member for North Herefordshire (Bill Wiggin).

I want to reassure the hon. Member for Totnes (Dr Wollaston) that there will not be a free-for-all. In my brief comments, I hope I can reassure her, the hon. Member for Stroud (Dr Drew) and others who raised concerns about this issue. We are committed to ensuring that the UK maintains its high standards for organic production and retains a strong testing regime for organic goods. The hon. Member for Stroud talked about control bodies. They will continue to certify operators as they do now. They are all accredited by the United Kingdom Accreditation Service as suitable to be a certification body, and that important work will continue. Before the UK accepts any applications from third countries or control bodies, rigorous checks will be carried out to ensure that the current high organic standards in the UK will be maintained.

Comments have been made about TRACES. We are replacing the TRACES NT import system, which is different from TRACES, with a manual system for an interim period for organic goods, until an electronic replacement is available. The manual system mirrors the one that was in place 17 months ago. A trial with a number of importers, with support from port health authorities, is being carried out to refine guidance, and it will help to ensure a smooth transition. We are looking at autumn 2020 for the electronic replacement.

There are of course opportunities ahead, not least because my hon. Friend the Member for Camborne and Redruth (George Eustice) was the Minister of State. He was an illustrious Minister of State, which is probably an understatement, given that he was in post for five years. He carried out really important work to set out the framework for the Agriculture Bill. I am really pleased to have sitting beside me his successor as the Minister for Agriculture, Fisheries and Food, my right hon. Friend the Member for Scarborough and Whitby (Mr Goodwill)—another outstanding Minister—who is just back in the Chamber, hotfoot from the EU Agriculture Council meeting today. The Agriculture Bill sets out how farmers and land managers will in the future be paid for public goods, such as better air and water quality and improved soil health. All of this will help the organic sector to move forward.

We are working with organic and control bodies, and we have been holding technical discussions with the European Commission about the UK’s organic third-country recognition and to explore routes to help to ensure that UK organic products can continue to access the EU market. I recognise the fact that we have heard from both the former Minister of State and the current Chair of the Environment, Food and Rural Affairs Committee, and I hope that the EU will be listening to their very wise words.

We had a wide-ranging—and wide, I would say—speech from the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry). [Interruption.] No, not him, but his comments. He made points about devolution, but these statutory instruments apply to the United Kingdom, and we have worked with the devolved Administrations on their development. Officials have had very helpful discussions with counterparts in the devolved Administrations, not least in the Scottish Government—I was up there speaking to one of the Ministers about this—and we are working with them on all aspects of the organics regime to form an agreement on how we will all work together. I thank them for their work on these important statutory instruments in recent months.

I conclude by saying that, for the reasons I have set out, I commend these statutory instruments to the House.

Question put.

The Deputy Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 20 March (Standing Order No. 41A).

Motion made, and Question put.

That the draft Organic Production and Control (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved. (David Rutley.)

The Deputy Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 20 March (Standing Order No. 41A).
Business without Debate

DELEGATED LEGISLATION

Madam Deputy Speaker (Dame Rosie Winterton): With the leave of the House, we will take motions 6 to 16 together.

Motion made, and Question put forthwith (Standing Order No. 118 (6)).

EXITING THE EUROPEAN UNION (ANIMALS)
That the draft Environment, Food and Rural Affairs (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 14 February, be approved.

EXITING THE EUROPEAN UNION (AGRICULTURE)
That the draft Food and Feed (Chernobyl and Fukushima Restrictions) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 4 February, be approved.

EXITING THE EUROPEAN UNION (FOOD)
That the draft Food and Feed Imports (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 5 February, be approved.

EXITING THE EUROPEAN UNION (AGRICULTURE)
That the draft Official Controls for Feed, Food and Animal Health and Welfare (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 4 February, be approved.

EXITING THE EUROPEAN UNION (PUBLIC PROCUREMENT)
That the draft Public Procurement (Amendment etc.) (EU Exit) (No. 2) Regulations 2019, which were laid before this House on 11 February, be approved.

EXITING THE EUROPEAN UNION (ARCHITECTS)
That the draft Architects Act 1997 (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 18 February, be approved.

EXITING THE EUROPEAN UNION (CRIMINAL LAW)
That the draft Criminal Justice (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 11 February, be approved.

EXITING THE EUROPEAN UNION (PRIVATE INTERNATIONAL LAW)
That the draft Law Applicable to Contractual Obligations and Non-Contractual Obligations (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 11 February, be approved.

EXITING THE EUROPEAN UNION (LEGAL PROFESSION)
That the draft Services of Lawyers and Lawyer’s Practice (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 12 February, be approved.

EXITING THE EUROPEAN UNION (FAMILY LAW)
That the draft Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) (No. 2) Regulations 2019, which were laid before this House on 14 February, be approved.—(Jeremy Quin.) Question agreed to.

INTERNATIONAL TRADE COMMITTEE
Motion made,
That Mr Chris Leslie be discharged from the International Trade Committee and Gareth Thomas be added.—(Bill Wiggin, on behalf of the Selection Committee.)

Hon. Members: Object.

Bill Wiggin (North Herefordshire) (Con): On a point of order, Madam Deputy Speaker. The Selection Committee only makes recommendations to the House. Last week, we had objections to our recommendations. Normally, we would hope that the House would come to a decision. That has not happened. I am rather hoping that, sometime this week, time will be found for the House to make a decision because Members are affected by the make-up of Select Committees. Perhaps the objection we have heard this evening might also be considered, so that the Members concerned at least know what is likely to happen.

Madam Deputy Speaker (Dame Rosie Winterton): I am grateful to the hon. Gentleman for his point of order and for giving me notice of it. I understand that some previous Select Committee membership changes that were objected to appear on tomorrow’s Order Paper and can be debated. I am sure he understands that it is a matter for the Government to decide when to provide time for the debate on the change objected to tonight, but the Ministers on the Treasury Bench will have heard his words, and I am sure they will feed that back through the appropriate channels.

Dr Sarah Wollaston (Totnes) (Ind): Further to that point of order, Madam Deputy Speaker. Can you give some guidance on whether the objection raised today will be debated at the same time as last week’s objections, or will the debate have to take place on a different date?

Madam Deputy Speaker (Dame Rosie Winterton): As I understand it, it may be possible for Select Committee changes to be debated together, but it is a matter for the Government to decide whether to take that matter tomorrow or to take it separately.
Transition Towns and Fossil Fuels

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

11.1 pm
Thangam Debbonaire (Bristol West) (Lab): Last week on the Radio 4 “Today” programme, one topic was covered every day several times. I am of course talking about Svalbard—no, not that other topic, which is taking our attention away from virtually everything else, but Svalbard, a Norwegian archipelago in the Arctic ocean roughly midway between mainland Norway and the north pole. As well as beautiful tundra, fossils, rich geology, incredible flora and fauna, including polar bears, there are glaciers as far as the eye can see, but climate change is happening much more rapidly in the far north, and as temperatures rise, the ice melts, with serious consequences for us all. The international director of the Norwegian Polar Institute, Kim Holman, who lives in Longyearbyen on Svalbard, says of climate change that:

“This town is certainly the place where it’s happening first and fastest and even the most.”

Holman notes that Svalbard used to be where students came to observe Arctic conditions, and now it is the place they come to study climate change.

Svalbard is indeed a hotbed of scientific research. In just one month last year, there were more than 600 scientists from 23 countries doing research on and around Svalbard. One of those scientists was my very own niece, Aliyah Debbonaire, who is researching the microbiology of those melting glaciers for her PhD. Understanding these microbes may help us to solve other urgent global problems, such as antimicrobial resistance, but her research is a race against time—against the global emergency which is climate change.

There is little doubt that fossil fuels are responsible for the vast majority of UK and world carbon emissions, which make up the majority of greenhouse gases causing climate change. If we limit average global temperature rises to 1.5°C by rapidly reducing our use of fossil fuels, that would avoid some of the most catastrophic effects. That is the goal our Government have committed to in the Paris agreement on climate change, and I applaud them for that. The current Climate Change Act 2008 target is an 80% reduction of carbon emissions by 2050, but we can and we should increase our ambition—perhaps to net zero carbon emissions by 2050, or even sooner. Transition towns can help, and I will speak more about that shortly.

I recently visited Aliyah’s old school, Cotham—in my constituency of Bristol West—which inspired her scientific future, to speak to the current students and answer their questions. Almost all of them said that what they were worried about most was climate change. One student asked, “What would happen if we banned fossil fuels?” I really loved that question, and I promised to bring it up today, because it is the obvious question to ask. If fossil fuels are the main source of the problem of carbon emissions, why are we still using them? Of course there are many reasons, and we all have to think about what we are prepared to change to end the use of fossil fuels, and that is where transition towns come in.

I believe that the abolition in 2016 of the Department of Energy and Climate Change has removed governmental focus. That Department was established by the last Labour Government, along with the world’s first Climate Change Act and the world’s first legally binding carbon emission reduction targets. Unfortunately, the Committee on Climate Change says that the UK is unlikely to meet its fourth and fifth carbon reduction targets from 2023 onwards. I would be interested to know the Minister’s thoughts on that.

Meanwhile, transition cities, transition towns and other groups are trying to lead. The first transition town was Totnes in Devon in 2006. Transition towns are communities taking responsibility for creating sustainable ways of living, including by addressing climate change, starting locally. There is now a global network of towns, cities, villages and universities in more than 50 countries.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on bringing this matter to the House. I spoke to her before the debate to associate myself with her ideas. Does she agree that it is essential that all communities consider the ethos of transition towns, try to be more environmentally aware and seek to change their impact on climate change? Does she further agree that wonderful initiatives like my local council’s recycling community investment fund, which puts the money saved by achieving recycling targets into community projects to raise environmental awareness, are examples of councils doing exactly what she is referring to?

Thangam Debbonaire: The hon. Gentleman is right that that is a very good example of a local initiative and I applaud his council.

Transition Bristol was founded in 2007 and is the longest running city transition initiative in the world. I am sure that the example given by the hon. Gentleman is leading pioneering work like Transition Bristol. Transition Bristol is a network and an initiator of city-wide and local projects that are helping us transition away from fossil fuel use and towards a sustainable future. As the Transition Bristol website says:

“Decreasing our use of fossil fuels is not negotiable. We have a choice—to make this shift in a way that builds community.”

Transition towns are not just about the why and the what of becoming carbon neutral; they are about the how.

The activities and organisations within Transition Bristol include Bristol Energy Network, which is supporting communities to build an energy system that works for everyone.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): Does my hon. Friend agree that organisations such as like Plymouth Energy Community, which is crowd-funding solar panels to go on primary schools, have a huge role to play not only in providing low-carbon solutions, but in engaging members of the public in the process?

Thangam Debbonaire: My hon. Friend is right. That is a perfect example of what is great about transition towns and the energy networks and other organisations within them. I salute what they are doing. I would be interested to visit his project.

Bristol Energy Network supports communities to build those energy systems and Bristol Food Network helps people to grow, eat and cook seasonal locally grown fresh food. Neighbourhood groups, including
the Montpelier, Bishopston, Easton and Redland groups in my constituency, help to carry that right down to the hyper-local level.

Bristol is well known for its environmental ethos. Last year, the city council declared a climate emergency on a motion proposed by a Green councillor, Carla Denyer—thank you, Carla—pledging to become carbon neutral by 2030. Similar motions have been passed by many local authorities across the country, including, I believe, the Minister’s own county council. Will the Minister join me in commending those councils for their actions, which help to support the focus of transition towns?

**Dr David Drew** (Stroud) (Lab/Co-op): My hon. Friend is making an excellent speech. Does she agree that one of the most disappointing aspects in this area is the stalling of the renewable industries?

**The Minister for Energy and Clean Growth (Claire Perry):** Nonsense!

**Dr Drew:** We had a very good record until quite recently, but that seems to have gone somewhat into reverse. Does my hon. Friend agree that that is disappointing?

**Thangam Debbonaire:** I thank my hon. Friend for his intervention. I can only say to the Minister and her colleagues that whatever is happening in renewables, we need to double or triple it if we are to meet our carbon reduction targets. My experience is that we have seen it stalling, whereas we need to be increasing it. I will be interested to hear what she has to say in her remarks.

What commitments will the Minister make to policies and resources to support and expand the impact of transition towns to end our use of fossil fuels? The rapid development of renewable energy sources over the past few decades has helped to reduce hugely the UK’s carbon emissions. Transition towns show how emissions can be reduced in practice by involving people in sustainable energy choices, but individual and hyper-local actions can only go so far. They need Government leadership and support.

The Transition Bristol linked organisation, the Bristol Energy Co-operative—this is similar to the example cited by my hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard)—has raised more than £10 million to build solar farms in our area. These projects reduce emissions and build support for transition, but, frustratingly, recent Governments have cut support for the feed-in tariff introduced by the last Labour Government for small-scale renewable energy and changed planning laws, which apparently makes it harder to get planning permission for onshore wind.

**Sandy Martin** (Ipswich) (Lab): Does my hon. Friend agree that the Minister ought to be made aware of the places where onshore wind was planned but, because of the changes in the financial regime, has been dropped, such as the two large turbines just south of Ipswich?

**Thangam Debbonaire:** I was not aware of that particular example, but I am sure that the Minister will be interested to hear that and will perhaps have a response to it in her summing up.

I understand that the deployment of solar and new onshore wind has fallen drastically since 2016. I am also worried by the interest in fracking, because that is surely pouring fossil fuel on the fossil fuel fire, when we really should be doing everything that we can to put that fire out. Does the Minister agree that we should support transition towns by leaving fossil fuels in the ground?

On a study fellowship that has been organised for me by the Industry and Parliament Trust, I have learnt about the potential for expanding renewable energy. That includes the potential for energy from wave and tidal—from marine sources. I believe that it is the Government’s job to help to fund, invest in and support emerging technologies precisely at the point when they cannot yet turn a profit but have the potential to do so. Only by supporting these early stages can this country become a world leader in these technologies, allowing us to export them, as well as to create jobs and reduce fossil fuel use. This reflects the transition towns’ spirit of involving communities in the transition away from fossil fuels. For instance, in Swansea, everyone seems to be very knowledgeable about and supportive of the Swansea bay tidal lagoon project and the science behind it.

Other forms of marine energy are of course available, as I know the Minister knows from a recent meeting that she and I were both involved in. I would be interested to know whether she has had chance to reflect on what we learnt in that meeting, because the UK has massive untapped potential for marine energy generation, but it needs investment and support. Will the Government commit to investing in helping emerging renewable technologies to move from the developmental stages to being fully commercially viable, with subsidies or other support, especially in industries of the future?

One of the most striking places that I visited was the Offshore Renewable Energy Catapult in Blyth. That area, devastated by the collapse of the traditional coalmining and shipbuilding industries, is now helping to creating the jobs of the future as it tests the biggest wind turbine blades in the world—I have been to see it and it is pretty impressive. This is transition in action, but I would like to see more. Will the Minister tell us what the Government are doing to invest further in renewable energy industries, such as wind, tidal and wave, especially in the most deprived parts of the UK?

We can also do much more to make our homes more efficient. Labour’s zero carbon homes standard was designed to reduce energy use in new houses, but unfortunately, the standard was scrapped in 2015, causing great disruption to industry preparing for it to be implemented. It would also have saved families living in new properties around £200 a year on increased energy bills. Labour policy is to reinstate the zero carbon homes standard, but in any case, new standards only deal with new houses. What about existing homes, which are some of the poorest insulated in western Europe? Our cold, damp homes lead to recurring illnesses that Age UK and the Institute of Health Equity have warned are costing our NHS over £1 billion each year.

Transition Bristol members have taken on that challenge, insulating existing homes and making them more energy-efficient, but unfortunately, we have seen a Government cut to the energy company obligation, resulting in a 97% fall in the installation of new boilers and home energy-efficiency measures under this scheme and a significant fall in funding for cold homes. Labour policy
is to bring all homes up to a good standard by 2035, with all fuel-poor homes fixed by 2030. I would love that to be something that the Government decide to take on, because frankly, we need this now. Given that insulating homes reduces fuel poverty and energy demand, what are the Government doing to reinstate energy-efficiency measures?

Transition Bristol and campaigners have been very effective in changing our ideas about travel, and I am proud to represent a constituency where people walk and cycle more than almost anywhere in the UK. However, freezing fuel duty for almost a decade has effectively subsidised car use by tens of billions of pounds, while train fares have gone up by approximately twice the rate of inflation. I therefore ask the Minister what more can be done to encourage more sustainable transport use, thereby supporting transition towns in their efforts to reduce fossil fuel use further.

There are many other ways the Government could support and build on transition towns’ excellent work, and I would like the Minister to consider some suggestions, which are meant in the spirit of generosity. Recent analysis from the European Commission found that the UK gives the most subsidies to fossil fuels of any EU country, with equivalent subsidies to renewable energy industries apparently much lower. I would like that to be rebalanced. If the Minister wants to correct me in summing up, I would be grateful.

We also need to stop supporting polluting projects abroad. UK Export Finance has a record of financing fossil fuels in low and middle-income countries. It is estimated to have provided £551 million in support of fossil fuel production overseas per year between 2014 and 2016, and that must stop.

Currently, the planning application fee for a large solar farm is the same as that for developing a shopping centre covering the same surface area. That should also change. If we continue to support the excavation of fossil fuels, and fossil fuel power stations, these fuels will continue to be burned. The barriers are no longer technological or even financial; they are political.

On Friday, I met some young women at the climate change demonstration on Parliament Square. Rosa, Rebecca, Tilly and Grace were all so inspiring, and they made so many great suggestions, such as a real ban on single-use plastics. I know that that is the Government’s intention, but they would like a real ban, and they would like it right now. They told me they want that sort of leadership from the Government; they do not just want to see individuals being made responsible for making all the changes. They also said they wanted the net zero carbon emissions target to be met by 2025 and that they did not want us to wait to 2050.

As I draw to a close, let me say this. For all the young people demonstrating in Bristol, in Parliament Square and everywhere else against climate change; for the people of Bristol West who tell me how much this issue matters to them; for their children and grandchildren; and for my own nephews and nieces and their children—the next generations, for whom the Minister, myself and all hon. Members come to work every day to make the world a better place—I ask the Minister: will she consider declaring a national climate change emergency and work with Members on both sides of the House to do everything she can to support the local work of transition towns through Government action and take a lead internationally as well as nationally?

To conclude, I return to Aliyah and to Svalbard. Svalbard and its extraordinary geography and ecosystem need us to act right now. Meanwhile, Aliyah has recently finished all the field and lab work for her PhD, and she gave birth earlier this month to the first Debbonaire of the next generation—baby Olive Emilie Debbonaire-Crabbe. I am going to meet Olive for the first time this weekend, and I cannot wait, but she and others of her generation also cannot wait for us to act. I know the Minister will share my ambition, because children being born now in Bristol, in her constituency and across the country depend not just on transition towns but on businesses, scientists and us politicians to protect them from climate change.

When new baby Olive turns 18, I want to be able to look her in the eye and I do not want to say, “I tried to stop climate change, but I failed. I’m sorry.” I want the polar bears on Svalbard to survive, and I want this beautiful planet to thrive for her. I want to say to Olive, and to all the next generations, “My generation of transition town campaigners, businesses, scientists and politicians in the House of Commons and in local councils everywhere, motivated by our love for you and for our beautiful planet—from Svalbard to the south pole—stopped climate change.”

11.18 pm

The Minister for Energy and Clean Growth (Claire Perry): I was hoping that the hon. Member for Bristol West (Thangam Debbonaire) might provide some sugar-rich vegetarian snacks, as we are going on so late this evening, but we have been thwarted once again on a Monday night. However, I congratulate her on securing a really important debate.

I was hoping that we would hear a little more about transition towns, Bristol, of course, being my home city. I commend the very long-standing and active groups that have led to so many changes in that beautiful city.

It seems very appropriate on Global Recycling Day to be discussing what some of these extraordinary communities have done. Of course, Bristol was one of the very early cities that set out on this path, and it has had some highly ambitious and really successful initiatives. In my constituency, the Sustainable Devizes group was set up in 2008. Most recently, it focused on a waste-free February. Similar groups are being set up in 303 other locations across the United Kingdom.

What is so wonderful about the network is that it is bringing people together to discuss problems, solutions and changes, many of which are easier to make on a local than on a national scale. It is coming up with creative ways of using local assets, innovating and making links with local universities. I see that happening throughout the United Kingdom. I recently attended a UK100 event in Leeds, a national green finance conference, which showcased the actions that various local authorities and groups were taking. The hon. Lady and I both love our railways. A group called 10:10, working with Community Energy South and Network Rail, is looking into how the railways can be decarbonised. Solar power and battery storage could be used to provide some of the current that the electric railway system uses at present.

We have talked about Bristol. It was amazing to see its City Leap prospectus, which moves away from some of the more “micro” initiatives and involves thinking, in a broad and holistic way, about how to build heat networks, smart energy systems, energy efficiency initiatives
and renewable energy generation in a joined-up way. That joining up is very important. The Government are committed to building millions of homes, and we have an opportunity to include many system-integrated solutions in their design before that actually begins.

The hon. Lady made some slightly critical comments, with which I shall deal shortly. However, as she knows, I am passionate about bottom-up support. I have set up five new regional local energy hubs, because—as, again, she will know—some areas, including towns and cities, are very much in the lead in this regard, while others would love to try but are not sure where to start. Our aim has been to invest in the hiring of experts and to enable best practice to be shared. The hubs are intended to increase local capacity and to hire dedicated energy or sustainability officers to support local authorities and local enterprise partnerships.

We have talked about towns, but, as someone who represents a very rural area, I was keen to ensure that the rural community energy fund would continue to support rural communities. Through what is elegantly known as a MoG—machinery of government—transfer of Government assets, I managed to move it from the Department for Environment, Food and Rural Affairs to the Department for Business, Energy and Industrial Strategy, so that we could integrate it with much of the local work that we are doing. The fund will open for business again within a few short weeks.

The hon. Lady referred to the benefits of local action. That, of course, does not just mean reducing carbon dioxide emissions; it means warmer homes, people who are healthier as a result of cycling or walking, air quality improvements, and the creation of what I think we have increasingly realised is an incredibly exciting part of these changes through the green business opportunities that exist. About 400,000 people in the United Kingdom work in the low-carbon economy, which means that it is bigger than the aerospace sector in that regard. It is growing at between 5% and 6% a year. That is part of the global transition to low-carbon economic growth.

The hon. Lady tweaked me slightly about the shutting down of the Department of Energy and Climate Change. In fact, subsuming it in the Department for Business, Energy and Industrial Strategy has allowed us to understand far more about the opportunities and to broaden the conversation about low carbon. What was perhaps rather a niche conversation has become a fundamental conversation about how the economy should be working, and how businesses should be working. I hope that the hon. Lady was as pleased as I was by the Chancellor’s green spring statement last week. He made clear not only the desirability of, for instance, removing fossil fuel heating from new buildings, but the huge economic opportunities that it provided. I think that putting the two Departments together has allowed us to become much better at understanding those opportunities and attracting investment in them.

We are, of course, very focused on the leadership of the public sector, which can also be a major drive for many local transitions. The hon. Lady will know of the Salix scheme, a zero interest rate scheme enabling local authorities and devolved parts of the public sector to invest in their own low-carbon activities.

The hon. Lady made a powerful point about the need to come off fossil fuels completely and the role of transition towns in doing so. I hope that the hon. Lady is as pleased as I am that we will be phasing out coal, the dirtiest form of fossil fuel, completely from our generation system. For a country that built its economic success on the hard-won mining of coal to be one of the first major countries to be phasing it out completely as part of its generation system is hugely valuable. That has allowed us to take our commitment to phasing out coal and turn it into a global movement, the Powering Past Coal Alliance, where we have now persuaded over 80 countries, cities and states to also commit to phasing out coal. If only the world would phase out coal, we would be in a substantially better place.

The hon. Lady mentioned the feed-in tariffs and the hon. Member for Stroud (Dr Drew) raised the challenge about renewables investments. We should not define success in delivering renewables energy just based on how much we subsidise it. The feed-in tariff we have provided has cost us about £6 billion to date and will continue to cost us several billion pounds over its lifetime at a point when subsidy-free solar is becoming a reality, particularly at the commercial level. While we might have seen a tail-off in some solar installations on domestic fittings, there is an enormous increase in subsidy-free solar in the planning system at a more commercial level.

We are up to 32% of our energy system from renewables. I was lucky enough to launch the offshore wind sector deal last week on a very windy day where wind was picking up over 30% of the total on that day alone. We have set out a 10-year market horizon for offshore wind, with the confident expectation that we will be at over 70% zero-carbon energy in our energy system before baby Olivia even gets to her 16th birthday. This is a major transition that we are undertaking, and we have the largest and deepest offshore wind market in the world and we continue to invest.

The hon. Lady asked me about tidal. I grew up a few miles from the Bristol channel; I have seen the power of those tides washing in and out every day. The challenge is that I have to invest other people’s money in the most cost-effective carbon reduction energy systems and also the ones that have the most global potential. I look at everything through the grid of asking what is the lowest cost, what is the carbon dioxide reduction potential and what is the competitive advantage. Sad as it is, there are some brilliant ideas for tidal and marine and we have lots of new ideas coming forward, but tidal lagoons at the price being quoted would have been the most expensive power station we had ever built in the UK, with quite limited global reach for that technology.

We are always looking for new ideas, however. My Department has about £2.6 billion of taxpayers’ money to invest in research and development in this clean energy area over the course of this Parliament, the largest R&D budget we have ever had in this area, and we see huge opportunities in many areas, including marine and tidal at the right price.

I want to briefly touch on where I think some of the community groups and local authorities can be helpful. I often think that it is difficult to sit in Westminster and try to pull levers, because situations are different on the ground; we have very different levels of knowledge, commitment and circumstances, and as in so many areas learning from innovation and vision at the local
level and looking upwards is important. I am thinking in particular of Leeds. The work that Leeds City Council has done in introducing hydrogen into the heating system, a major opportunity to decarbonise heating going forward, should not be underestimated.

I know the hon. Lady does not think this, but somebody listening might think she had rather a dismal view of what we have achieved as a Government. She is right that we were the first country in the world to pass a Climate Change Act. It was brought forward with very strong cross-party support as quite a radical piece of legislation at the time. Since then, as indeed before then, we have led the world in decarbonisation. We have dropped our carbon emissions consistently, more than any other developed country, compared with our economic growth, because of course, as the hon. Lady knows, what we want to do is grow our economy and reduce our carbon emissions. That has only accelerated. In 2016-17, our emissions were down 4.7%. This is happening in many areas.

We do have challenges, particularly in the housing space and in decarbonising heavy industry and transportation, but we are absolutely leading the pack with our decarbonisation story through continued investment, continued ambition and a legislative framework. I hope that the hon. Lady and her party will support our bid to help the climate change talks next year—the all-critical conference of the parties talks in 2020, at which countries will come together for the first time since the Paris agreement to show what the numbers will be, so that we can assess how on-track or off-track we are. The UK could also showcase much of the incredible innovation we have in this area. I hope there will be strong support from all Members for our bid, although we are cognisant that other countries also want to host the talks.

The hon. Lady will also know that we were the first industrialised country to ask for advice on a net zero economy, following the report from the Intergovernmental Panel on Climate Change. We look forward to that advice.

What I would say to baby Olive and all the other young people—although she is a little young to come and protest, many others did—is that we should be proud of what we have done in the UK through a combination of ambition, cross-party working and some good policies. We have delivered a good track record and we know we have more to do. There is a strong commitment across the House to deliver more, and I heartily commend the transition movement on its impact, its vision and its ongoing commitment to stopping climate change.

Question put and agreed to.

11.31 pm

House adjourned.
House of Commons

Tuesday 19 March 2019

The House met at half-past Eleven o’clock

PRAYERS

[Mr Speaker in the Chair]

BUSINESS BEFORE QUESTIONS

Answers to Addresses

The Vice-Chamberlain of the Household reported to the House a message from the Queen in reply to loyal and dutiful addresses from this House.

I have received your address about His Royal Highness the Prince of Wales on the occasion of his 70th birthday. It gives me great pleasure to convey to the Prince of Wales the loyal and affectionate sentiments you express.

I have received your Humble Address praying that I should appoint Gareth Davies to the Office of Comptroller and Auditor General. I will comply with your request.

Speaker’s Statement

Mr Speaker: I would like to make a statement about security and access to the parliamentary estate. It is likely that there will be a strike of parliamentary security staff this Wednesday 20 March. Industrial action is due to begin this evening, Tuesday 19 March, and to conclude on the morning of Thursday 21 March. During this time, access to the parliamentary estate for non-passholders will be extremely limited.

Parliament’s priority will be to ensure that the business of both Houses is unaffected. Priority access will be provided to Select Committee witnesses of both Houses and civil servants who are supporting business in both Chambers.

All security staff are highly valued and an essential part of the parliamentary community. Parliamentary authorities are continuing to engage constructively with the union over the issues that were on the ballot and hope to avoid the strike taking place. Should this action take place, I would like to reassure Members that security will in no way be compromised. Security is everyone’s responsibility. I should remind colleagues that it is imperative that we all wear our security passes at all time when on the parliamentary estate. Anyone failing to display a security pass is liable to challenge and may be required to obtain a day pass.

Oral Answers to Questions

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

The Secretary of State was asked—

Insecure Work

1. Judith Cummins (Bradford South) (Lab): What steps he is taking to support people in insecure work.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): The best way to support people is to make sure that they have a job. Today it was announced that more people are employed in our country than ever before. Unemployment has fallen to 3.9%, its lowest since 1975. Our pay rose in real terms over the past year by 1.3%, and over the past year 96% of those new jobs have been full time.

Judith Cummins: Too often, workers have eight or 10-hour contracts, but are then expected to work up to 60 hours when their employer demands it, with no flexibility in return. One concrete step that the Government could take to protect these insecure workers is to ensure that contracts reflect the hours that people normally work. Will the Minister commit to legislating for this?

Greg Clark: I am slightly surprised to hear that from the hon. Lady because she knows that we have taken measures to give workers the right to request that stable contract. She will know that in her own area Bradford Council is a very good exponent of that. It was advertising last night for casual commis chefs, saying that hours are offered on a “casual basis” and may be withdrawn by either party, giving a minimum of two hours’ notice. If she wants those rights to be extended, I suggest that she talk to Bradford Council first.

Mr Philip Hollobone (Kettering) (Con): Can the Business Secretary confirm that there are more people in our nation in secure employment than ever before in our history and that the number of people on zero-hours contracts has fallen by 100,000 in the past year alone?

Greg Clark: My hon. Friend is absolutely right. Obviously, it is a great source of confidence to people that they can obtain a job. It is the case that employers across the country value the flexibility that having a flexible workforce gives. In fact, again, the Labour leader of Gateshead Council said that “many zero-hours contracts employees” on the council “don’t want to be full time employees and prefer to consider themselves as self-employed”, so this is a practice that is pursued right across the country.

Rachel Reeves (Leeds West) (Lab): Some 1.6 million workers are paid exactly the national living wage of £7.83 an hour, and a further 3 million people are paid within 50 pence of it. In the spring statement last week, the Chancellor said that the ultimate objective of this Government was “ending low pay in the UK”—[Official Report, 13 March 2019; Vol. 656, c. 349.]

The usual definition of a national living wage is 66% of median earnings, but the remit of the Low Pay Commission is only to get to 60%. Are the Government now committing to end low pay? If so, when?
Greg Clark: The hon. Lady should recognise the commitment to 60% and the progress that has been made towards that, which meant a very big pay increase for many of the lowest paid workers in the country. She will remember that the Chancellor announced a review in his statement last week to look into where we go beyond that, using international best practice to inform such a decision. I hope that the Business, Energy and Industrial Strategy Committee, which the hon. Lady chairs, will want to contribute to that review.

Maggie Throup (Erewash) (Con): Matthew Taylor’s recent review of modern working practices indicated that a blanket ban on zero-hours contracts would create more cliff edges for employers and workers. Does my right hon. Friend agree with that analysis?

Greg Clark: I do agree with that analysis and with what my hon. Friend has said. The conclusion of the panel in that completely independent report was:

“To ban zero hours contracts...would negatively impact many more people than it helped.”

It is right to ensure that there is an ability to request a stable contract and that people are not banned from working for different employers, but to remove these contracts all together would be against the practice of many employers, including councils.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): The National Union of Rail, Maritime and Transport Workers continues to receive evidence of seafarer pay as low as £3.60 an hour, including on UK-registered vessels. Employers in the ferry sector are continuing to reflag their ships. When will the Government take action to ensure that the national minimum wage provides a basic safety net for seafarers’ pay, including on international routes?

Greg Clark: I share the hon. Gentleman’s concerns. In the last few weeks, I have been discussing with the trade unions how any loopholes that might be being exploited should be closed. It is the intention of everyone across the House that the law should be obeyed and that workers should be paid a fair rate for their work.

Nigel Huddleston (Mid Worcestershire) (Con): Does the Secretary of State agree that it is often the UK, not the EU, that has led the way on workers’ rights, and does he expect this to continue?

Greg Clark: I do indeed expect this to continue. Many of the rights that we have introduced—including, for example, the right to request a stable contract—were pioneered in this country, and are only now being taken up by other European countries.

Laura Pidcock (North West Durham) (Lab): A couple of weeks ago, Labour colleagues and I crossed the road to Parliament Square to talk to outsourced Department for Business, Energy and Industrial Strategy workers from the Public and Commercial Services Union and the Independent Workers Union of Great Britain, who were demanding equal terms and conditions with directly employed staff. They were disappointed that no Minister from the Department came to talk to them. If anyone had, they would have heard how people’s status as contracted-out workers is a fundamental cause of their insecurity.

We have heard fine words from the Secretary of State about workers’ rights recently, yet here is an example of workers being forced into precarious contracts under his very nose. Will he outline what he is doing to put his own house in order to help resolve this dispute? In the process, will he learn the lesson that outsourcing is the cause of insecurity and poverty pay?

Greg Clark: I value very highly the work of all the staff in my Department. I met some of the staff she has mentioned, who were affected. I asked my officials to review the comparable levels of pay that such staff receive, and those pay rates have been increased as a result. It was a good and constructive discussion with my much valued colleagues.

Leaving the EU: Businesses in Scotland

2. Patrick Grady (Glasgow North) (SNP): What recent discussions he has had with the Chancellor of the Exchequer on fiscal support for businesses based in Scotland making preparations for the UK leaving the EU.

8. Angela Crawley ( Lanark and Hamilton East) (SNP): What recent discussions he has had with the Chancellor of the Exchequer on fiscal support for businesses based in Scotland making preparations for the UK leaving the EU.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): I have regular discussions with the Chancellor about support for businesses in Scotland, as well as in England, Wales and Northern Ireland. As the hon. Member for Glasgow North (Patrick Grady) will know, last Wednesday we announced up to £260 million for the borderlands growth deal, which is a cross-party—and clearly a cross-border—partnership that has been hailed as a game changer by all the bodies involved, including the Scottish Government. As the hon. Gentleman knows, the best way to support business in Scotland is to end the uncertainty that comes from Brexit and to join the Government in agreeing a deal.

Patrick Grady: Actually, the best support for businesses in Scotland would presumably be for Scotland to stay in the European Union, because IDA Ireland reckons that its country has gained more than 5,000 jobs as a result of Brexit-related investment, so it is a little bit perverse that it seems to be that the countries staying in the European Union are enjoying the benefits that were supposed to come from leaving.

Greg Clark: The best chance for Scotland to enjoy prosperity in the future is to stay in the United Kingdom, and I hope the hon. Gentleman would support that. I am very surprised that he would mention jobs in the Scotland when, under the SNP, jobs growth in Scotland has been far behind the good statistics that I was able to give for the whole country. Indeed, if Scotland had matched the rate of job creation in England, there would now be nearly 200,000 more Scots with a job.
Angela Crawley: An Ernst & Young survey found that only 8% of Scottish firms feel fully ready for Brexit. Does the Secretary of State regret his failure to accept the SNP’s and the Institute of Directors’ demands for a £750 million support service to help small and medium-sized businesses to navigate Brexit?

Greg Clark: No. Advice and support are available to every business across the United Kingdom, including, of course, businesses in Scotland. I work very closely with the Scottish Government. They are represented on the groups that are developing the contingency plans for a no-deal Brexit, and businesses are included in that.

Mr David Davis (Haltemprice and Howden) (Con): In Scotland, as in the rest of the United Kingdom, there are grants of up to £1,050 per employee for training, and up to £200,000 for new IT systems for dealing with new customs arrangements. Given the importance of this, why is it not more widely advertised both in Scotland and in the United Kingdom?

Greg Clark: My right hon. Friend makes an excellent point. As he knows from the industrial strategy—he was closely involved in its construction—grants and assistance for training, especially for employees whose jobs change as a result of technological change, is a very important contribution that we can make, and I am glad that he has brought it to the attention of the House.

Stephen Kerr (Stirling) (Con): What discussions has my right hon. Friend had with the Chancellor of the Exchequer about making sure that the UK shared prosperity fund is UK-wide and allows the UK Government to work with public and private partners across the whole of the Union?

Greg Clark: My hon. Friend makes an excellent point. That is absolutely the intention. The fund will be UK-wide and continue the progress that has been made, and businesses are included in that.

The growth of offshore wind is providing great opportunities for coastal communities around the United Kingdom, including the port of Fraserburgh in my constituency, which is set to host an operations and maintenance base for the Moray East wind farm project. Does my right hon. Friend agree that the new offshore wind sector deal will help more ports like Fraserburgh to benefit from this key aspect of our future energy sector?

Claire Perry: Most certainly. In an uncertain world, to go and stand on the docks of Lowestoft and visit Great Yarmouth and see the wind turbines and feel the wind is actually to see the future—this incredible opportunity. We have the best conditions for offshore wind generation in the world, and that will create jobs right across the UK—we estimate over 27,000 by 2030. We are world-leading in this; very few countries have even started to install. We reckon that exports of up to £2.6 billion will be available, and of course the benefits from that will flow to coastal communities right across the UK.

Melanie Onn (Great Grimsby) (Lab): Will the Minister join me in congratulating Bacon Engineering in Great Grimsby on its 120th anniversary? Will she commit to working with me to assist local companies like that to become part of the supply chain of the energy estuary’s burgeoning offshore wind sector?

Claire Perry: The offshore wind sector deal was a gift that kept on giving, because the hon. Lady and I had the great pleasure of discussing that with the Prime Minister on the Friday after the launch and seeing the incredible opportunities already flowing to the wonderful port of Grimsby, which she represents very well. I would love to congratulate that local firm and work with her on this groundbreaking sector deal.

Mr Richard Bacon (South Norfolk) (Con): We have known how to build houses that cost nothing to heat for 20 years, but we just do not do it. Does the Minister agree that one of the best ways to get clean growth is to support my Housing Reform Bill, which would supply serviced plots of land on which thermally efficient houses could be built?

Claire Perry: My hon. Friend is a wonderful campaigner on this new and exciting area of house building, which is part of the grand challenge. I was very pleased, as I am sure he was, to see the Chancellor commit last week to phasing out fossil fuel heating in homes from 2025. We know we can decarbonise. We know we need to do more.

Vernon Coaker (Gedling) (Lab): All of us will support the Government in their attempts to deliver clean growth, but we need international action. Can the Minister be more specific about what the Government are doing to encourage international action to increase clean growth?

Claire Perry: I enjoyed what might be the last ever meeting of EU Energy Ministers last week, where it was clear that our leadership, which has been so important in the EU, will continue unabated. Countries look to us and want to work with us. The hon. Gentleman will know that we are in the process of bidding to host the
2020 climate change talks here in the UK. To me, that is the most seminal moment since the Paris talks, as we will have to show our national contributions and see whether we are on track. I would love to get his support for that bid.

Vicky Ford (Chelmsford) (Con): More than 60 of the UK’s onshore wind farms are set to reach the end of their support deals in the next five years. How will the Government ensure that we do not lose our onshore wind capacity as those plants reach the end of their lives?

Claire Perry: I am sure that my hon. Friend, like me, welcomes the fact that we already have more than 13 GW of onshore wind installed. As she says, much of that is reaching the end of its life. Those plants can be repowered to generate more energy, and we expect them to be, but any application must be consistent with what local people want, so I expect developers to work closely with local communities to deliver that.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): In spite of what the Minister says, her Government’s nuclear dogma is holding back Scotland’s green growth. Having lost market confidence in the Mochraside, Wylfa and Oldbury-on-Severn nuclear projects, will she get the message about nuclear’s terminal decline and start backing Scotland’s renewables growth revolution instead?

Claire Perry: The hon. Gentleman needs to understand that we welcome the fact that we have a diverse energy supply. As we have discussed, there are thousands of jobs to be created from renewables and also from our world-leading nuclear installations. We need a low-carbon, reliable, low-cost energy system, and thanks to the work we are doing, we think that over 70% of the UK’s energy supply will be zero-carbon in just 11 years.

Drew Hendry: The facts are that, compared with offshore wind, the Tory Hinkley project will saddle consumers with a 35% tax on energy bills. Given that this Government currently have no consequences for Ministers who switch policies, is this not the right time to take advantage of that, do the right thing and scrap this nuclear obsession?

Claire Perry: I just cannot agree with the hon. Gentleman. He might make good headlines, but he knows that we should pride ourselves on having a diverse, low-cost energy system. We have to deliver energy security, and those thousands of highly skilled nuclear jobs, which are increasingly going to women, are a really good thing for the UK.

SMEs in Scotland

4. Stephen Gethins (North East Fife) (SNP): What discussions he has had with the Secretary of State for Scotland on support for small and medium-sized enterprises in Scotland.

The Minister for Universities, Science, Research and Innovation (Chris Skidmore): We have regular discussions with our ministerial colleagues on this matter, and most recently on the £260 million borderlands growth deal announced by the Chancellor in the spring statement. Our industrial strategy sets out our ambition to make the UK the best place to start and grow a business, and central to that is our ongoing commitment to the British Business Bank, which supported £467 million of finance to more than 3,600 Scottish businesses in 2017-18.

Stephen Gethins: I thank the Minister for his response. He will be aware of the importance of banking services to small businesses, particularly in rural and more fragile areas, and the closure of banks has hit many of these small businesses hard, not least in East Neuk in my constituency. What action is he taking to look at, for example, increasing transaction remuneration to post offices, which are increasingly important to those businesses?

Chris Skidmore: I understand from the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Rochester and Strood (Kelly Tolhurst), that she is currently negotiating the banking framework. I also want to set out the support that the British Business Bank gives to start-up businesses: 3,200 businesses have received £22 million in funding in recent years. We have 48,000 more businesses in Scotland compared with 2010. That is good news, and we need to make sure that we continue to support businesses, particularly the rural ones the hon. Gentleman mentions.

Small Business Support

5. Ben Bradley (Mansfield) (Con): What recent steps he has taken to support small businesses.

12. Stephen Metcalfe (South Basildon and East Thurrock) (Con): What recent steps he has taken to support small businesses.

23. Henry Smith (Crawley) (Con): What recent steps he has taken to support small businesses.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Kelly Tolhurst): We are backing young entrepreneurs by launching an independent review, led by the Prince’s Trust, to understand how we can better support them to turn their business dreams into reality. We are backing small and medium-sized enterprises with our spending power, with our ambitious strategy to ensure that at least £1 in every £3 we spend as a Department is spent with smaller businesses by 2022.

Ben Bradley: I thank the Minister for bringing forward the future high streets fund, which will be really important for small businesses on Mansfield High Street, and for the meetings I have been able to have with the Government about how to make sure that Mansfield can benefit. The council is now consulting with stakeholders on its proposals. Will Ministers agree to meet me so that I can make the case for Mansfield’s bid to the future high streets fund?

Kelly Tolhurst: My hon. Friend is right. High streets are changing, and the Government are committed to helping communities adapt. In the Budget, we set out our plan for high streets, with a £1.6 billion package to support the sustainable transformation of our high streets, which includes the future high streets fund. My hon. Friend is a passionate campaigner for his town,
and I would very much welcome the opportunity to hear his proposals for the regeneration of Mansfield town centre, coupled with the investment and plans already being put in place through the growth deal.

Stephen Metcalfe: Will the Minister join me in acknowledging the welcome focus the Government have put on tackling late payment to small businesses? Will she confirm that improvement in payment times could release billions of pounds back into the economy to ensure that our SME sector remains vibrant and thrives?

Kelly Tolhurst: I thank my hon. Friend for his question, and he is quite right. Tackling late payments will indeed do just as he says. It is true that late payments can be extremely damaging for small businesses, and that is why we are committed to tackling it. In his first year, the Small Business Commissioner has managed to collect over £2 million owed to small businesses. In the spring statement last week, we announced a requirement on audit committees to review their payment practices. I look forward, in the very short term, to bringing forward a full package of policy measures to tackle just that.

Henry Smith: Last weekend, I was pleased to support High Street Saturday in Crawley town centre. Will my hon. Friend welcome the £900 million in business rate reductions, which is really starting to help small businesses on our high streets?

Kelly Tolhurst: I thank my hon. Friend for giving me the opportunity to welcome this cut in business rates. He will also be pleased to hear that, because of the updated forecasts from local authorities, the discount is now worth nearly £1 billion to retailers over two years, further bolstering this Government’s plan for the high street, which is now worth £1.6 billion, and directly benefiting some of our smallest retail businesses. My hon. Friend is a great campaigner for Crawley, and I am sure he will continue to ask questions on this subject.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): With just 10 days to go to a possible no-deal Brexit, only a third of the small businesses that trade exclusively with Europe have applied for and received their so-called EORI—economic operator registration and identification—numbers that will enable them to continue to do so. Those numbers could be allocated automatically by Her Majesty’s Revenue and Customs. Will the Minister lobby HMRC to tell it to do that, and back British business?

Kelly Tolhurst: The hon. Gentleman raises a very important point. It is true that we are making sure, as this Department is charged to do, that small businesses are absolutely aware of their obligations in regard to a no-deal Brexit. I would point out to him that HMRC is reissuing those numbers within 24 hours of small businesses applying.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): Staff working insecure hours for the Hull-based small business Grotto Hire UK, which operates Santa’s grottos, have still not been paid, and many are owed thousands of pounds. The company owner offered to put the company into liquidation so that the staff could claim through the insolvency fund, but his appointed liquidators have now pulled out, leaving the company still running. Will the Minister please meet me to discuss this appalling situation and look at how the company can be wound up in the public interest?

Kelly Tolhurst: The point that the hon. Lady raises is really important, especially for her constituents. I will be more than happy to meet with her to discuss those issues.

Tim Farron (Westmorland and Lonsdale) (LD): Small businesses and our high streets are hugely damaged by the closure of bank branches right across the country, which nets the banks, which we bailed out with taxpayers’ money, a vast amount of money in savings. Will the Minister consider a windfall tax on the banks to ensure that we redistribute some of that money back into our high streets to support small businesses?

Kelly Tolhurst: The hon. Gentleman raises an important point. Tax is a responsibility of the Treasury, but as he will know, including after our conversations yesterday—this was also alluded to earlier in questions—post offices are still an important part of our high streets, and the Post Office is currently negotiating a new banking framework. It is absolutely right that, when banks are pulling out of our high streets, the post offices that are delivering the services are remunerated correctly for that.

Bill Esterson (Sefton Central) (Lab): The duty for large companies to report how quickly they pay their suppliers is of course welcome—80% of businesses that fail do so as a result of late payments—but to be effective, the new duty to report will need some teeth, such as binding arbitration and fines for persistent offenders. This Government’s use of sanctions against the poorest has been disgraceful, so how about using sanctions against some of the most powerful and making sure that large corporations treat their small business suppliers fairly?

Kelly Tolhurst: Late payments and the way that some large businesses have behaved in the past have been an issue for decades, and it is this Government who are prepared to make changes and bring forward policies to reduce them. We know that late payments can be incredibly damaging for businesses. That is the reason for the Chancellor’s announcement last week about the responsibility of committees to look at payment practices, and I look forward to making further proposals.

UK Space Industry

6. Steve Double (St Austell and Newquay) (Con): What steps he is taking to support the UK space industry. [909870]

24. John Howell (Henley) (Con): What steps he is taking to support the UK space industry. [909888]

The Minister for Universities, Science, Research and Innovation (Chris Skidmore): In the past month we have invested £18 million in the OneWeb satellite constellation to deliver global 5G communications, which I announced at the European Space Agency in the Netherlands. Last week we announced £7 million for the SMILE—Solar wind Magnetosphere Ionosphere Link Explorer—mission.
In addition, we announced £25 million for the PLATO—planetary transits and oscillations of stars—observatory mission, and last week we signed the Square Kilometre Array treaty, which will see £180 million invested in the world’s largest telescope.

Steve Double: I thank the Minister for that answer, but will he confirm that the Government remain positive about the potential of a horizontal-launch spaceport at Cornwall airport Newquay? Will he continue to work to provide the support needed to move that development forward, which would be of such benefit to the Cornish economy? Will he also come to Cornwall and see for himself the potential of the site?

Chris Skidmore: I thank my hon. Friend for his question; we had a positive meeting with the spaceport team last week. I am keen to do what I can to progress the hard work that has been done to put together an exciting project. The Government are investing £50 million to kick-start operations for a UK spaceport, including a £2 million fund for spaceports planning to host air-launched rockets and sub-orbital space planes. I will come down to Cornwall next month.

John Howell: Can the Minister confirm that it remains his intention to help the UK space industry by developing an alternative to the European Union’s Galileo system?

Chris Skidmore: The Government have committed £92 million to developing options for a domestic alternative to Galileo. The UK Space Agency is leading work with UK companies. Around 50 have made expressions of interest in the process, which will help to keep important skills and expertise in satellite navigation.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Minister might know that some of the finest engineering companies in Huddersfield are busy providing components for space probes, including the one that went to Mars. Our great town is really on the cutting edge, so will he visit Huddersfield and see what an enterprising, get-up-and-go town can do for small businesses and large businesses? Components come from all over Europe, so will he also come and reassure people who are terrified of what could happen with Europe?

Chris Skidmore: I can confirm that I will visit Huddersfield on 10 May. I am going to the university there, and I will ensure that I speak to the hon. Gentleman and arrange to meet the companies as part of my visit.

Mr Speaker: I say to the Minister, who is a serious academic, that I have had the great joy of giving a lecture at the university. It is an admirable institution and they are very hospitable, so I think they will very much look forward to seeing and hearing the Minister.

Jim Shannon (Strangford) (DUP): Not every region of the United Kingdom of Great Britain and Northern Ireland can be part of the UK space industry, but every region deserves the opportunity for employment. Will the Minister indicate what has been done to ensure that all regions have those employment opportunities?

Chris Skidmore: When we look at our space industry, we see that it is truly part of the United Kingdom, right across every place. I went to Northern Ireland to see Thales and the work that it is doing on some of the satellite applications. Up in Sutherland in Scotland, we have a £31.5 million investment in vertical space launch. We want to ensure that our space industry—one of the fastest-growing industries in all of business—covers the whole of the UK.

Marine Renewable Electricity Generation

7. Mr Alistair Carmichael (Orkney and Shetland) (LD): What steps the Government are taking to support the development of marine renewable electricity generation.

Claire Perry: It was a pleasure to meet the right hon. Gentleman and a cross-party group of colleagues only last month to discuss this matter. I commend the Marine Energy Council for the work that it has done, and indeed I see that it has published some interesting analysis today. We have provided £175 million of innovation funding to the sector. We all want it to succeed. We have the first pre-commercial array deployed off Caithness and, of course, we have the European Marine Energy Centre in his constituency.

Mr Carmichael: I thank the Minister for the meeting last month. We are now engaging with the Treasury in respect of revenue support for the sector, and any support that she can give it will be very welcome. In the meantime, however, we have the prospect of the energy White Paper. Will she use her offices to ensure that the potential for marine renewable energy generation is fully recognised when that White Paper comes to publication?

Claire Perry: I do not want to pre-empt the White Paper, but I think that one thing we will show in it is how the ongoing attempts to be technology-neutral can work across the piece to generate low-cost, low-carbon energy, and highly competitive technologies will be part of that. We remain interested in marine and tidal, as the right hon. Gentleman knows. Of course, we need to discuss with the Treasury any revenue support mechanisms, but I want to continue to engage with the sector on a long-term basis.

Stephen Crabb (Preseli Pembrokeshire) (Con): The Minister will be aware that the proposed Swansea Bay city deal would include a strong marine energy component centred on Pembroke Dock. She will also be aware that the growth deal is beset with concerns and questions about its progress, so will the Minister, along with Welsh Ministers, please look into the marine renewables part of the project to ensure that progress is made and opportunities are not lost?

Claire Perry: Of course, it is striking that we had the very interesting Swansea tidal bid, which would have been the most expensive power station in the UK had we built it, and that that project has now come forward in a different form not requiring Government subsidy. There is huge potential to continue to work with the communities of Swansea and across Wales, and I will be delighted to keep working with them.
Barry Gardiner (Brent North) (Lab): Fifty per cent. of Europe’s tidal and 35% of its wave energy resource are in UK waters, but the Government have still not provided the marine renewables industry with a secure route from experimental phase through to demonstrator phase through to full commercial development. Recent research from the Offshore Renewable Energy Catapult shows that revenue support could enable marine renewables to create up to 50,000 new jobs and dominate more than 30% of a global market estimated at £76 billion by 2050. Does the Minister accept that the contract for difference auctions are not an adequate mechanism to support emerging technologies such as marine renewables at this stage in their development, and will she take action to provide a competitive funding pool in the energy White Paper to support the UK’s innovative marine technologies and enable the UK to gain its rightful share of this exciting global market?

Mr Speaker: I hope that the hon. Gentleman’s thesis will be peer-reviewed.

Claire Perry: I will attempt to do that, Mr Speaker. The hon. Gentleman will know, of course, that all these technologies basically started off in the same place. Arguably, marine and tidal have received more innovation funding. They have not been able to demonstrate a cost reduction pathway commensurate with, for example, offshore wind, but he is right to say that we need to look at ways to try to bring these technologies forward and we will continue to do so.

Industrial Strategy: High-quality Jobs

9. James Cartlidge (South Suffolk) (Con): What recent steps he has taken through the industrial strategy to increase the number of high-quality and well-paid jobs.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): The industrial strategy is based on increasing the number of high-quality and well-paid jobs because it invests in skills, infrastructure and innovation, as well as building long-term strategic partnerships with businesses through sector deals between the Government and industry.

James Cartlidge: As my hon. Friend will be aware, we often talk about our being the fifth largest economy, but by GDP per head we are ranked about 23rd or 24th, according to the International Monetary Fund. Does he agree that greater export penetration into growing markets overseas will help to raise that GDP per head and that an independent trade policy could boost that endeavour?

Richard Harrington: I agree with my hon. Friend. In his own constituency, six companies have received the Queen’s award for international trade. He understands the importance of exports. I agree that the UK needs to deploy all the tools at its disposal to support UK exporters, and a key part of that is tailoring our trade policy to the strengths and requirements of our economy and supporting the delivery of the industrial strategy.

Jessica Morden (Newport East) (Lab): Today’s Business, Energy and Industrial Strategy Committee report singles out the steel industry as having been particularly failed by the Government’s industrial strategy. On behalf of the steel sector in my constituency, can I ask the Minister when the Government will get back around the table to take action on issues such as energy prices?

Richard Harrington: I discussed this issue yesterday through the good offices of the all-party group on steel and metal related industries—several hon. Members were there—and agreed to hold a roundtable with all parties, including, I hope, the hon. Lady, to discuss how we can progress the sector deal.

Jeremy Lefroy (Stafford) (Con): General Electric in Stafford—and indeed in Rugby—provides excellent, high-quality and well-paid jobs through its investment in energy, particularly good energy. Can I invite the Minister or his colleague the Energy Minister to come and see what world-leading technology is being developed in Stafford?

Richard Harrington: I cannot answer for my right hon. Friend, who is capable of visiting wherever she likes—in fact, she is omnipresent all over the country with her visits—but I would be delighted to visit GE and anywhere else in Stafford my hon. Friend thinks suitable.

Mr Gregory Campbell (East Londonderry) (DUP): Will the Minister spell out yet again the extent of his support in the industrial strategy for the likes of Bombardier and related industries in Northern Ireland?

Richard Harrington: As the hon. Gentleman knows, I meet regularly with Bombardier, as does my right hon. Friend the Secretary of State. It is a regular visitor to my office and is always welcome. I am interested to hear its views on anything.

Jo Swinson (East Dunbartonshire) (LD): It is more than a year since the Government committed to putting as much emphasis on the quality of jobs as on the quantity. In their response to the Taylor review last February, they said:

“We will...report annually on the quality of work in the UK economy...and...hold ourselves to account”.

How much longer do we have to wait for the first assessment of job quality in the UK?

Richard Harrington: We gave our answer in our response to the Taylor review, but the Government have also published a good work plan, in which we commit to ways of delivering better jobs for everyone in the British economy.

Carbon Emissions

10. Bambos Charalambous (Enfield, Southgate) (Lab): What assessment he has made of the reasons for recent trends in the rate at which the UK’s carbon emissions are falling.

The Minister for Energy and Clean Growth (Claire Perry): The right measure is to look at carbon dioxide reduction as a unit of national income—the carbon intensity measure—and BEIS will publish its own numbers at the end of May and then make the assessment. I am sure that, like me, the hon. Gentleman welcomes the fact that we have been decarbonising faster than any other G7 or G20 economy and that in the last year for
which we have data our decarbonisation rate—on the intensity measure—was minus 4.7%. We know we have to do more, but I hope he welcomes the measures on hard-to-reach sectors, such as decarbonising the heating grid. We should be proud of what we have achieved.

Bambos Charalambous: The UN says that we have less than 12 years to avoid the worst impacts of climate change, and on Friday thousands of schoolchildren marched for their futures. Given that emissions fell last year by only 1.5%—less than half the 3.2% fall recorded the year before—does the Minister agree with the Environmental Audit Committee that the Government are “coasting” on climate change?

Claire Perry: Far from it. I do not recognise those numbers. I have got into trouble before for saying I probably would have been out there with those kids several years ago—I recognise the admirable passion and urgency with which they have raised this matter, although we need their skills to solve this problem. The best way to solve the climate problem is to create a generation of geo-engineers, climate scientists and technologists, and they have to learn those skills in the classroom.

We are absolutely not coasting, but we need strong cross-party support to deliver this change. It is striking that when we debate our relationship with the earth’s climate for the next 40 years, this place is half empty, but when we debate our relationship with the EU for the next three years, it is jam-crammed. We need to get beyond Brexit and start focusing on the future.

Mark Pawsey (Rugby) (Con): The Minister is rightly encouraging the use of electric vehicles, but, as she will appreciate, in the commercial sector there is, on occasion, inadequate supply in the grid. Will she recognise the valuable role played by Off Grid Energy in my constituency, which has storage technology, and whose latest project for the Oxford Bus Company involves capturing energy from solar panels and storing it so that the buses can be charged up overnight?

Claire Perry: My hon. Friend—whose constituency is my local community in High Peak—has always admired the hon. Lady’s enthusiasm, for its engineering excellence—is absolutely right. As is clear from the smart systems plan for the future and the smart export guarantee, decentralised energy generation storage is one of the ways in which we can maximise the value of electric vehicle roll-out and its contribution to solving the generation and storage problem.

Skilled Green Jobs

11. Vicky Foxcroft (Lewisham, Deptford) (Lab): What steps he is taking to promote the creation of skilled green jobs.

The Minister for Energy and Clean Growth (Claire Perry): As the hon. Lady will know, nearly 400,000 people—more than the number employed in aerospace—are working in the low-carbon economy. As last week’s offshore wind sector deal made clear, the focus on job creation is paramount, but we must also focus more on diversity in the sector, and I am very proud of the commitment by the industry and the Government to ensuring that at least a third of the 27,000 jobs that will be created are going to women by 2030.

Vicky Foxcroft: Lewisham Council recently declared a climate emergency, and called for urgent action on the environment. Tackling climate change will require a radical transformation of the economy and society, including investment in green industries. Will the Minister match Labour’s commitment to a green industrial revolution creating 400,000 jobs across the country?

Claire Perry: I always admire the hon. Lady’s enthusiasm, but committing themselves to a target that we have already achieved is perhaps not the most stretching thing that the Opposition could do. However, I welcome Lewisham Council’s declaration of a climate emergency. My local authority, Wiltshire County Council, has done the same.

I am struck by the sense of urgency in schools and local authorities, and among people throughout the United Kingdom, but we must ensure that the plans we come up with are deliverable and not pie in the sky. Many people have criticised the Opposition’s rather fanciful projections, which they say will never be delivered. I am in the business of delivering policies that add up, can be delivered, and stand the test of time.

Michael Fabricant (Lichfield) (Con): Jaguar Land Rover is moving to the production of electric cars, but one of the issues that holds back purchasing is range and the time that it takes to recharge their batteries. What can the Government do to improve battery technology?

Claire Perry: Range anxiety is diminishing as battery technology improves. My hon. Friend will know of the Faraday challenge, a cross-Government and industry commitment to not only improving battery manufacturing and technology, but creating some of that value here in the UK.

Energy Mix

13. Ruth George (High Peak) (Lab): What assessment he has made of the potential composition of the UK’s energy mix in 2030.

22. Kirstene Hair (Angus) (Con): What steps he is taking to ensure that renewable technologies form part of the energy mix.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): The UK is leading the world in decarbonising our energy supplies while driving down the cost of clean power. The proportion of our electricity coming from renewables has increased fourfold since 2010, and the cost of clean power is falling fast. The price of offshore wind has fallen by 50% in the last couple of years.

Ruth George: The Secretary of State has just recognised that there is considerable support for renewable energy throughout the country. My local community in High Peak have always been committed to that. “Archie”, the Archimedes’ screw in New Mills, is the first community-owned hydroelectric project. However, the Government are preventing people from becoming involved in renewable energy projects by removing the feed-in tariff and refusing to remove planning blocks on onshore wind, while forcing councils to plan positively for fracking. Will the
Secretary of State recommend the scrapping of that policy, and instead require councils to plan positively for renewables?

**Greg Clark:** I think the hon. Lady should recognise the huge progress that has been made, which is beyond what anyone would have expected 10 years ago when the Climate Change Act 2008 was passed. I commend her constituents for their contribution in respect of renewable power. However, as my right hon. Friend the Member for Energy and Clean Growth has said, the right mechanism must be applied to the right technology. It is better to finance technologies in the early stages of development through innovation funding than to pretend that they can make a significant contribution to the grid.

**Kirstene Hair:** A renewables mix is hugely important in securing our long-term energy supply, so will the Secretary of State meet me to discuss some of the contradictory barriers in place for solar power, for example, because there are limited technologies that are able to bid for support through the contracts for difference scheme?

**Greg Clark:** I will indeed meet my hon. Friend. Friend the Minister for Energy and Clean Growth will join that conversation. We have a good record in bringing on a range of new technologies and I am very happy to make sure there are no barriers to that.

**Dr Alan Whitehead** (Southampton, Test) (Lab): There will now be a 9 GW cut in future installed capacity by 2030 as a result of Toshiba and Hitachi ending their plans to build three new nuclear power stations. The Secretary of State has also cancelled plans to build tidal lagoons, possibly providing about that amount of additional capacity, has banned onshore wind and has run down new solar installations. He has severely limited the auction for new offshore wind to only £60 million of a possible £557 million. Does the Secretary of State agree that on present policies it looks like there will be a substantial capacity gap in power production against likely 2030 demand? Does he have any plan to deal with that? Does he have any plans to revive the lost nuclear power proposals? Does he share the Opposition’s view that, among other things, we will need at least 50 GW of installed offshore wind to help close the gap and meet our climate change commitments?

**Greg Clark:** Quite the opposite is true. One of the reasons why it has proved impossible to finance privately some of these nuclear power stations is that the cost of renewables was falling and the availability was increasing so rapidly that they are being muscled out of the system. The forecast electricity margin for this year is now over 11%, the highest for five years. To put this into context for the hon. Gentleman, the contribution that the Wyfia nuclear power station—3 GW—would have made was procured in a single contract for difference auction for offshore wind. That shows the abundance that we have, rather than the shortage.

**Feed-in Tariffs and Power Generation**

14. **Clive Lewis** (Norwich South) (Lab): What steps he plans to take to support small and medium-sized renewable power generators after the scheduled closure of the feed-in tariffs scheme.

**The Minister for Energy and Clean Growth** (Claire Perry): Solar is a UK success story: 99% of the solar capacity in the UK has been installed since 2010 when I became an MP. The feed-in tariff, however, as the hon. Gentleman knows, is a very expensive way of delivering small-scale generation. It has cost us almost £6 billion to date, and as the price of solar panels has fallen by 80%—I can see the hon. Gentleman sighing but numbers and value for money tend to matter on the Government Benches—I decided to bring forward the smart export guarantee, which opens up the market for small-scale generations and ensures that everybody is paid for power they export to the grid.

**Clive Lewis:** From listening to the Government’s rhetoric on climate change, we could be forgiven for thinking that the school strikers are coming out in support of them; they are coming out against them, and if we cut through the greenwash we see the feed-in tariff axed, the solar energy sector decimated, and now the exports payments framework about to be ended and no replacement put in place. So let me ask this: will the Government ever announce a cut to the lavish support they dole out to their friends in the fossil fuel industry?

**Claire Perry:** It is news to me that the Labour party’s policy is to be anti the oil and gas industry that employs so many hundreds of thousands of people. And when it comes to rhetoric, the hon. Gentleman should just go and practise in front of the bathroom mirror. I am happy to share the facts with him again...—[Interruption.] Perhaps he is going to ask me to get on my knees next, Mr Speaker. [Interruption.] What we do on the Government side of the House is focus on facts...—[Interruption.] You know, Mr Speaker, the hon. Gentleman was very clear that he was not a misogynist bully boy; I think his activities and behaviour today suggests quite the opposite. If he would like me to answer the question...—[Interruption.] The answer to the question is this: we have not slashed support for renewable energy. We are now moving to a point where renewable energy no longer requires subsidy to deploy. If the hon. Gentleman could just stop equating Government spending with success and look at the results, he will see that we do not subsidise things that we do not have to, which means we can focus on bringing other technologies to market.

**Industrial Strategy: New Hospitals**

15. **Robert Halfon** (Harlow) (Con): What assessment he has made of the potential role of new hospital projects in the industrial strategy.

**The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy** (Richard Harrington): On the question of whether hospital projects should be part of the industrial strategy, I absolutely agree. They are part of an industry in an area—health campuses, science, research and development, and, not least, modular construction and everything in our construction sector deal.

**Robert Halfon:** Together with the £400 million move of Public Health England to Harlow by 2024, a brand-new healthcare hospital campus would make Harlow the health science capital of the UK. Will my hon. Friend work with the Treasury to support capital funding for the desperately needed new hospital in Harlow?
Richard Harrington: My right hon. Friend could not be a greater champion for the Harlow hospital and health campus; in fact, I would honourably suggest that it should be named after him. However, he is absolutely right: the Treasury has to consider this and other bids, including the wonderful Watford General Hospital health campus, which I support. I am sure it will reach the right conclusion that these bids are fantastic for local areas—not just for the hospital but for industrial development for the future in those areas.

Topical Questions

T1. [909889] Mr Philip Dunne (Ludlow) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): One of the frustrations about the dominance of our Brexit debates over the last two years is that insufficient attention is given to the fact that this is one of the most exciting times for British industry and commerce since the first industrial revolution, which was forged in this country. We are in the vanguard of so many of the industries of the future. Earlier this month, my right hon. Friend the Energy Minister was in Lowestoft and, again, in Grimsby to launch the offshore wind sector deal—the 10th sector deal in our industrial strategy. It is helping Britain to procure a third of its electricity through offshore power by 2020, to provide a lead right around the world and to export good technology.

Mr Dunne: I share my right hon. Friend’s optimism and enthusiasm for the opportunities that lie ahead for this country. Following the Chancellor’s statement last week, when specific measures were announced, which I welcome, could he elaborate on how he expects the UK to take a lead in science and innovation to develop new technologies for renewables, which he touched on, and new materials?

Greg Clark: My right hon. Friend is correct that our reputation for science and innovation, and the standing of our universities, are among the best in the world. At a time when every country around the world is investing in the technologies of the future, we need to emphasise the abilities and talents we have. Through the industrial strategy, we have the biggest increase in public and private sector spending and innovation that we have ever had in this country. It is already making a difference, but we have more to do.

Rebecca Long Bailey: Those are warm words from the Secretary of State, but actions speak louder. On Brexit, his Government have threatened a catastrophic no deal and run down the clock. On rising costs, the Government have allowed costs such as industrial electricity prices and business rates to disadvantage UK manufacturers. On electrification, the Government have allowed us to fall behind. The planned charging infrastructure investment fund is still not in operation 16 months after it was announced, and subsidies for electric vehicles have been cut. Is not the truth that this Government are failing to provide the automotive sector with the support it needs to weather this perfect storm?

Greg Clark: We are the leading country in Europe when it comes to the production of electric vehicles, and as the hon. Lady is well aware, we have, through the industrial strategy, advanced our leadership position. However, if she listens to the leaders of the automotive sector, they say one thing time and again very clearly: we need to conclude a deal with the European Union. They have endorsed comprehensively the deal the Prime Minister has negotiated. If the hon. Lady is concerned for the future of this important sector, she would compromise and recognise the importance of bringing to an end this uncertainty and passing the deal.

T4. [909892] Giles Watling (Clacton) (Con): A couple of weeks ago, I attended a business briefing in Tendring where I met some of the wonderful entrepreneurs in my area. They just want certainty. They just want us to get the job done. What is the Department doing to protect those businesses as we leave the European Union?

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Kelly Tolhurst): Our business environment is among the best in the world. By reducing corporation tax and investing in skills, innovation and productivity-boosting schemes, we are supporting businesses to compete in an ever-changing market. Ensuring that businesses can access finance is key, and the British Business Bank has the tools to make that happen, including its enterprise finance guarantee scheme, start-up loans and our export strategy.

Patrick Grady (Glasgow North) (SNP): Just days after hundreds of children in Glasgow joined the thousands around the world campaigning for action to tackle climate change, a massive cyclone and devastating floods have hit Mozambique, Malawi and other parts of central Africa. What steps is the Department taking, working with the Department for International Development and the Foreign and Commonwealth Office, to help developing countries to mitigate and tackle the causes and effects of climate change?
The Minister for Energy and Clean Growth (Claire Perry): The hon. Gentleman is right that CO₂ molecules do not care where they are emitted or where they have an impact. I am delighted to tell him that we are one of the world’s largest donors of climate-facing aid, with £5.8 billion over this Parliament, about half of which is spent on adaptation and half on mitigation. There is clearly more to do, but we should be proud of that record.

T5. [909893] Colin Clark (Gordon) (Con): What is BEIS doing to ensure that the oil and gas industry, which is the largest employer in my constituency, is the most innovative oil and gas sector in the world?

Claire Perry: My hon. Friend speaks proudly of the hundreds of high-skilled jobs in his constituency, and there are hundreds of thousands such jobs across the UK. We are increasing R&D spend across the piece, but innovation in the oil and gas sector is driven through the almost £200 million investment in the oil and gas technology centre, which I have been pleased to visit, including £90 million from the Government.

T3. [909891] Steve McCabe (Birmingham, Selly Oak) (Lab): The Society of Motor Manufacturers and Traders told us in big, bold type in its briefing note this morning that the vehicle excise duty diesel supplement must be removed immediately if we are to encourage the sale of the most advanced and cleanest diesel engines, such as those in which JLR is investing heavily. If that change is needed immediately, can manufacturers be expected to wait until the October Budget for an answer?

Greg Clark: The hon. Gentleman knows that I have been in discussion with the industry. The sector has participated in the development of the path to the decarbonisation of vehicles, and it is important that we are consistent with that. However, part of that process is about recognising that buying a diesel car is a perfectly reasonable choice for many people, but some people have got the wrong impression from the announcement.

T7. [909895] Kevin Hollinrake (Thirsk and Malton) (Con): The all-party parliamentary group on fair business banking and finance is dealing with several cases, including those of Keith Elliott and Julia Davey, that raise serious questions about inappropriate links between insolvency practitioners and banks, specifically KPMG, PwC and Lloyds Bank. What action is the Minister taking to remove such conflicts of interest?

Kelly Tolhurst: My hon. Friend is a passionate campaigner in this area and for his constituents, and he knows that I would particularly like to tackle this matter. Insolvency practitioners must adhere to the insolvency code of ethics and must not allow conflicts of interest to override the fundamental principles of objectivity. Breaching the code may result in regulatory action, such as a fine, reprimand or, in the most serious of circumstances, the removal of a licence. The code is currently being updated by the recognised professional bodies that license insolvency practitioners, but I will continue the dialogue with my hon. Friend on this matter.

T6. [909894] Carol Monaghan (Glasgow North West) (SNP): As a result of IR35, small contractors who provide services to the public sector are paying more tax than regular employees but without benefits such as holiday pay or sick pay. What discussions has the Secretary of State had with the Chancellor on revising IR35?

Kelly Tolhurst: The hon. Lady raises an important point, but she knows we are doing a lot in this area to strengthen employment rights for people in the workplace.

The Minister for Universities, Science, Research and Innovation (Chris Skidmore): The spring statement was indeed a statement for research, innovation and science. Looking at just one of those investments, there is £60 million to keep the Joint European Torus facility going, and there are hundreds of jobs and tens of PhDs at that facility. I am delighted that the Chancellor made that commitment as we move forward to 2.4% of GDP being spent on research and development by 2027.

T8. [909896] Patricia Gibson (North Ayrshire and Arran) (SNP): Can the Secretary of State explain whether he personally thinks the Prime Minister’s exit deal will make the UK better off than remaining in the EU would?

Greg Clark: Substantial analysis has shown that, of all the options available, the Prime Minister’s deal is the one that provides the best economic future, and I hope the hon. Lady will support it.

Maria Caulfield (Lewes) (Con): Post offices are at the heart of our communities, so does the Minister welcome the news that Newick post office in my constituency, after being closed for months following the sad death of the postmaster, Terry, is set to reopen? Does she agree that we must do all we can to keep post offices open in our rural communities?

Kelly Tolhurst: I thank my hon. Friend for the work she has done with her constituents, the Post Office and the community to make sure that the post office in Newick is reopened. Post offices play an important role in our communities, and we are committed to maintaining the network of 11,500 post offices with the support of MPs like her.

T9. [90987] Liz McInnes (Heywood and Middleton) (Lab): In my constituency, the Crown post office in Middleton is to be closed and franchised into WHSmith, the consultation on which has just finished. As if that were not enough for one constituency, a consultation has just begun on moving the Heywood post office into an empty shop with an as yet unidentified retailer. Does the Minister agree that that consultation is a sham and that our post offices are both national institutions and part of our communities?
Kelly Tolhurst: As the hon. Lady knows after our meeting yesterday afternoon to discuss this issue, we are committed to delivering and maintaining the post office network, which did not happen under the last Labour Government, when there was a reduction. As I have already outlined and made very clear, where there are concerns about specific branches, practices and consultations, I will personally raise them directly with the Post Office.

Martin Vickers (Cleethorpes) (Con): Will the Secretary of State give an update on the next phase of the Greater Grimsby town deal?

Greg Clark: I am delighted that the Prime Minister was able to join my hon. Friend, the hon. Member for Great Grimsby (Melanie Onn) and me to celebrate the success of the beginning of that deal. The next phase is about investment in skills, and I look forward to visiting Cleethorpes and Grimsby to inaugurate that important set of investments in the skills of the population.

Several hon. Members rose—

Mr Speaker: Order. We are running very late. One sentence questions.

Mr Virendra Sharma (Ealing, Southall) (Lab): At the last general election, Labour promised to introduce a “Post Bank” to combat financial exclusion and ensure that everyone has access to banking services in their community. Does the Secretary of State agree that introducing a Post Bank to provide banking services in post offices would do wonders for the high street, as well as reducing financial exclusion?

Kelly Tolhurst: The hon. Gentleman gives me an opportunity to talk about the fact that we already offer banking services in our post offices. As I outlined earlier, we are doing the most we can to make sure that post offices and sub-postmasters are remunerated for the work they do.

Kelly Tolhurst: The hon. Gentleman says the unions are wrong—that is probably a first. People support fracking because of its potential to create jobs.

Stephen Kerr (Stirling) (Con): What progress is being made to upgrade SMETS 1 smart meters to allow them to function interoperably?

Claire Perry: We have said repeatedly that the opportunity to create a home-grown energy source that provides thousands of jobs in parts of the country that economic policies have not been able to help, with the toughest regulations for oil and gas exploration in the world, is something that we should soberly and sensibly explore. That continues to be the case.

Stephen Kerr (Stirling) (Con): What progress is being made to upgrade SMETS 1 smart meters to allow them to function interoperably?

Claire Perry: The switchover has already started. The priority is smart meters that have gone dumb through customers switching, because we do not want there to be an impediment to switching. The commitment is unchanged: it will be rolled out completely by the end of 2020.

Dr Philippa Whitford (Central Ayrshire) (SNP): A common feature of all patient safety scandals is that whistleblowers were ignored, intimidated or lost their careers, and were not protected by the Public Interest Disclosure Act 1998. Will the Secretary of State bring forward legislation for all sectors to ensure that that concern is investigated and that whistleblowers are protected?

Kelly Tolhurst: The hon. Lady addresses a very important area that I am extremely concerned about. The Department for Business, Energy and Industrial Strategy is working closely with the Department of Health and Social Care on how we can best strengthen the protection for whistleblowers within the NHS to support families and staff who raise concerns. This is a key area for us and I will continue to communicate with her on it.

Several hon. Members rose—

Mr Speaker: I am sorry to disappoint the large number of colleagues remaining, but on the principle that one should encourage an up and coming young Member at the conclusion of proceedings, I call Mr Dennis Skinner.

Mr Dennis Skinner (Bolsover) (Lab): Why should Jim Ratcliffe make millions creating misery for all the people affected by fracking? Coincidentally, there are not many jobs either.

Claire Perry: The hon. Gentleman, as a proud representative of a former coalfield community, knows that, to the contrary, many people, including the GMB, support the fracking policy because of its potential—

Mr Skinner: They’re wrong.

Claire Perry: The hon. Gentleman says the unions are wrong—that is probably a first. People support fracking because of its potential to create jobs.
Bolsover (Mr Skinner) will accept that we need to explore the science sensibly and see whether there is a natural resource there, because when he was digging up coal, energy security used to matter.

Several hon. Members rose—

Mr Speaker: I am genuinely sorry to disappoint remaining colleagues, but demand has exceeded supply, as is so often the case at Question Time.
Child Sexual Exploitation Victims: Criminal Records

12.43 pm

Mr Speaker: Before I call the hon. Member for Sheffield, Heeley (Louise Haigh) to ask her urgent question and the Minister to respond, I must advise right hon. and hon. Members that under the terms of the House’s resolution on matters sub judice, they should not refer to specific cases that are currently before the courts. It should not be beyond the ingenuity of right hon. and hon. Members to find ways of airing the issue without mentioning the specifics in a way that could threaten the legal process.

Louise Haigh (Sheffield, Heeley) (Lab) (Urgent Question): To ask the Secretary of State for the Home Department to make a statement on criminal records disclosure for victims of child sexual exploitation.

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): I am conscious that, as you outlined, Mr Speaker, this question relates to an ongoing legal case, and that as such it would not be appropriate to comment on the specific case or cases. I assure you that the Government want all victims and survivors of sexual abuse and exploitation to feel that they can come forward to report abuse, and get the support they need when they do so. We are committed to working across Government to ensure that victims can move on from the abuse they have suffered, and that professionals, including the police, who come into contact with a victim recognise exploitation when they see it and respond appropriately.

The Government are committed to acting to protect the public and help employers make safe recruitment decisions. The disclosure and barring regime plays an important part in supporting employers to make informed recruitment decisions about roles that involve working with children or vulnerable adults, and in a limited range of other circumstances. The criminal record disclosure regime seeks to strike a balance between safeguarding children and enabling individuals to put their offending behind them.

The House will be aware that the Supreme Court recently handed down a judgment in the case of P and others that affects certain rules governing the disclosure regime. We are still waiting for the order from the Supreme Court, but we are considering the implications of the judgment and will respond in due course. It is important to note, however, that the Supreme Court recognises that the regime balances public protection with individuals’ rights to a private life. It applies only to certain protected jobs, and it is for employers to decide someone’s suitability for a role once they are armed with the facts.

Louise Haigh: Thank you for granting this urgent question, Mr Speaker. Just before Christmas, you welcomed Sammy Woodhouse to this Parliament. You, the Leader of the Opposition, the Prime Minister and the leader of the SNP all praised her bravery in speaking out and waiving her anonymity in order to protect other victims and survivors of child sexual exploitation. In that instance, we discussed CSE survivors’ experience in the family courts. It is good to see the Justice Minister in his place. I hope we can make progress on that issue.

Everyone in this House owes it to Sammy and all victims of child sexual exploitation to do everything in our power to reward her bravery and ensure that no one has to endure the appalling, unimaginable abuse that she experienced. We must all ensure that the state in all its forms no longer fails CSE survivors. They are forced to confront their past every day of their lives through the painful trauma that never leaves them, which many simply cannot escape. Their bravery in the face of all that has happened to them is humbling.

The victims are forced to live not only with their trauma but with convictions linked to their sexual exploitation in childhood. They are blighted by an obligation to disclose criminal convictions linked to past abuse. They are forced to tell employers and even local parent teacher associations about their past convictions. That punitive rule means that they simply cannot escape a past in which they were victims.

I understand your ruling that we are unable to refer to sub judice cases, Mr Speaker, but Sammy will not mind me referring to her record, which includes possession of an offensive weapon and affray. Both are explicitly linked to her grooming. When she was 15, the police raided the property of now-convicted serial rapist Arshid Hussain. Sammy was half-naked and hiding under his bed. Hussain was not detained, but Sammy was arrested and charged. She was a victim of exploitation and is now forced to disclose her criminal convictions—crimes she committed only through her exploitation.

Judges in the High Court have already ruled that forcing victims of CSE to disclose past convictions linked to CSE is unjust. They argued that “any link between the past offending, and the assessment of present risk in a particular employment, is either non-existent or at best extremely tenuous.”

I ask the Minister, what is the Government’s position on record disclosure of CSE survivors?

One of the single biggest tasks of this Parliament and society is to create an environment in which victims of child sexual exploitation are given the best possible chance not to allow their past abuse to define them. Will the Minister consider bringing forward what is known as Sammy’s law, which would give CSE victims the right to have their criminal records automatically reviewed, and crimes associated with their grooming removed? At present, anyone has the right to apply to the chief constable of their force area to have their records reviewed, but it is little known. Surely there must be a specific case in those circumstances.

Child sexual exploitation is fundamentally about an imbalance of power that is used to coerce, manipulate and deceive. It leads many victims to commit crimes relating to their exploitation. I know the Minister will agree that it cannot be right that victims are forced to live with the consequences of their exploitation for the rest of their lives.

Victoria Atkins: I thank the hon. Lady for her urgent question. She knows, because we have discussed the issue behind the scenes on many occasions, the concerns, feelings and sympathy that the Home Secretary and I have for victims of child sexual exploitation and abuse, and that this Government have done more than any other to tackle it. By setting up institutions such as the independent inquiry into child sexual abuse, the Prime Minister, when she was Home Secretary, sought to uncover these terrible hidden crimes. We know of the
experience in Rotherham, of course, and I note that the hon. Member for Rotherham (Sarah Champion) is in her place. I have seen for myself the vital local work to support victims and bring the perpetrators of these terrible crimes to justice.

I am afraid that I am not able to comment on individual cases at this moment—it is a matter of timing—but the Government are considering the Supreme Court judgment very carefully. Sadly, I am not in a position to comment on other aspects of the urgent question, but we have. I think, acknowledged as a society that when children initially present as suspects, the police and others must ask questions to see whether there is more to the picture. I am sure that we all agree on that, and I am extremely grateful for the opportunity to reiterate it.

Victoria Prentis (Banbury) (Con): This case, the details of which we are very carefully not discussing today, is particularly horrific. Does the Minister agree that the issue with child criminal records goes much wider than CSE? I urge her to read, if she has not already, the Justice Committee’s excellent report on the subject, and to meet me and a group of cross-party colleagues, as well as the Under-Secretary of State for Justice, my hon. Friend the Member for Charnwood (Edward Argar), in the near future to discuss how we can deal with these issues as a matter of urgency.

Victoria Atkins: My hon. Friend feels—and, in fairness, has campaigned—strongly on this subject. I have read the report. She will appreciate that given the timing, I am constrained in what I can say, but I would be very happy to meet her. I should have said in my initial answer that I had the privilege of meeting Ms Woodhouse last year; she described to me in great detail her experiences as a child, and their impact on her as an adult. I very much valued the time she gave for that meeting. I look forward to meeting my hon. Friend and others to discuss their views on the disclosure regime, and any submissions that they wish to make to Ministers.

Joanna Cherry (Edinburgh South West) (SNP): Sammy Woodhouse is to be commended for her courage and fortitude. Her campaign reminds us of the complex nature of child sexual abuse and its long-lasting consequences. She makes a very important point when she says that fear of being prosecuted may prevent victims from coming forward, and that criminal records may prevent survivors from moving on with their life.

Conscious of your warning, Mr Speaker, I will not say anything about the case in hand, but I point out that my colleagues in the Scottish Government are committed to preventing and tackling child sex abuse through a range of actions. Of course, grooming is a major issue; Police Scotland has emphasised that it is important that children should not be deterred from coming forward by a fear of having broken the law, and I know that the Minister will agree. In Scotland yesterday, Police Scotland launched the Stop it Now! campaign, which aims to drive home the message that the online grooming of children and young people is illegal and causes huge harm. This is one of the many areas where we really need to drive home the message that it is illegal for adults to have sexual conversations, online or offline, with young people. Does the Minister agree with the aims of the campaign to stop online and offline grooming in Scotland, and will she pledge her support for it?

Victoria Atkins: I thank the hon. and learned Lady for her question. As she knows, we are very keen to work with colleagues across the United Kingdom, and to learn from best practice. I am pleased to hear of that campaign. With the help of the Mayor of London, we recently invested in a child house in London. I visited it recently; it is an amazing facility. Anyone who has worked with child victims—I know that several colleagues in the House have—will agree that the child house is a real step forward in making children feel comfortable in giving evidence, and in achieving the best evidence on behalf of those children. I am keen to see what more can be done in that area.

I am conscious that what is illegal online is just as important as what is illegal offline. The hon. and learned Lady will know the Home Secretary’s personal commitment to ensuring that industry’s response matches our expectations. That response should include a range of actions, such as stopping child grooming from taking place on companies’ platforms, building artificial intelligence to stop this material getting on to the web, and having much greater openness and transparency about how they are clearing out their backyard. Of course, the online harms White Paper is coming up as well, and I am sure that many colleagues will take a great interest in it.

Tim Loughton (East Worthing and Shoreham) (Con): Huge progress has been made since the Government’s CSE action plan, introduced back in 2011—even before the Savile revelations. It was based on encouraging victims to come forward and not regard CSE as being in some way their fault, and also on making sure that agencies did not try to sweep it under the carpet and were not in denial about cultural sensitivities—and even on making sure that they did not feel that children had brought this on themselves. What ongoing links does the Department have with survivors and victims of CSE? Are there facilities for those victims to meet and help educate judges, so that we can make sure that victims continue to be recognised as such, and not as being perpetrators in some way, and get the ongoing recognition and support that they desperately need?

Victoria Atkins: I thank my hon. Friend. I note the work that he did as children’s Minister to bring about justice for these victims. The Home Office and I personally meet victims of historical and more recent child sexual abuse; I see it as an absolute privilege, and it is an essential part of my role. He is absolutely right that this is about not just law enforcement, but multi-agency working. There have been steps forward in improving that. For example, one of the reasons why we amended the Data Protection Act 1998 last year was to include a clause making it clear that professionals can share data to safeguard vulnerable people, including children, so that if they are worried about a child or vulnerable person, they can be confident that they absolutely must share data with other agencies that may have a role to play.

As for our ongoing work, we continue to fund targeted support for victims of child sexual exploitation and abuse. The police transformation fund, which helped to fund the child house, is another source of support for innovative projects that can help improve our response to this terrible crime.
Stephanie Peacock (Barnsley East) (Lab): Can the Minister tell the House what analysis has been done on the impact that police cuts have had on the bringing of perpetrators of CSE to justice?

Victoria Atkins: The hon. Lady may be aware that we have set up the centre of expertise on child sexual abuse, which is undertaking groundbreaking work on the various typologies of child sexual offending—online, as much as offline, offending. We anticipate that that work will help police forces to address the many challenges that they face in investigating recent and historical examples of child sexual exploitation. We know that the criminal justice system has faced a particular challenge in bringing historical offenders to justice. I am very proud of the work that the police do to investigate historical child sexual abuse, and of the work that the criminal justice system does as a whole to give justice to those victims, but of course I accept that there is always more that can be done.

Vicky Ford (Chelmsford) (Con): There should be no place for child sexual exploitation in our society. Will the Minister give us an update on how the police transformation fund is effecting real change in the way that police investigate crimes involving vulnerable young people?

Victoria Atkins: The police transformation fund helps to fund innovative projects such as the child house, but also wider work across policing. The College of Policing has updated its guidance to make the point that children who, at first glance, appear to be suspects must be looked into to ensure that they themselves are not in fact victims.

Tim Farron (Westmorland and Lonsdale) (LD): With children's services having faced a 49% cut in their early intervention funding, will the Minister explain how she thinks we will be able to intervene at an early stage to spot and rescue young people at risk?

Victoria Atkins: I am grateful to the hon. Gentleman for his question. As I have said, we are investing in innovative projects through the police transformation fund, which will help. The point of the child house is that it brings together all the agencies that may be able to help to look after a child. There is also a great deal of work going on in policing to ensure that children are intervened on before real harm happens, and this includes helping to fund regional organised crime units to increase the undercover online capability, which we know is also wider work across policing. The College of Policing guidance has been updated and improved to reflect the situation that she has described will have an impact on law enforcement, but of course, yet again, we are considering that judgment very carefully, because, of course, we must balance the rights of the individual against the rights of wider society in safeguarding the most vulnerable people in our communities.

Sarah Champion (Rotherham) (Lab): It is clearly evident that, as part of their grooming, children are coerced into getting criminal records, whether through child sexual exploitation or drugs and gangs. That has the desired effect in that it prevents the children from going to the police, but it also damages for life their employment and, most perversely, their likelihood of getting compensation from the Criminal Injuries Compensation Authority. Will the Minister please give guidance to the police, the judges and the Crown Prosecution Service to consider holistically that, when a child is presented with a criminal activity, it could be part of grooming?

Victoria Atkins: I remember being incredibly moved, but also impressed, by the work of the hon. Lady’s local police and safeguarding teams when I visited her constituency last year. The fact that the College of Policing guidance has been updated and improved to reflect the situation that she has described will have an impact on law enforcement, but of course, yet again, we ask all agencies to work together to ensure that these children are intervened on before real harm is committed.

Sir Kevin Barron (Rother Valley) (Lab): Given that the High Court judges have already ruled that CSE victims' convictions are unjust, and that any link between past offending and current risk is either non-existent or tenuous, does the Minister think that we should ask some form of independent commission to advise the House on whether there needs to be a change in the law or regulations?

Victoria Atkins: I am sure that the right hon. Gentleman was in his seat when Mr Speaker said that this case is sub judice, so I cannot comment at this point. On the wider point about an inquiry, he will know that the independent inquiry on child sexual abuse was set up precisely to lift the stones on this terrifying and terrible subset of crime. There are all sorts of strands of work going on through that inquiry at the moment. We are considering that with great care, and the reports that have been submitted already, with a view to not just Government but the whole of society looking at where these problems exist.
Tracy Brabin (Batley and Spen) (Lab/Co-op): Only a month ago, 55 men were arrested in Batley and Spen for historical child sexual exploitation. The women who came forward are, of course, absolutely amazing. They are spectacular people with great courage. My concern is that this case is in the papers and in the House. Will that be a block to other young women in Kirklees and more widely across the country coming forward, as they will be scared about being treated like criminals? They are scared that, when they have their own children and want to contribute to society and join charities, parent-teachers associations or whatever, they will be treated like criminals. That cannot be fair.

Victoria Atkins: I cannot comment on the specific case that the hon. Lady has raised. She makes an important general point about the way that we treat victims as they come forward. The criminal justice system has improved in the way that it looks after victims in the course of giving their evidence. Special measures can also be put in place, but, as always, if colleagues are aware of cases where the court system is not applying the rules as carefully as it should, they should please let me or Justice Ministers know. We are very keen that when victims are giving evidence, we do right by them and treat them fairly in the court process.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Girls and vulnerable young women in Newcastle suffered horrendous sexual abuse, rape and exploitation and yet found the courage to work with the police and social services to bring perpetrators to justice. As we have heard, the consequences can last a lifetime, and the support that we offer them should last a lifetime, too—I am talking about the kind of support that is provided by the sexual exploitation hub in Newcastle, for example. I know that the Minister recognises that and knows that we are talking about decades, not simply months, of support. What funding is available to provide support so that these victims can rebuild their lives and have the futures that they deserve?

Victoria Atkins: The hon. Lady has raised this with me, and the project that she mentions is doing great work in the north-east. We do have a stream of funding mechanisms, which I am very happy to discuss with her afterwards, but she is right to say that historic child sexual abuse has not just an impact in the immediate term, but emotional, mental and physical consequences for many, many years afterwards. We must find a way of supporting victims in the longer term as well as in the short term.

Mr Speaker: Last, but not least, and never forgotten, Mr John Mann.

John Mann (Bassetlaw) (Lab): There is a handful of people whose views should be forgotten, and that is that increasing number of commentators and politicians who suggest that this is a waste of money. I have dealt pretty much every week, and certainly every month over the past five years, with those who have survived this abuse, and that includes this week. I can tell the Minister that this question of criminality, with its impact in respect of custody, housing and employment, but also in respect of ongoing reputation for those who have managed to move on in their lives, is fundamental to why the vast majority of people affected have not come forward, despite the fact that I represented more than 30 during the three weeks of the Nottinghamshire inquiry. As all these issues have been aired during the inquiry in huge detail, will the Minister give a guarantee that the recommendations, when they come forward from this inquiry, will be implemented lock, stock and barrel by the Government?

Victoria Atkins: The hon. Gentleman has put his finger on the fact that what is important is not only how the criminal justice system and other agencies react to this issue, but how we in this place react to it. The choice of language that we use is vital, and I want to make it absolutely clear that it is the policy of this Government that we will always be on the side of the victims of child sexual abuse, and we will always seek to secure justice for them.
Clydesdale Bank and SMEs

1.10 pm

Mr Speaker: Before I call the hon. Member for Lanark and Hamilton East (Angela Crawley) to ask her urgent question and the Economic Secretary to the Treasury to respond, I must again advise Members that, under the terms of the House’s resolution on matters sub judice, they should not refer to specific cases that are currently subject to legal proceedings; Members may of course speak to the general issues.

Angela Crawley (Lanark and Hamilton East) (SNP) (Urgent Question): To ask the Economic Secretary to the Treasury if he will make a statement on Clydesdale Bank’s treatment of small and medium-sized enterprises.

The Economic Secretary to the Treasury (John Glen): The Government are committed to ensuring that customers will be treated fairly, free and fast, and grow. As such, we expect the highest standards of behaviour across the financial sector, which is why a number of necessary changes have been introduced to restore public trust in financial services, such as the senior managers and certification regime. Although it would be inappropriate for me to intervene in individual cases, particularly when they are subject to ongoing legal proceedings, we must always remember the human element to each case. That is why the Government have been consistently clear that, where there has been inappropriate treatment of SMEs by their bank, it is vital that those businesses can resolve their disputes and obtain fair redress.

At the Budget last autumn, the Government set out their support for the Financial Conduct Authority’s plans to expand eligibility to complain to the Financial Ombudsman Service to small businesses and micro-enterprises. This will ensure that, from 1 April 2019, well over 99% of all UK businesses will have access to fast, free and fair dispute resolution. The Government have also been clear that banks need to work hard to restore businesses’ trust in their institutions, and have welcomed the banking industry’s commitment to establish two independent voluntary ombudsman schemes to resolve SME disputes.

I am extremely pleased that last week my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) agreed to sit on the steering group responsible for implementing these schemes, alongside Nikki Turner from the SME Alliance. That follows several months of intense engagement with the all-party parliamentary group on fair business banking. Although eligibility for the scheme to address historical complaints will need to be determined on a case-by-case basis, I encourage all SMEs that believe that they are eligible to apply once the scheme is up and running in September.

I am pleased that the sale of loan portfolios to third parties is now covered by the standards of lending practice—overseen by the Lending Standards Board—to which Clydesdale is a signatory. That means that it is now committed to ensuring that third parties that buy loans have demonstrated that customers will be treated fairly, and to allowing customers to complain to the original lender if there is a dispute that cannot be resolved. I can also confirm that Andrew Bailey of the FCA has spoken to Clydesdale about the case in question.

The Government are not complacent about this serious matter. We will monitor the implementation of these new or expanded dispute resolution schemes, and we will continue to remind banks of the importance of restoring SMEs’ trust in them.

Angela Crawley: I asked for this statement on Clydesdale Bank’s treatment of SMEs in the light of my constituent John Guidi’s hunger strike in protest at his treatment by Clydesdale Bank and Cerberus Capital Management. I am aware that aspects of Mr Guidi’s case are sub judice, so I do not intend to refer to the specifics in any way that would prejudice the case.

In 1998, John Guidi built a business in the west of Scotland with a portfolio of almost 150 properties. Clydesdale Bank backed that business from the very beginning. Mr Guidi has told me that he was treated by bank chiefs as “a model customer”, and in only 15 years he built a property business worth £16 million. He never missed a payment, was in regular communication with bank bosses and appeared to have a great relationship with the organisation.

My constituent informed me that Clydesdale Bank changed the structure of his loans in 2002, introducing him to the tailored business loan. In 2014, Clydesdale Bank sold its tailored business loans to Cerberus Capital Management—an American private equity business. Mr Guidi says that this organisation aggressively pursued the debt and subsequently put his company into receivership a few months after purchase. As a result of my constituent signing a guarantee, he has personally been made bankrupt, and the company is pursuing his family home. He only has a few weeks before he is evicted and has taken the decision to start a hunger strike in protest.

This tragic case brings attention to the vulnerability of UK businesses to abusive treatment by lenders and vulture funds, and the inadequacy of current regulation in preventing it. Sadly, John is not alone. There are hundreds of people across the UK whose tailored business loans were sold by Clydesdale Bank to Cerberus Capital Management. Since 2010, Cerberus has acquired more than 1.2 million distressed or non-performing loans, worth more than £80 billion. Simply put, Cerberus is the world’s largest debt collector.

As we all know, so-called distressed loans are often anything but. Since the banking crisis of 2008, we have seen a sorry catalogue of thousands of instances in which banks have forced legitimate borrowers into distress through no fault of their own, and because loans to SMEs are not regulated properly, the customers have little or no redress. John now finds himself in that category. All he wants is a fair say before he loses his family home. He has requested that his case go to an independent arbitrator for a review.

Will the Minister join me in calling on both Clydesdale Bank and Cerberus to engage with my constituent urgently, and will he meet John to discuss how the lack of regulation in the banking industry has destroyed his business? Finally, is now not the time to pursue an independent financial tribunal to ensure that my constituent can receive adequate remedy from the dispute resolution of his case?

John Glen: I thank the hon. Lady for her points, and I will try to address them all. The decision to develop the dispute resolution service was taken carefully, after a lot of engagement with the industry. I am obviously aware
of the press coverage around the case and of the extremely difficult circumstances faced by her constituent. I understand that enforcement action is currently on hold as legal proceedings have been brought against Clydesdale and Cerberus. I also understand that Clydesdale and Cerberus have offered to meet Mr Guidi.

The hon. Lady raises a number of points about a preferred alternative mechanism for resolving such situations. It is common across all jurisdictions for banks to sell off parts of their portfolio of debt at times. The question becomes what the appropriate mechanisms and safeguards are in those cases. The sale of debts to third parties is covered under the standards of lending practice, to which Clydesdale is a signatory. That means that it is committed to ensuring that third parties that buy loans have demonstrated that customers will be treated fairly, and to allowing customers to complain to the original lender if there is a dispute between the business and the third party that cannot be resolved.

I am very happy to meet the hon. Lady to go through the full extent of her outstanding concerns on the matter. I take the issue and this case very seriously.

Guto Bebb (Aberconwy) (Con): I congratulate the hon. Member for Lanark and Hamilton East (Angela Crawley) on raising this urgent question. As somebody who was involved with the all-party parliamentary group on fair business banking back in 2012 and 2013, the fact that we are still talking about businesses that were sold TBLs which have not received redress is somewhat shameful. I appreciate the very constructive comments made by the Minister. I also congratulate my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on his work as chairman of the all-party group. Is it not the case that these issues could have been resolved much earlier if, for example, the FCA had included TBLs in its original redress scheme, and would that not have resolved some of the issues now being faced by constituents of Members across this House?

John Glen: I acknowledge my hon. Friend’s long-standing efforts in this area. Before I was a Minister, I was a member of that APPG. The whole range of dispute resolution mechanisms that have taken place over the past 10 years all seem to have a very different story. As the Minister responsible, I was keen to ensure that we had a meaningful historical redress mechanism that would give discretion for the banks to examine these individual cases. I was also very keen that this House should be represented on that group. That is why having my hon. Friend the Member for Thirsk and Malton, with representatives from the SME Alliance, involved will allow full scrutiny of all the cases that have not been resolved adequately.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): I thank the hon. Member for Lanark and Hamilton East (Angela Crawley) for securing this urgent question and for being a firm advocate on behalf of her constituent.

All people and all businesses in the UK deserve a mechanism that provides them with access to justice in the event that they end up in dispute with their financial services provider. Under your guidance, Mr Speaker, I will not comment on the specifics of the Guidi case. However, as many Members are aware, the issue of redress for SMEs against banks and other financial services providers is one that we have discussed in this place many times. At present, too many businesses are caught between the threshold for using the Financial Ombudsman Service and the cost and difficulty of using the full legal process to pursue a claim. So this issue is about more than just one case.

We must take decisive action to draw a line under historical cases like these, as well as ensuring that we have an adequate system of redress going forward. If we do not, then we have no hope of restoring the trust and confidence in business banking that this country so desperately needs. The debates that we have held so far have revealed a substantial coalition across the House for a full tribunal system, alongside a historical case review, that would look again at cases that have been settled by internal bank review processes. The Labour party, the Scottish National party, the Liberal Democrats, the Democratic Unionist party and many individual Conservative MPs certainly hold that view; it is only the Government who do not.

I therefore have some questions for the Minister. First, do the Government agree with the Opposition that where there is evidence from complainants, the historical review process should be willing to consider cases going back to 2000? At present, only those going back to 2008 would be eligible. Secondly, are the Government willing to reconsider their view on the establishment of an independent tribunal system for dispute resolution in order to level the playing field between businesses and their banks? Thirdly, have the Government listened to those people arguing that the expansion of the ombudsman service alone will not solve the problem, as it does not have sufficient resource and capacity to get to the root of the problem, and the mooted compensation cap by the Government looks far too low?

Most of all, do the Government acknowledge that MPs want to see some real action and progress on this? It is disappointing that despite many hours of parliamentary debate and consensus on what must happen next, with agreement stretching across the Treasury Committee, the Opposition, the Financial Conduct Authority, the major banks themselves, such as TSB and Metro, and the all-party parliamentary group on fair business banking, the Government are still reluctant to join this consensus. We all want to be able to tell our constituents that these issues are resolved and simply will not be allowed to happen again.

John Glen: I thank the hon. Gentleman for his comments. I always listen very carefully to the constructive way that he presents his case.

Let me address the hon. Gentleman’s three core questions. First, the historical review process has been as set out, but there is discretion within that. I know that there will be a lively discussion at the first board meeting about how the handling of past cases will be considered. In terms of the disputes over how to resolve this, the role of the Financial Ombudsman Service is being expanded. Its representatives were in Parliament last week offering access to colleagues across the House, and I have visited them to examine what they are doing to recruit the extra resources needed to deal with this extra category. I think that this will work; I would not have made the decision otherwise. The other key consideration I have to balance is about the rapidity and efficiency with
which the vast majority of cases—we are talking about 99% of businesses with a turnover of up to £6.5 million—will be able to get a resolution. That is why I think that the ombudsman service is the right way to go forward.

Kevin Hollinrake (Thirsk and Malton) (Con): I thank the Minister for all the work he has done in this area. I do feel that we are making progress, but, understandably, the jury is out until we get to the place we need to be. I also thank the hon. Member for Lanark and Hamilton East (Angela Crawley) for tabling such an important question today. There are many issues with this. The case concerned follows a typical pattern. Over 10,000 of these tailored business loans were sold to businesses. It may be impossible for these businesses to refinance because of the exit fees. Personal guarantees were then required, and finance was withdrawn despite the fact that the businesses had never missed a payment. The FCA has looked at this and has said that these cases should be considered by the new dispute resolution scheme, which is good news for many people. I ask the Minister to impress on UK Finance that it makes sure that it suspends any proceedings in any of these cases until they have been reviewed.

John Glen: Again, I thank my hon. Friend for the work he has done in this area. I met representatives of UK Finance just a few hours ago, and I am aware of his correspondence overnight on this issue as he joins the board imminently. The key concern I would have is the extrapolation of one case, or a few celebrated cases—tragic cases—to say that they are normative of practices across the sector as a whole. He smiles because he knows that is a conversation we have had frequently. This historical dispute resolution mechanism is not designed as some sop, but as a meaningful mechanism to interrogate wrongdoing in the past and seek resolution for those individuals who remain dissatisfied.

Kirsty Blackman (Aberdeen North) (SNP): I congratulate my hon. Friend the Member for Lanark and Hamilton East (Angela Crawley) on securing this urgent question. The issue of transferring funds to an organisation such as Cerberus is far from the only one. The hon. Member for Thirsk and Malton (Kevin Hollinrake) mentioned businesses that did not have any debt issues whose loans were restructured and who were offered incredibly high and arbitrary repayment terms with incredibly high interest rates. That was completely inappropriate. The restructuring of debt should be tackled in the first place, and not just the transferring over. Nobody should be in the situation in which my hon. Friend’s constituent found himself.

The Minister said that these cases are not necessarily indicative of how everybody has been treated, but we have seen enough of them coming forward, and enough people losing their homes, losing their families, and, in some cases, losing their lives as a result. We know as parliamentarians that we see only the tip of the iceberg in the cases that come into our offices, and that there are probably many, many more that we have not seen and have not raised here.

It is clear from cases like the one that my hon. Friend describes that any system of voluntary redress is not working, and is probably not working in many of the cases that we see coming into our offices. I am concerned that the issue with voluntary redress schemes will also happen with the ombudsman scheme given that it is voluntary and not as all-encompassing as it could be. The Government can still take action and save face. What the Minister has said about the ombudsman system is interesting, but it is not the independent tribunal that we on the fair business banking APPG have been calling for. It does not go far enough on that basis.

The other thing that the Government have failed to do so far is to bring forward a massive, comprehensive review of banking culture to ensure that nothing like this happens again in future so we know that SMEs will not be treated in the same way as they were previously. It is incredibly important for our economy that SMEs can borrow, and they will not be able to do so if they do not trust the banking sector to treat them fairly. If the Government have to step in and ensure that this happens, then that is what needs to happen.

John Glen: I thank the hon. Lady for her comments. There are two things there, and one is the adequacy of the voluntary mechanism. To be fair, it is unclear how it will play out, because it has only just been established. I see from my engagement with the chief executives and chairmen of the banks a massive desire to ensure that this has teeth and can deliver. This is not about the Government saving face. It is about ensuring that this process is effective. I will have deep engagement with and take a close interest in this process, because it must be effective and thorough in its examination of these cases.

I take the wider point that the hon. Lady makes about banking culture. A lot has changed in the last 10 years, and many of these cases arose before that. We now have a very different regulatory environment, with the Prudential Regulation Authority and the FCA, which has changed things considerably, but I will reflect carefully on her comments.

Stephen Kerr (Stirling) (Con): I congratulate the hon. Member for Lanark and Hamilton East (Angela Crawley) on securing this urgent question. I had the opportunity recently to meet her constituent John Guidi, and I express my strongest concern for his welfare. Does the Minister accept that just one such example makes the case for introducing a financial services tribunal, to allow business owners to challenge financial institutions and have confidence that they will always be treated on the basis of fair play and justice?

John Glen: I have extreme sympathy for everyone who has had the sort of experience that this constituent has had, but I do not think it is right for any Government to make policy on the basis of one case. It is incumbent on Government to set out a framework and a policy that will deliver real answers to complex questions. I do not accept that the regulation of bank lending would be a good step forward. I understand the argument that it would give certainty to small businesses, but my view is that it would discourage a lot of lending, because there would not be the same appetite for lending if that regulation was as onerous as it would likely be.

Martin Whitfield (East Lothian) (Lab): I join others in congratulating the hon. Member for Lanark and Hamilton East (Angela Crawley) on securing this important
urgent question. We license and regulate banks to protect customers and because our economy requires SMEs to work as well as they do, but we also need to level the playing field of power between banks, SMEs and individual customers. There is overwhelming evidence that the banks have abused their position of power in the past. If I was at my most sympathetic, I would say that trust in the banking system is at breaking point. I actually fear we have gone beyond that. Is the Financial Conduct Authority really the answer to this, or has the time not come to have a financial services tribunal that SMEs, individual customers and banks can trust to resolve these problems, so that we can move forward?

John Glen: I have listened carefully to the hon. Gentleman a number of times. As I have said to him previously, we need an effective mechanism that small businesses can get reliable and efficient access to and answers from. I have seen the investment that has gone into the expanded provisions of the ombudsman service. I know that he is not convinced, but this matter is not set in stone forever. Obviously the service needs to deliver. In my conversations with the chief executive of the ombudsman service, as in my conversations with UK Finance and the chief executive of every bank, I have said that this is the top priority in this area of my portfolio.

Paul Masterton (East Renfrewshire) (Con): Thank you, Mr Speaker, for granting this urgent question. I have met too many individuals in my constituency who ran serious, sensible businesses and were a model in their borrowing but whose lives have been ruined by the behaviour of unscrupulous banks. Thank you for giving us the opportunity to air this on the Floor of the House.

I understand from my constituent Ian Lightbody that, despite the tireless efforts of him and his CYBG Remediation Support Group, they have not had the courtesy of a response from the CEO and chairman of CYBG, which sums up the complete contempt and disregard of Clydesdale Bank’s senior management for small business owners. Will the Minister join me in demanding that the bank, as a first step, shows some courtesy to these individuals and at least engages with them?

John Glen: Yes. I am happy to take up the case of Mr Lightbody and ensure that he gets a conversation with the right people.

Wes Streeting (Ilford North) (Lab): It is not just in calling for a financial services tribunal that the Treasury Committee has joined the consensus. We have also echoed the concern, based on widespread evidence we received, that the regulatory perimeter needs to be looked at in respect of commercial lending. We urged the Government not to adopt a “wait and see” approach. Having looked at the Government’s response to our inquiry into SME lending and listened to the Minister this afternoon, I think the Government do indeed appear to be taking a “wait and see” approach. When will we see more concrete action to give all business owners the confidence they need that whenever malpractice occurs—it does occur, and it is too widespread—they will see justice and accountability?

John Glen: I thank the hon. Gentleman for his question. I have set out the expanded remit and role of the ombudsman service and the extension of the money that can be provided. I have also set out the engagement I have had with UK Finance on historical cases. I respectfully say to him that these are very early days—it is only two months since this decision was made, and I look forward to seeing urgent progress.

Norman Lamb (North Norfolk) (LD): I congratulate the hon. Member for Lanark and Hamilton East (Angela Crawley) on asking this important question. Along with effective dispute resolution, a properly functioning banking and financial services sector that commands the trust of the British people relies on brave individuals who are prepared to blow the whistle on wrongdoing within the institutions where they work. Does the Minister agree that it has become increasingly clear that we need enhanced protection so that people feel able to speak out and a regulator that is prepared to stand up for, support and protect whistleblowers when the going gets tough?

John Glen: I recognise that we need in the Financial Conduct Authority and the PRA regulators that are able to take appropriate action in a timely way to deal with disputes where they have responsibility. I have regular conversations with the FCA and encourage it to look at different matters. I will obviously be concerned about how the expanded ombudsman service and the redress mechanism work, and nothing is ruled out in the future.

Joanna Cherry (Edinburgh South West) (SNP): I congratulate my hon. Friend the Member for Lanark and Hamilton East (Angela Crawley) on securing this important urgent question. Like many Members, I have constituents whose businesses were successful and would not have gone under had the banks not mistreated them. Does the Minister agree that the FCA should issue strict guidance that the banks should not destroy any documentation relative to ongoing disputes before the historical compensation scheme is established, and if they do so, they should be sanctioned?

John Glen: The hon. and learned Lady makes a reasonable point. It would be perverse to shred relevant materials in the context of a provision that they have entered into freely, showing a lot of good will, to try to find resolution and get to a better point of trust between the public and themselves.

Christian Matheson (City of Chester) (Lab): This is not just about one case. The description that the hon. Member for Thirsk and Malton (Kevin Hollinrake) gave of the sale of tailored business loans is identical to the case of my constituent. Furthermore, that constituent has clear, documented and contemporaneous evidence of deliberate false representation by the bank to the Treasury Committee, the Financial Ombudsman Service and the FCA. I venture to say to the Minister, for whom I have a lot of respect, that this is widespread across the banking sector. We have seen the activities of the Royal Bank of Scotland Global Restructuring Group in attacking SMEs. Much as I support the idea of a tribunal, surely now is the time to go further and have a full public inquiry into the character of banking.

John Glen: I thank the hon. Gentleman for his comments. The key issue for many of these people, who have been waiting for a very long time—sometimes up to 10 or 11 years and longer—is to make sure they can get access
to a mechanism that interrogates the evidence and deals with it swiftly. I was not indicating to my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) that we should not say there are not parallels or themes, but I just feel that we have to look at the evidence on a case-by-case basis. I am certain that there is good will in the dispute resolution mechanism to interrogate thoroughly past cases that are unresolved.

**Sammy Wilson** (East Antrim) (DUP): We acknowledge the work that the Government have done to date, and the point the Minister made about the need to strike a balance between banks being able and encouraged to lend and, at the same time, meeting the interests of their customers. Does he agree with me that an equally important balance is that between powerful financial institutions that have all the resources—and sometimes the resources of the state—behind them and small businesses that have been damaged economically by the actions of those banks and very often do not have the resources to fight back? Despite all the measures undertaken, 10 years down the line many are still seeking redress, still finding themselves blocked by the actions of the banks and now, ahead of the historical compensation scheme coming in, finding themselves forced into the courts and perhaps having their cases dealt with before the scheme comes in. Does he not agree that now is the time for an independent financial services tribunal, and for the FOS to make clear to the banks that, ahead of the historical compensation scheme coming in, no further court action should be taken against individuals?

**John Glen**: I believe the dispute resolution service that has been set up gives the scope to go back over 10 years of disputed cases, and there is a desire to provide quick access. As the right hon. Gentleman points out, some of these cases have been going on for far too long. The situation is that the banks were in a very bad place with respect to the power they wielded over individuals and small businesses. They want to sort this out, and that is why they have engaged constructively in the construction of this dispute resolution service.

**Bill Esterson** (Sefton Central) (Lab): Like other Members who have spoken, I have a number of constituents whose businesses were ruined by the actions of the banks. I think this is a much larger-scale problem than the Minister perhaps implied in some of his earlier answers. It is about an imbalance of power in the relationship between the banks and their customers. The banks have had years to provide redress and they have had years of a voluntary system in that regard, so how is a new voluntary tribunal system going to provide the redress the banks need to provide? Surely the time will come when the Minister will need to make this a mandatory system to provide the justice needed by small business customers who were ruined?

**John Glen**: We have not in recent times had a system set up to give quick access in relation to disputes over the past 10 years, and my concern was to provide something that is effective and deals with all the issues that have been raised over the time I have been in office.

**Stewart Hosie** (Dundee East) (SNP): Given the personal cost of this—destroyed businesses, personal bankruptcy, mental health pressures, suicide and now a hunger strike—many of these people will not have the ability or the stomach for a historical review. Moving forward, may I tell the Minister that there is little confidence, including from the Treasury Committee, that the FOS has the ability, capacity or expertise to do the work it has been asked to do? I hope the Minister will listen—I am sure he will—to those in all parts of this House who are saying there is now an unanswerable argument for an independent financial services tribunal.

**John Glen**: I thank the hon. Gentleman for his question, and I have responded to I think nine debates in this Chamber and in Westminster Hall on this matter. I am very aware of the pitch and the breadth of concern that exists on this matter and the urgency in getting some outcomes that actually deliver for our constituents, and I will continue to work towards that aim.

**Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): I think the hon. Member for City of Chester (Christian Matheson) hit the nail on the head. Let me give the House an example. A couple of years ago, when the Clydesdale proposed to shut its branch in my town of Tain, I had a meeting with it and representatives of a highly successful local fish-processing business, and the Clydesdale was at pains to say, “Yes, we’re going to shut the branch, but you can use the post office locally.” Well, a fat lot of good that was, because the post office was too small, and I have raised that several times in this House. Now, in the next few days, that post office is going to close, and we will have no Clydesdale branch and no Royal Bank of Scotland branch in my home town. What good is that to SMEs? It is useless for business. I back the hon. Gentleman all the way: the time has come for a full inquiry into these banks, which, in my opinion, are completely out of control.

**John Glen**: As has been discussed in numerous debates, the changing face of the high street bank causes considerable concern for our constituents. We have a protocol in place on the relationship with the Post Office and, from memory, I think something like 97% of people in this country live within three miles of and have access to a post office. I think the hon. Gentleman needs—

**Jamie Stone**: Not in my constituency.

**John Glen**: The hon. Gentleman needs to reflect on the fact that there will not be a one-size-fits-all approach across the whole of the United Kingdom, and the banks are willing to look at individual solutions in different circumstances. I would be very happy to meet him to discuss that further.

**Peter Grant** (Glenrothes) (SNP): There is probably no more appropriate Member to have raised this than my hon. Friend the Member for Lanark and Hamilton East (Angela Crawley) because, as Members will appreciate, Clydesdale is in fact the historical name for a great part of the constituency that she represents.

Does the Minister accept that no form of redress can ever be good enough once a business has gone bust and the owners of the business and their families have been put through 10 years or more of hell? What assurances
can he give us that any future scheme of redress will become active and effective when there is still time to save businesses that, in the vast majority of cases, have operated lawfully within the rules and have been successful businesses? These businesses would not have been targeted if they had not been successful.

John Glen: I am grateful to the hon. Gentleman for his question. He expresses exactly why I think it is so urgent that we get on and get the banks to engage in this historical dispute resolution mechanism and look at the detail, so that they are in a position to give compensation urgently. People have been waiting too long, and where such evidence exists, the banks need to respond appropriately and swiftly.

Jim Shannon (Strangford) (DUP): First, I thank the Minister for his response on these issues. As he knows, I have met him on a number of occasions with my constituents to do with their problems, and I just want to put on the record the desperation that they feel. Yesterday, some of them attended the Irish schools—St Patrick’s Day—cup final to protest about Danske Bank, with “Shame on you” on their yellow hi-vis vests to highlight the issue. The Minister quite clearly knows that their story is dreadful—he has seen it—as it all too often involves health issues. When it comes to financial redress, it is compensation we are after. Has the Minister had any opportunity to address the issue of compensation, particularly the issues of the Danske Bank in Northern Ireland, which has false-changed my constituents?

John Glen: I do not personally have investigative powers, but I do recognise the need to have compensation. That is why we have an increased compensation threshold in the Financial Ombudsman Service, and nothing is ruled out with respect to the resolution mechanism. I would like to acknowledge the work that the hon. Gentleman puts in, and I thank him for his email at 9 am on Boxing day, but I was just surprised he had a day off.

Points of Order

1.48 pm

Matthew Pennycook (Greenwich and Woolwich) (Lab): On a point of order, Mr Speaker. You will know that once a statement has been made under section 13(4) of the European Union (Withdrawal) Act 2018, a Minister of the Crown must make arrangements under subsection (6) for a motion in neutral terms to be moved within the period of seven Commons sitting days, beginning with the day on which the statement is made. As you will be aware, such a statement was made on Friday 15 March, and you will also know that Friday 22 March is a sitting day. Can you therefore confirm that, irrespective of what may emerge from the meeting of the EU Council on 21 and 22 March and what, if any, consequential secondary legislation may be brought to the House thereafter, we will have a stand-alone debate on an amendable motion by Monday 25 March?

Mr Speaker: I am grateful to the hon. Gentleman for his point of order and his characteristic courtesy in giving me advance notice of his intention to raise it. As far as I am aware, his exegesis of the Act is entirely correct. Following the decision of this House not to approve the withdrawal agreement and the framework for the future relationship on Tuesday 12 March, the Government made a written statement on Friday 15 March, as required by section 13(4) of the European Union (Withdrawal) Act 2018. Under section 13(6) of that Act, a Minister must move a motion “in neutral terms” that this House “has considered the matter” of that statement no later than Monday 25 March. According to the order of this House of 4 December, motions in neutral terms under section 13 of the Act are amendable. The motion has been tabled; it is currently item 64 in part B of Future Business. No amendments have been tabled yet.

Christian Matheson (City of Chester) (Lab) rose—

Mr Speaker: I am saving the hon. Gentleman. I do not want to squander him too early in our proceedings. That would seem unkind and wasteful.

Sir Edward Leigh (Gainsborough) (Con) rose—

Mr Speaker: The right hon. Gentleman is a very learned fellow; we will come to him presently.

Anna Soubry (Broxtowe) (Ind): On a point of order, Mr Speaker. Further to your, if I may put it this way, intervention—your ruling, perhaps—yesterday, the Government have today announced, no doubt also in accordance with the motion passed on Thursday, and apparently after a tumultuous Cabinet meeting, that the Prime Minister is writing to Mr Tusk to seek an extension of article 50, but not just, as prescribed in the motion last Thursday, till the end of June, but also for another, much longer period. However, we do not know for how long—apparently the Prime Minister might not have even decided herself—and we certainly do not know for what purpose any extension is being sought.

Mr Speaker, can you help us? Is all that in order, given that nobody has come to this place to tell the House of Commons what is going on, so that we can question, yet again, the purpose of that lengthy extension in particular and how long it will be, but also what this
means, given that we are to leave the European Union in 10 days, still with no deal in place? The concern is that the letter is designed to do the very thing that the hon. Member for Wallasey (Ms Eagle) mentioned in her comments yesterday, which she has also mentioned on previous occasion, in reference to the rulings in “Erskine May”, which is, it is believed, to bully, frankly, Conservative Back Benchers into supporting the Prime Minister’s withdrawal agreement, even though they believe that it is against everything they believe in and against their consciences. Could you assist us, Mr Speaker: is all this in order?

Mr Speaker: I am not aware that anything disorderly has taken place, and I must begin by advising the right hon. Lady that I am not privy to these matters. I know that she is customarily exceptionally well informed, and may well be, for all I know, in this case. One of the reasons why I am not privy to these matters is that I have not been advised of them by Ministers. Another reason why I am not aware is that I have been attending to my duties in the Chair, as colleagues and others would expect, so I do not know whether a letter has been written or is in the process of being written.

What I would say to the right hon. Lady. Lady is that of course the motion passed by the House last week on, if memory serves me correctly, 14 March did provide for a potential extension of article 50 application to be made. If memory serves me correctly, the first part of that motion specified that if the withdrawal agreement and future declaration were endorsed by the House by 20 March, the Government would be minded to seek an extension to the end of June—specifically, I think, to 30 June. A later section of that motion raised the possibility of a potentially longer extension being sought, in circumstances later section of that motion raised the possibility of a potentially longer extension being sought, in circumstances in which the House had not by 20 March endorsed the withdrawal agreement and future partnership declaration. I mention all that because it seems to me that, as a matter of fact, a rationale for such an extension would be needed.

I mention all that because it seems to me that, as things stand, nothing disorderly has taken place. The notion that an application for an extension might be made is not new. It is out there and has been for some time. I am bound to say that if the Government are minded to seek something by way of a written application, one would rather hope that the House would be informed of that. Of course, a successful application would not only require the agreement of the Union; as a consequence—I think the Clerk at the Table has consulted his scholarly cranium and advised me that this is so—it would require the agreement of the House. We will have to see whether in due course that will be sought, but certainly the agreement of the House is a prerequisite to postponing exit day—I am pretty sure about that—and the agreement of the Union would also be required.

Knowing the perspicacity of the right hon. Lady, I feel sure that she will be in her place at later points, today and assuredly tomorrow and on subsequent days, and it is possible—I do not have to look into the crystal ball when I can read the book—that she will leap to her feet with alacrity in order to seek to probe the Executive branch on these important matters. And who knows? She might well be successful in catching the eye of the Chair. I hope that is helpful to her at this early point in the day.

Sir Edward Leigh: On a point of order, Mr Speaker. You have told the House that, under the convention dating from 1604, you would not be prepared to allow the Government to bring back the motion. I make no comment on that; I just mention it by way of introduction. However, we have also heard from the Opposition spokesman, the hon. Member for Greenwich and Woolwich (Matthew Pennycook), that it is likely that under the Act there must be further opportunities for debate, and the motion will be amendable.

I sense that the House wants to come to a conclusion; therefore, this point of order is designed to try to be positive and both follow your ruling, Mr Speaker, and not disagree with it and allow the House to come to a decision. If, as we hear, the Government are applying for an extension, which we are told might be quite lengthy, I would have thought that that was a fundamental change of circumstance, and you have yourself alluded to the fact that an SI would have to be brought to the House to implement that. I therefore wonder whether, if the Government were then to bring forward a motion, that might be a reason and an opportunity for you to make a judgment that that change was sufficiently meaningful to allow you to change your ruling and allow the Government motion to go forward.

There is another way. You may be aware, Mr Speaker, that I have argued for some time that the Government should use the concept of a unilateral declaration, and this has now been laid by the Government. What if the Government were to beef up or change its unilateral declaration, so that the motion that they brought back to the House was substantially different? I mention that as another way forward. I am trying to be helpful, so that we can both be true to your ruling, Mr Speaker, and allow the House to come to a decision as soon as possible, because I for one rather hope that this extension will concentrate the minds of my Brexiteer colleagues.

Mr Speaker: I am most grateful to the right hon. Gentleman for his point of order and for the terms in which, entirely characteristically, he expressed it. There were quite a lot of hypothetical questions there, and he is both something of an intellectual gymnast—I think I am in no danger of contradiction in making that assertion—and a keen student of history, not least the history of his own party. I do not treat his inquiry with levity, but what I say to him is this: I have always thought that there is much merit in the observation frequently proffered by the late Lord Whitelaw. What he said, many a time and oft, was, “For my part, I prefer to cross bridges only when I come to them”—indeed, it might be thought to be somewhat hazardous to make any attempt to do otherwise. I stand by the point about the same or substantially the same proposition not being able to be brought in the same Session. The logical corollary of that is that if a different proposition is brought forward, it is perfectly possible that that can be done in an orderly way—that is to say, without falling foul of “Erskine May”. We will leave it there for now.
Chris Bryant: On a point of order, Mr Speaker. This is a completely different matter, if that is okay. As you know, we all mourn the loss of Paul Flynn, and his funeral is to be in Newport on Friday morning, but because, unusually, we are sitting this Friday for private Members’ Bills, your chaplain has agreed to hold a service in the crypt chapel of St Mary Undercroft at 10.30 am. I wonder whether we might be able to put that on the Order Paper for Friday, so that if anybody wanted to attend, they could come along.

Mr Speaker: I see absolutely no reason why that should not be done and every reason why it should be. I am deeply obliged to the hon. Gentleman. As he rightly says, this Friday is a sitting day. Many colleagues will be in the Chamber for important private Members’ business and I myself, all being well, will be in the Chair for a significant part of the proceedings. I would otherwise very much have wanted to be at the funeral and I am being represented at the funeral, as I think the hon. Gentleman knows, but I will be here. That service is itself a service—a service to our departed colleague, to his widow Sam and family and to everyone who knew, admired and respected Paul—so let us have it advertised in a rather official way, as the hon. Gentleman suggests.

Christian Matheson: On a point of order, Mr Speaker. On a more practical matter, there are occasions in this House when we have debates that are of a timed length. I am thinking, for example, of statutory instruments that are debated for up to 90 minutes or Standing Order No. 24 debates, for which I believe the time limit is three hours. When we have such timed debates, would it be possible for the annunciator to reflect the start time of the debate, so that hon. Members can see how long has elapsed within that period and how long is remaining?

Mr Speaker: The debate end time is displayed on the clocks at the table in front of the Clerks. I am sure that we can look at the practicality of that end time being displayed more widely. The proposition advanced by the hon. Gentleman is not only inoffensive, but potentially practical. [Interruption.] And practicable, as has been in no way pedantically pointed out to me.

Stephen Gethins (North East Fife) (SNP): On a point of order, Mr Speaker. We are at a time of unprecedented crisis and time is not quite on our side. The UK is due to leave the European Union next week and the House is sitting on Friday, just as we come to the end of a critical European Council. May I seek your guidance on what scope there may be for Members or for the Government to bring forward a resolution so that the House could sit on Saturday?

Mr Speaker: I thank the hon. Gentleman for his point of order. Colleagues, for the second day running, I am obliged to turn to “Erskine May”—namely, page 309, with which colleagues, I feel sure, will be closely familiar—which states:

“Under Standing Order No 11(6) a sitting on Saturday or Sunday…can be secured only by a resolution of the House, made normally…at the commencement of public business.”

I hope that my reply sates the hon. Gentleman’s curiosity. If there are no further points of order, we will proceed to the ten-minute rule motion, for which the hon. Member for North East Derbyshire (Lee Rowley) has been very patiently waiting.
Fracking (Seismic Activity)

Motion for leave to bring in a Bill (Standing Order No. 23)

2.5 pm

Lee Rowley (North East Derbyshire) (Con): I beg to move,

That leave be given to bring in a Bill to require fracking operators to monitor seismic activity caused by fracking and take steps if such activity exceeds certain levels; and for connected purposes.

It is great to have the opportunity to talk about this issue today. Fracking is a controversial and difficult subject on which people take different views. Often, when fracking is discussed and debated, it is mainly talked about from an environmental perspective. That is an incredibly important part of the discussion, but it is not one that I am going to focus on today.

The part of the fracking debate that, frankly, has been missed in this place and elsewhere relates to its practicality and the practical implications for local communities who are affected by it, or by the exploratory drilling that precedes it, or who could be affected as a result of the drilling licence that is applied. For those communities, a shadow across the landscape is created by the implications for their local area—for the roads and the loss of agricultural fields—and the industrial impact in otherwise heavily rural areas. I wish to introduce the Bill today because of the continuing attempts by the industry, perfectly legitimately, to try to tweak and change some of the regulations that govern fracking and which this place needs to consider much more carefully and closely than it has hitherto.

The question on fracking is where to start, and the best place I can see is with what we as a country are trying to do with fracking. That is not actually that clear. I have put multiple written questions to various Departments over the past few months and have not been able to get a clear objective from the Government. The best that I have been able to get is a written ministerial statement from May last year, when the Government were clear that in their view, fracking contains a number of them—is the involvement of local communities who are affected by it, or by the exploratory phase alone; a substantial number of bulks, some over 10 metres high, for the entire period it is there; and a 60-metre-high drill rig during the six months it is being set up—all in the middle of green-belt countryside. That is the impact in just one location. Multiply that by over 1,000 locations and the challenge becomes that we risk substantially industrialising the countryside and other parts of this country where petroleum licences have been issued.

On top of the scale and impact problem comes another problem. There is a desire, because fracking has not been successful in the eight years it has been tested, to tweak the rules to make it more palatable in this country. First, the national planning policy framework was changed several months ago in effect to prioritise fracking and other forms of onshore oil and gas production over other elements, which gave great weight to allowing such energy exploration and production irrespective of where it was—whether in green belt, countryside or other locations that otherwise would be completely ignored and considered inappropriate for such development.

Secondly, an attempt was made last year to loosen the planning policy rules around fracking. It was proposed that fracking exploration—that light industrial estate plonked in the green belt in places such as my constituency—be permitted through the same planning policy processes as those for a kitchen extension and that the actual production, which could last up to 25 years, if not longer, be taken out of the hands of local people and put into the nationally significant infrastructure programme, both of which would be entirely inappropriate and take away control from local people over what happens in their local areas.

Then, in the last few months, after the failure of the first attempts to frack in this country for over half a decade—in Preston—the industry came back and said it wanted to change the rules around earthquakes. During that short two-month period in Lancashire when fracking was attempted before Christmas, more than 50 earthquakes were created near Blackpool—admittedly small ones, but earthquakes none the less—despite the fact that they got no further than about 10% of the way through...
the industrial process of fracking. If we multiply that impact by the thousand or so sites in the country, we see the scale of the problem.

My Bill proposes to limit the ability of fracking to create earthquakes to its current regulatory acceptable limit of 0.5 on the Richter scale. The industry has clearly indicated that it wants the limits raised, but that would be entirely inappropriate. We should limit fracking activity in line with the existing regulations. The industry signed up to those several years ago, and any change to them would bring great anxiety, distress and worry to communities such as mine.

In conclusion, fracking is controversial because it has not worked, because it is not working and because, in my view, it will not work from a practical and a community-based perspective. For that reason, I seek to limit in legislation the ability of seismic activity to take place over and above what the regulations already state.

Question put and agreed to.

Ordered,

That Lee Rowley, Zac Goldsmith, Mr William Wragg, Damien Moore, Mr Simon Clarke, Eddie Hughes, Ben Bradley, Maria Caulfield, Sir Graham Brady, Andrew Lewer and Sir Kevin Barron present the Bill.

Lee Rowley accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 22 March, and to be printed (Bill 359).

Exiting the European Union
(Food and Agriculture)

Mr Speaker: With the leave of the House, we will debate motions 2 to 5 together.

2.16 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): I beg to move,

That the draft Materials and Articles in Contact with Food (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 5 February, be approved.

Mr Speaker: With this, we shall consider the following motions:

That the draft Genetically Modified Food and Feed (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 4 February, be approved.

That the draft Novel Food (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 4 February, be approved.

That the draft Animal Feed (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 5 February 2019, be approved.

Steve Brine: The instruments, which all concern food and feed safety, relate to those substances collectively known as “regulated products” and to animal feed hygiene and marketing. They are made under the powers in the European Union (Withdrawal) Act 2018 to carry out necessary amendments to the overarching food regulations so that those can continue to protect public health from risks that may arise in connection with the consumption of food. These are protections that our constituents would expect us to pass.

As the UK leaves the European Union, the Government remain committed to maintaining the high standards of food and feed safety and consumer protection that we enjoy in this country. As some hon. Members are aware, I have recently presented numerous instruments that will help to deliver a functioning body of food and feed law. I say “some hon. Members” because, by and large, they have been taken upstairs—so I like to think that today is a bit like me moving from BBC2 to the primetime slot on BBC1. The instruments will correct deficiencies in the regulations to ensure that the UK is prepared in the event we leave the EU without an agreement.

As with all the previous statutory instruments I have presented, I wish to make it clear that these instruments make no policy changes and that it is not our intention to make any at the present time. Similarly, they are crucial to maintaining the effective controls and standards that protect public health and consumer interests in relation to regulated products used in and on food and animal feed.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): As the Minister knows, in the ceramics industry contact with food is a huge part of the regulations. What assurances can he give to me that I can relay to the industry that should Europe change its own arrangements for contact rates and provisions—in other words, if our regulatory systems diverge—producers in this country that are in line with our regulations could still sell to the EU?
The instrument also makes relevant changes to other specific technical pieces of legislation on individual types of food contact material. It will ensure that regulatory controls for food contact materials continue to function effectively after exit day, that public health continues to be protected, and that high standards of food safety are maintained. Consumers must be protected against potential adverse effects of exposure to some substances used in the manufacture of materials and articles that are in contact with the food that we eat. The instrument will ensure that the effectiveness of the controls that we have is maintained.

This instrument, and the other SIs that we are debating today as part of the fourth and final bundle, will transfer responsibilities incumbent on the European Commission from Ministers in the European Council to Ministers in England, Wales and Scotland and the devolved authority in Northern Ireland. It will also transfer responsibility currently incumbent on the European Food Standards Authority to the relevant food safety authority: the Food Standards Agency, for which I hold ministerial responsibility in England, Wales and Northern Ireland, and Food Standards Scotland north of the border. The change will also ensure a robust system of control to underpin UK businesses' ability to trade both domestically and internationally.

Let me now say something about the impact of this instrument on industry. The proposed amendments are expected to have a very minimal impact on businesses that produce or use food contact materials or articles. Existing provisions have received very positive feedback from our previous consultations, and there is no evidence that the changes required will be detrimental to industry. I was asked about the devolved Administrations. They have consented to the instrument. We liaise closely at official level with our opposite numbers, and, as with the instruments that we have already debated, throughout this month we have engaged positively with the devolved Administrations throughout the development of these instruments. Let me place on the record again my thanks to them for their positive engagement with me and my team.

Sarah Newton (Truro and Falmouth) (Con): I am pleased by the Minister’s reassurance about the commitment to the extremely high standards of food safety that exist in our country, but will he consider making some improvements as we take on this responsibility in our sovereign Parliament? A number of my constituents are worried about claims that many of the plastic items used to store and protect food are biodegradable or recyclable when that is actually not true. Will the Minister consider improving the current standards in future, so that we can have proper regulation and proper communications about how biodegradable or recyclable plastics really are?

Steve Brine: It is good to see my hon. Friend here, but not so good to see her there. She knows what I mean.

Along with the shadow Minister, the hon. Member for Washington and Sunderland West (Mrs Hodgson), I chaired the all-party parliamentary group on breast cancer for many years. There is definitely talk in the lobbying community about plastics and their impact, and, as the hon. Member for Washington and Sunderland

Steve Brine: I shall be able to talk in more detail about the ceramics issue, which I can well imagine is of great interest to the hon. Gentleman. However, the point of the regulations is to port across everything that is currently on the EU’s statute book. We have 100% regulatory alignment at this stage, because we are a member state at present; if we have a withdrawal agreement in place, there will of course be a seamless bridge. The purpose of the instruments is to ensure that that seamless bridge comes about regardless.

If, when we are a third country, we as a nation, and this as a sovereign Parliament, decided to make a change to the regulations, we would have to do so with the consent of Members. All the considerations would be taken into account, including the impact on areas such as the one that the hon. Gentleman represents, and I am pretty sure that he would be a very loud voice in any future debate. I hope that that answers his question.

David Simpson (Upper Bann) (DUP): What consultation has there been with the devolved nations?

Steve Brine: I ask the hon. Gentleman to bear with me. I will definitely come on to that, in respect of all the SIs.

As I said to the hon. Member for Stoke-on-Trent Central (Gareth Snell), the purpose of the SIs is to ensure that UK domestic legislation that implements directly applicable EU regulations continues to function effectively after exit day. The proposed amendments are critical to ensuring that there is minimal disruption to novel foods, feed additives and other regulated products collectively if we do not reach a deal with the EU.

The first SI, the Materials and Articles in Contact with Food (Amendment) (EU Exit) Regulations 2019—also known as Food Contact Materials—refers to all items that are intended to come into contact with food, both directly and indirectly. They include processing line machinery, transport containers—not vehicles, but the actual containers of food—kitchen equipment, packaging, cutlery as sold and dishes and utensils as sold, and can be made from a variety of materials including metal, paper, plastic, wood, rubber and, indeed, ceramics.

Let me say for the benefit of Members who do not live and breathe these regulations, in the unlikely event that there are any, that specific examples of food contact materials are tin cans for holding baked beans and plastic bottles for holding water. The regulations will ensure that those materials are robust enough to do the job, but safe enough to do it without transferring anything to the foodstuffs.

The instrument is critical in meeting our priority of maintaining after we leave the European Union the very high standards of food safety and consumer protection that we currently enjoy in this country. It will ensure that provisions in four main pieces of EU food contact materials legislation continue to function effectively in the UK after exit day. The first is European Commission regulation 1935/2004, which sets out the framework for all materials and articles intended to come into contact with food. The regulations then become progressively more specific. The second is regulation 10/2011, on plastic materials and articles intended to come into contact with food. The third is regulation 450/2009, on active and intelligent materials and articles intended to come into contact with food. The fourth is regulation 2023/2006, on good manufacturing practice for materials and articles intended to come into contact with food.

The instrument is critical in meeting our priority of maintaining after we leave the European Union the very high standards of food safety and consumer protection that we currently enjoy in this country. It will ensure that regulatory controls for food contact materials continue to function effectively after exit day, that public health continues to be protected, and that high standards of food safety are maintained. Consumers must be protected against potential adverse effects of exposure to some substances used in the manufacture of materials and articles that are in contact with the food that we eat. The instrument will ensure that the effectiveness of the controls that we have is maintained.
West knows, pieces of academic work make claims in that respect. Those claims are certainly not proven, and there is a wide range of scientific debate about them.

I take my hon. Friend’s point about biodegradable plastics, but it is not specifically a matter for me. The instruments deal with food standards and food safety. They do not make any degradations in our food safety; but neither do they make any improvements; they are housekeeping measures.

The second SI, the Genetically Modified Food and Feed (Amendment etc.) (EU Exit) Regulations 2019, is also crucial to meeting our objective of ensuring that the current high standards are maintained. It was made under the powers in the European Union (Withdrawal) Act 2018 to make necessary amendments to retained EU genetically modified food and feed law. It will ensure that regulatory controls for GM food and feed continue to function effectively after exit day, and that public and animal health and, crucially, public confidence continue to function effectively after exit day, and that that public health is protected. Anything permitted will ensure that the regulation of and controls on novel GM food and feed products, and importantly this enables products to be tracked through all stages of the supply chain. So the instrument ensures the continuation of these robust and effective GM food and feed safety labelling controls after we leave the EU.

The law governing GM food and feed provides a harmonised regulatory framework. The authorisation process involves a safety evaluation based on rigorous scrutiny of scientific data by the European Food Safety Authority in line with international guidelines. GM events for use as food and/or feed are authorised by means of individual pieces of legislation. Authorisations are granted for a period of 10 years, which may be renewed if, following assessment of the required renewal data, the previous risk assessment remains valid. The rules also provide for the withdrawal of authorisations in appropriate circumstances.

There are also very clear requirements for the traceability of genetically modified organisms and the labelling of GM food and feed products, and importantly this enables products to be tracked through all stages of the supply chain. So the instrument ensures the continuation of these robust and effective GM food and feed safety labelling controls after we leave the EU.

As was the case with the other SIs, this instrument will make no change to policy beyond the technical amendments necessary, but it assigns powers and responsibilities currently incumbent on EU entities to appropriate UK entities. So I want to be clear that powers to make legislation, and risk management functions currently held by the European Commission to authorise GM food and feed and revoke or modify authorisations, will be assigned to Ministers in England, Wales and Scotland and the devolved authority in Northern Ireland. Those include discretionary powers to set down detailed rules that work for the UK in relation to the UK reference laboratory—laboratory, sorry, not lavatory; that would be strange.

Returning to industry, no changes to the way in which UK food or feed businesses are operated or regulated will arise from this instrument. There will be a continuation of the robust authorisation system I have outlined, the labelling requirements I have touched on, and the controls for GM food and feed that UK industry is familiar with and relies upon. The instrument enables the continued use of GM food and feed authorised in the UK. Again, the devolved Administrations provided their consent for it.

Thirdly, the Novel Food (Amendment) (EU Exit) Regulations 2019 are another instrument to be made under the powers of the European Union (Withdrawal) Act 2018. Novel foods are those that are relatively new or do not have a significant history of consumption in the EU. Those foods must be assessed for safety before they are introduced into the market to ensure that they do not present a risk to public health. This instrument will ensure that the regulation of and controls on novel foods continue to function effectively after exit day and that public health is protected. Anything permitted prior to exit day will be permitted after exit day. The purpose of the instrument—which again makes no policy changes—is to rectify deficiencies in the retained legislation. So foods new to the market are not assumed to be safe; that is where we have decided to place the burden. In the interests of public health the regulations require novel foods to have a pre-market safety assessment to identify whether they pose a risk and how that risk could be managed. The regulations will ensure that the existing levels of public health protection and food safety are maintained.

Kevin Hollinrake (Thirsk and Malton) (Con): Food safety is a critical element in the fight against antimicrobial resistance and the tackling of superbugs. Will my hon. Friend do all that he can to ensure that the UK remains a world leader in this area after we have left the European Union?

Steve Brine: I would have been disappointed if my hon. Friend had not raised the subject of antimicrobial resistance. He is ingenious in managing to get it into every debate. He knows of my commitment in that regard, not just domestically but internationally. This country is rightly respected and looked to for its work in the field, and I thank him for putting that on the record.

Rebecca Pow (Taunton Deane) (Con): We have received assurances from the Secretary of State for Environment, Food and Rural Affairs that in no way will any of our food standards be lowered as we leave the EU. That is very important to all our constituents, not least the people of Taunton Deane. Will the Minister assure me that we will stick to that, and, indeed, that there might be opportunities to raise our standards so that we are effectively a leader in many areas of the food, farming and animal feed sector?

Steve Brine: My hon. Friend makes a good point, and it is an interesting one to bring up at this moment. We have been very clear across Government from the Prime Minister down, including the Environment, Food and Rural Affairs Secretary, that we will not lower our standards in pursuit of trade deals as a result of leaving the EU, and that we will use all the tools at our disposal to make sure that standards are protected and we are not therefore left at a competitive advantage. My hon. Friend mentioned the Environment Secretary, who made that point very clearly at the Oral Questions—I think earlier this month. That is very much where this House is, and that is very much where I am as Minister responsible for food safety. I hope that is clear.
The EU framework regulation on novel foods is supported by four implementing measures, which provide the detailed rules, data requirements and administrative procedures governing all novel products. This instrument will ensure that provisions in the four main pieces of EU legislation continue to function effectively after we leave. They will correct the following retained EU law: regulation 2015/2283, which is the main framework for regulation on novel foods; regulation 2017/2469, which provides administrative and scientific requirements for the applications; regulation 2017/2468, which provides administrative and scientific requirements concerning traditional foods from third countries, which of course there would be; and regulation 2017/2470, which establishes a Union list of novel foods. Finally, regulation 2018/456 establishes procedural steps for the consultation process to determine the status of novel foods.

I know that food businesses watch these proceedings with interest, and there will be no change in how they are regulated. The instrument will, however, ensure that the robust system of controls that underpins UK businesses’ ability to trade both domestically and internationally continues. Again, we have engaged positively with the devolved Administrations, and we have their consent for this instrument.

Finally, the Animal Feed (Amendment) (EU Exit) Regulations 2019, which concern feed law, are also made under powers in the European Union (Withdrawal) Act 2018. We are making necessary amendments to the overarching food and feed regulations under the powers in the Act, so that we continue to protect the public. The primary purpose of this instrument is to ensure that feed legislation continues to function effectively. The retained EU legislation on animal feed encompasses requirements relating to feed additives, feed hygiene, sampling—when local authorities do sampling, for instance—marketing, and the use of feed, including labelling.

This instrument will fix the inoperabilities in the retained EU legislation and provide a continuation of the legal requirements that already exist in EU law. These proposed amendments are equally crucial to maintain a functioning statute book and to maintain public safety and confidence. The instrument introduces a number of changes, but the purpose of them is to ensure that the animal feed regulations remain operable after EU exit.

Risk assessment responsibilities, currently incumbent on EFSA, will be assigned to the Food Standards Agency and, again, Food Standards Scotland north of the border, and again, we have had consent from the devolved Administrations.

These four statutory instruments are all necessary to ensure that our legislation relating to food and animal feed safety and hygiene continues to work effectively after EU exit day. No policy changes are being made. I hope the House will support the proposed amendments in these four instruments to ensure that continuation, and I commend them to the House.

2.37 pm

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): I start by thanking the Minister for introducing these statutory instruments on the Floor of the House this afternoon and for summarising them so clearly for us. I would also like to start, as I always do, by putting on record once again my disappointment and concern that there could be as few as 10 days before we leave the EU, yet we are still dealing with crucial legislation concerning our food safety. The Government have run down the clock for more than two years and only now, when the deadline is so close, are we considering important legislation that could impact on the public’s health if we do not get it right. Of course, that is because the threat of no deal is still hanging over us. I know that the Minister wants to get this right, which is why I have supported him throughout the discussions on these SIs, but I am still disappointed at the way the Government have handled this.

These statutory instruments will transfer tasks and roles assigned to the European Commission and the European Food Safety Authority to an appropriate UK entity. Will the Minister please confirm who that appropriate UK entity will be? While we are taking these SIs as a group, which I welcome, I would like to raise some concerns about each of them in turn.

Dr David Drew (Stroud) (Lab/Co-op): I am sure my hon. Friend agrees that this is as much to do with DEFRA as with the Department of Health and Social Care, and it shows why we need a food strategy in this country so that we can sort out some of the nonsense caused by the overlap between different Departments.

Mrs Hodgson: I absolutely agree. My hon. Friend makes a good point, and I discussed with the Government and Opposition Whips where responsibility for these SIs fell. There is so much crossover between food and health policy, and we are doing the best we can with the hand we have been dealt, but we should probably look more into this issue going forward.

Mr Jim Cunningham (Coventry South) (Lab): I do not want to take my hon. Friend off the point too much, but it crossed my mind when I was listening to the Minister—I apologise to him for coming in late—that issues have been raised in the press, certainly recently, about imported food and the use of chlorine to cleanse it. Does my hon. Friend have a view about that?

Mrs Hodgson: Yes. The issue of chlorine-washed chicken did come up in some of the SI Committees that were held upstairs, and the Minister assured Committee members that chicken would continue to be washed in fresh water and that there would be no sneaking chlorinated chicken into our food chain. I am sure he will reaffirm that today.

The first SI today is the Materials and Articles in Contact with Food (Amendment) (EU Exit) Regulations 2019. As consumers, we are all familiar with the plastic packaging around almost every product—I suppose we are moving on to environmental policies in talking about the waste element of this, but the issue is at the forefront of consumer consciousness. Has the Minister had any conversations with his colleagues at DEFRA about the UK’s commitment to reducing plastic waste and about how this SI could help facilitate that? The authorised list of substances permitted for use in food contact plastics is generally updated several times a year. Which body will now undertake that work, and...
does it have sufficient resources to do so? Will the updated list be in line with that of our European neighbours?

Moving on to the genetically modified food and feed regulations, all authorised genetically modified food and feed must have a method of detection scientifically assessed and validated by the European Union laboratory, in collaboration with the European network of GMO—genetically modified organism—laboratories. What body will now scientifically assess and validate food and feed? Will the assessment process change, and will businesses have to complete a more complex process than currently? Will the UK be part of the European network of GMO laboratories after we leave the EU? If not, will the UK’s validation of GM food and feed be aligned with European network standards to ensure that GM food and feed from the EU can be placed on the UK market after Brexit and vice versa?

Can the Minister assure the House that GM food and feed will be authorised for sale only if they are judged not to present a risk to health, not to mislead consumers and not to have less nutritional value than their non-GM counterparts? Has he made any assessment of the impact that this SI may have on businesses? Has the Department contacted the food and feed industry to notify it of the changes in this SI?

Moving on to what is perhaps the most interesting of the SIs, on the regulation of novel foods, I was surprised to learn that chia seeds are classed as a novel food by the EU. I am sure I eat some of them; I have some in the cupboard—I think you sprinkle them on breakfast cereal and other things to try to get their goodness into you. Lots of other new products that I had not realised were classed as novel foods are now entering the market. I am pleased that foods that are new to the market are not automatically assumed to be safe. Novel foods must have a pre-market safety assessment before being placed on the market.

The geographical scope of the existing regulations is being maintained so that food that had a history of consumption in member states of the EU, and that could therefore be marketed in the EU without needing to be authorised, will not become novel and require authorisation to be sold in the UK when we leave. However, when we do leave the EU and new foods are added to the EU’s novel food list, will the UK mirror the same list and authorisation, or will it conduct its own review, which body will do it? Will the EU’s assessment be taken into account when we conduct a UK-only assessment? Public safety is paramount in all of this, as the Minister and I have discussed many times, so it is important that any reviewing body has the funding and resources to conduct a review. Can the Minister confirm that that is indeed the case?

Will a list of novel foods be available in the UK? Consumers are becoming more and more conscious about what is in the foods they eat, and rightly so. Any list must therefore detail all the information taken into account during the assessment so that consumers can make their own decisions. Packaging must also be clearly labelled with information about novel foods to ensure consumers are aware that their food is safe. It is of course highly important that any food entering the UK market for the first time is safe for human consumption. Leaving the EU should not mean a reduction in our food health standards.

Finally, the anomaly among these SIs, if we did not think that novel food was an anomaly, is the animal feed regulations—I suppose the Minister and I are discussing them because we are the Health Minister and the shadow Health Minister. This SI focuses on animal health and welfare, while taking into account the impact that that can have on human health—that is probably why it has fallen to the Minister and myself to debate it.

The SI says that all rules will remain the same as at present and that there will be a smooth transition for businesses, the feed sector and consumers. The elements of the instrument addressing deficiencies in the Animal Feed (Composition, Marketing and Use) (England) Regulations 2015 apply only in England. What discussions has the Minister had with his counterparts in the devolved Administrations? Is he confident that any regulations on animal feed will be similar, if not the same?

Any animal feed on the market, or used, anywhere in the UK must be safe. The conditions set out for labelling, packaging, sampling, analysis and hygiene must also meet a high standard to protect animal health and wellbeing. Animal feed must also be tested to ensure that it is not harmful to humans in the food chain.

Finally, any changes as a result of this SI must be effectively communicated to the agencies affected in a timely manner. With what could be as few as 10 days to go until Brexit day, will the Minister please confirm that he has had conversations with such agencies to notify them of any changes? The regulations must also be able to be amended easily in the event of emerging threats or changes in safety standards.

In closing, I would like to put on record once again that I am disappointed and concerned that it has come to this just 10 days—if nothing changes—before we are due to leave the EU and that we are still tying up loose ends in such legislation, which is so important to our food safety. We cannot let food safety standards slip as a result of Brexit. They are crucial to human and animal health, safety and welfare. That is why, although I am concerned about the way the Government are rushing through important legislation such as this, I none the less support these SIs. The UK’s food safety standards are paramount to our health and something we must not compromise on. With those remarks, I look forward to the Minister’s response. As ever, I hope he is able to answer some of my questions.

2.48 pm

Rebecca Pow (Taunton Deane) (Con): It is absolutely crucial that the Government take seriously the protection of public health in respect of food. We pride ourselves on our high standards of food production. As I mentioned earlier to the Minister, my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs made a commitment that we would in no way do anything to undermine or lower our standards as we exit the EU. I think a great many of us in the Chamber will be holding his feet to the fire on that commitment. Indeed, not only would we like to keep the standards that we have, but we may want to strengthen them. As my hon. Friend the Member for Truro and Falmouth (Sarah Newton) said, we may want to address packaging in a different way, for example, and we have an opportunity to do so.
[Rebecca Pow]

I support the approval of these statutory regulations, remembering that they relate not just to the food that we eat, but to imported feed—the soya, the grain and the other myriad crops—for the animals that turn into our meat. The regulations must be in place on day one after we leave the EU, because it is important that businesses can just carry on working. I have met several people from the agricultural supply trade, and they have stressed that point to me, because they want to carry on with business as usual. I was therefore pleased to hear from the Minister that businesses are backing these regulations.

The draft Novel Food (Amendment) (EU Exit) Regulations 2019 deals with interesting foods such as chia seeds, which I have on my porridge every morning. They are supposed to be a superfood, so I thought that they may do me some good. They are new to the market and, like all novel foods, they had to undergo a pre-market safety check. I am pleased that the regulations mean that we will adopt the whole system that applies to novel foods, which is important for public health and safeguarding. New products must undergo an assessment of the level of risk and then an assessment of how to manage that risk and, quite rightly, we are adopting the tried and tested methods of the EU. They seem to be working so far because nothing untoward has happened to me as a result of eating chia seeds, and I hope that nothing will. It is important to continue to follow the process and to ensure that we keep the labelling and packaging right so that people know about novel foods.

I shall now turn quickly to the draft Genetically Modified Food and Feed (Amendment etc.) (EU Exit) Regulations 2019. It is essential that the system for GM food and animal feed is transparent and well regulated and that it involves a trusted safety evaluation based on sound science. We must adhere to a strict practice, and that it involves a trusted safety evaluation based on sound science. We must adhere to a strict practice, and it is important to ensure that any process also applies to imports, because we do not want our industry to be undermined by any other country with lower GM standards, something that has been highlighted to me by several people when it comes to soya, for example. We must also ensure that the tracking and labelling systems are in place for GM products.

While we are adopting EU measures lock, stock and barrel, should the EU make any changes to its regulations, we should examine them and consider whether we want to adopt them and whether we may want to add some other standards. If we do that, we should use a bona fide method that protects our consumers while enabling the worldwide trade in which we want to engage.

I assume that the draft regulations will dovetail perfectly with the ambitions in the Agriculture Bill, which sets out plans for a completely new and exciting rethink of land-use policy and for delivering public goods for public benefit. While food is not specifically listed as public good, it is part and parcel of the Bill, and ensuring that we have high standards will be part of all that, so I would like some assurances from the Minister. One thing is for sure: we cannot mess around with food safety. Consumer safety is of utmost importance, and it is beholden on us to put measures in place to ensure that it is properly addressed as we exit the EU. I welcome the approval of these statutory instruments.

2.54 pm

Deidre Brock (Edinburgh North and Leith) (SNP): Many myths were spoken about leaving the EU, but one of the biggest was that it was a means of cutting bureaucracy. In fact, as is becoming obvious by the mess that this place has gotten itself into, we have been lucky over the past few decades that so much red tape has been efficiently managed from Brussels. Access to collective European bodies such as the European Food Safety Authority—expert scientists who independently research and advise and ensure that food standards legislation is fit for purpose—will be sorely missed. We must co-operate with national agencies like Food Standards Scotland, which has been a driving force for public health improvements. However, here we are in the midst of a Brexit brouhaha. As the damaging deal remains stuck in the mud, we have a torrent of statutory instruments to process simply to get to the starting block.

Existing protections and permissions over food contact materials must continue post-Brexit. No one wants a fall in the standards for containers transporting our food or the machinery processing our food, or for packaging, kitchenware, tableware and so forth—standards that successive UK Governments have contributed towards creating. The same applies, of course, to food standards, and my hon. Friend the Member for Falkirk (John McNally) will be speaking more about the draft Genetically Modified Food and Feed (Amendment etc.) (EU Exit) Regulations 2019.

It is vital that evidence-led food safety and food standards are not diminished or diluted by Brexit, which is important for our future trade with the EU as well as for public health. Any increased auditing of food safety standards and procedures at the borders will take a heavy toll on a sector that is already facing enough challenges from Brexit. Looming trade tariffs on agricultural products could close export markets and put thousands out of jobs and close hundreds of businesses. The loss of the European workforce that keeps everything flowing—pickers and packers, food processors, haulage drivers and vets—will also be a substantial blow. There is a threat to Scotland’s carefully cultivated brand identity and our protected geographical indicators. Brexit threatens all of it.

The EU accounts for 70% of annual Scottish food exports, so the possible damage is incredibly worrying, with the industry warning that a no-deal Brexit would cost £2 billion a year. The Government’s own analysis shows that the effect of crashing out of Europe on the agriculture, forestry and fishing industries would hit Scotland hardest—twice as hard as England—slashing the economy by 8%. No Government should contemplate such a self-destructive move, but the Secretary of State for Scotland sat on his hands while his Tory colleagues toyed with the no-deal catastrophe button. We cannot allow Scotland’s successful food and drinks sector to be hijacked by Brexiteers and those who enable them for party political purposes. Exports of iconic Scottish produce, such as whisky, beef, langoustines and salmon, are worth four times as much to the Scottish economy as they are to the UK’s, and seven of the top 10 food export destinations are EU countries.

We are here today to debate the replacements for legislation that we already have because of some xenophobic fear of the EU, but we still do not have cast-iron guarantees about the long-term protection of our food...
standards in international trade negotiations. Billions of pounds that should be spent on tackling the problems that people face the length and breadth of these islands is being wasted on Brexit bureaucracy, and countless hours of MPs’ time are being wasted replacing legislation that we already had with near-identical legislation. Kafka never came close.

2.58 pm

George Eustice (Camborne and Redruth) (Con): I rise in support of all four statutory instruments. While this House, in its wisdom, has decided to send our Prime Minister on her hands and knees to beg for an extension to our leaving the European Union, we do not yet know what the EU’s counter-offer will be or whether the terms of that extension will be palatable and acceptable to the House. It therefore remains imperative that we continue to ensure that we have an operable lawbook for day one should we still be required to leave at the end of this month without an agreement.

The vast majority of the provisions in all the statutory instruments relate to the transfer of functions, principally from the European Commission to the food safety authority, which means Food Standards Scotland or the Food Standards Agency in England, Wales and Northern Ireland, or in other instances to the appropriate authority, which largely means the Secretary of State for Environment, Food and Rural Affairs.

There is something of an irony in our having a debate on the Floor of the House about whether, in all these statutory instruments, it is acceptable to replace “Commission” with “Food Safety Authority”; yet the original powers to which every one of these statutory instruments relates were imposed on us directly by the European Union, typically through implementing Acts or delegated Acts. There would have been little or no scrutiny in this House, and probably the best that could have been expected is a letter to the European Scrutiny Committee or, in some instances, the tabling of an explanatory memorandum before Parliament. The truth is that the most pernicious Henry VIII power we have seen in this country in modern times is section 2(2) of the European Communities Act 1972, which has led to widespread changes in primary legislation.

Today I will focus on a specific point that is relevant to all four statutory instruments, which is the respective roles of the Food Standards Agency, on the one hand, and Ministers, on the other. The hon. Members for Washington and Sunderland West (Mrs Hodgson) and for Stroud (Dr Drew) both mentioned the role of DEFRA, as the Department in which much of the technical expertise rests. Having experienced it for five and a half years as a Minister, I know there is something of an issue around our current food standards architecture in this country.

The Food Standards Agency was established in the wake of the BSE crisis, and it was made independent in a very special way, through statute, to be entirely insulated from the Government and Ministers. Although the Department of Health and Social Care is its sponsoring Department, Health Ministers seldom show direct policy interest in the FSA’s decisions, rightly recognising that it was established to be entirely independent.

However, there is an issue in how the FSA was set up, because the events that preceded its formation mean that, first, the Ministry of Agriculture, Fisheries and Food and, latterly, DEFRA have been more divorced from its work than they ought to have been, as DEFRA is the Whitehall Department with the vast majority of technical and policy expertise in this area. That framework makes absolute sense.

I have always had very good relations with Heather Hancock, the chair of the FSA. However, I have always sensed that the FSA board, collectively, is sometimes prone to being somewhat supercilious in its denial of the expertise in DEFRA and, worse, is prone to making rather unfair assumptions about DEFRA’s motives in advancing issues or concerns on particular policy fronts. That is, of course, until something goes wrong.

In 2013, when we faced the horsemeat scandal, Health Ministers did not want to get involved, the FSA sat on its hands and it was left to the then Secretary of State for Environment, Food and Rural Affairs, my right hon. Friend the Member for North Shropshire (Mr Paterson), to step into the breach. DEFRA took control of the crisis and took ownership of events by setting up a review of food crime and crafting a policy that resulted in a new food crime unit.

When these regulations were originally considered, some on the FSA board sought significantly to extend the FSAs powers by taking direct decision-making responsibility in some of these areas, which would have gone a long way beyond its current remit. The Minister’s predecessor and I resisted that approach, and I am pleased to see that the approach we recommended is reflected in all these statutory instruments. We proposed, first, that the FSA should give independent advice to Ministers and that that advice should be public for all to see. Secondly, we recommended that Ministers should have regard to that advice. Thirdly, we recommended that if Ministers choose not to follow the advice, they should have to publish their reasons for not doing so. Those points are reflected variously in regulation 17 of the animal feed regulations, regulation 23 of the novel food regulations and regulation 23 of the genetically modified food and feed regulations.

This is important because, as a holding pattern, we need to ensure there is a presumption for following the advice of the Food Standards Agency. Until we have established a long-term settlement on which decisions should be taken independently by the FSA and which decisions should be taken by Ministers, subject to clear advice from the FSA, this sensible holding pattern makes absolute sense.

In the longer term, although I would not do anything to undermine the independence of the FSA—it was set up in the way it was for good reason—there is a case for trying to increase some of its democratic accountability, and there may be things we could learn, for instance, from the model we have for the Health and Safety Executive. It has now been several decades since the BSE crisis, and it is perhaps time to consider what the food safety architecture should look like, but that is a debate for another time. I fully support all four of these statutory instruments.

3.5 pm

John McNally (Falkirk) (SNP): Regardless of my party’s opposition, in principle and in entirety, to the UK’s withdrawal from the EU, I recognise that it is crucial that statutory instruments are enacted to preserve a framework around the status quo. That framework will be essential to our future trading relationships with the EU and the rest of the world.
Scotland’s booming food and drinks industries support 119,000 jobs and exports £6 billion-worth of produce, 40% of which goes to our European neighbours. Consumers and farmers remain sceptical about the need for GM crops, and allowing GM crops in Scotland would threaten our country’s international reputation as a clean, green food and drink producer.

The Scottish Government remain totally committed to opting out of allowing the cultivation of GM crops, thereby giving policy certainty to producers and investors, in stark contrast to the uncertainty and paralysis of the UK Government. Public concern about hormone-tainted meat and chlorine-washed chicken demonstrates how critical food standards will be post-Brexit, both at home and abroad. In my hometown of Denny, which is in my Falkirk constituency, we have a business that exports broiler chickens to Europe and the world, and everywhere it sends those chickens it is recognised as the best in the world. My party intends to ensure that this valuable industry continues to flourish, and we will oppose any attempt to lower the food standards on which its future depends.

The UK imports around £2 billion-worth of animal feed, much of it from the EU or through EU ports. Maintaining high quality standards and as free a flow of trade in such commodities as possible is vital to Scotland’s rural communities, particularly those in less favoured areas. Just yesterday, the Scottish non-governmental organisation Scottish Rural Action, a great voice for Scottish rural communities, released a hard-hitting report documenting the widespread anger and frustration felt in Scotland’s rural communities, and reporting fears of 21st-century clearances in Brexit’s wake. These communities need assurances and protection.

The health and welfare of the UK’s 54 million pets also hang in the balance. The Pet Food Manufacturers Association has placed feed safety standards, together with animal health and welfare, at the top of the list of priorities in its Brexit manifesto. Some 80% of its members export to our European neighbours, and half of them import raw materials or finished goods from the EU.

These statutory instruments do not change the legal status quo, and therefore they safeguard confidence in the maintenance of quality standards. In turn, they ensure confidence in our food and drink industry and in the animal feed sector, and that confidence should be maintained. My party intends to ensure that these valuable industries continue to flourish, and we will oppose any attempt to lower these standards.

3.9 pm

Steve Brine: We have heard a number of well-made points, to which I am pleased to respond.

My dear friend opposite, the hon. Member for Washington and Sunderland West (Mrs Hodgson), often makes the point that it is late in the day. It is late in the day, but we did not say that all the SI’s would be done a year ago. These are complex matters and we have to get them right. Whether they are taken now or next Tuesday is immaterial. The fact is that they will be done, as long as the House agrees to them today. It is important that they are done, because we need to make sure that the law is in the right state, as I set out in my remarks.

The hon. Lady asked about risk assessments, risk management and the loss of EFSA and its scientific expertise. Leaving the EU does not change the FSA’s top priority, which is rightly to ensure that food remains safe. The FSA has strengthened its risk-analysis process in preparation for EU exit. It has had significant extra funding this year of £14 million. That point has been raised by other hon. Members in respect of the FSA’s capabilities.

The FSA will undertake robust risk assessments and provide evidence-based risk management advice and recommendations on future food and feed safety issues. That is nothing new. The UK already produces independent risk assessments that are recognised internationally. The FSA currently undertakes a significant amount of the risk assessment and management work to maintain the high standards we expect.

The point about chlorine-washed chicken came up again, although the hon. Member for Coventry South (Mr Cunningham) is no longer in his place. I have been clear about that point many, many times. Chlorine has not been approved and so cannot be used. Chicken that is washed with chlorine cannot be placed on the UK market. The Prime Minister, the Secretary of State for Environment, Food and Rural Affairs and I have been very clear about that.

The law—I nearly did it again! I meant to say the laboratory capability. Edit the record. The hon. Member for Washington and Sunderland West made a very good point about having the laboratory capability to assess and validate the methods of detection with the same rigour that we have had at EU level. The bottom line is that the UK is developing alternative approaches to deliver the necessary functions that are currently provided by EFSA, the European Commission and other institutions, including the EU reference laboratory.

We will build on our capacity and capability to carry out those risk assessments and then to manage and control the food and feed safety risks. We already have the network of national reference laboratories in place that help to ensure the safety of our food and feed, and to prevent the entry and spread of infectious diseases in crops, livestock and feed. They are recognised internationally for their scientific expertise, and we are working with them to ensure that they are able to validate new analytical methods and ensure that they can mirror the scientific capability that we have.

The hon. Member for Washington and Sunderland West asked about novel foods. I am touched that she thinks that is the most interesting of the four SI’s—it is a low bar, but I take her point. She asked whether the UK will maintain the existing process or conduct our own review and assessment. We will start from the list as it stands on exit day. As I said to other Members, there will be full convergence at exit day. Any applications will then be assessed by our UK risk assessors. To answer her question directly, the UK advisory committee on novel foods is the body that will perform the role. That body existed prior to 2015, when that was transferred as a Commission competence. It will be unfrozen and will again carry out assessments for the novel list.

On materials and articles that are in contact with food, the hon. Lady made a point about recycling. She was referring to the requirements of Commission regulation 10/2011. That will be maintained, as I said in my opening remarks. The FSA works very closely
with DEFRA, but the recycling remit lies with the Department and is not in scope of the amendments we are discussing today.

The hon. Member for Stroud (Dr Drew) is no longer in his place, but I will still respond to his point. He spoke about a food strategy to deal with the crossover between the Department of Health and Social Care and DEFRA. That point was also mentioned by my hon. Friend the Member for Camborne and Redruth (George Eustice). I am the sponsor of the FSA as an arm’s length body. It works very closely with DEFRA, the Department of Health and Social Care and Public Health England, for which I am also responsible. We continue to take a co-ordinated approach on food to support consumer choice. Yes, the fourth SI on feed could as easily have been introduced by a DEFRA Minister, but as my hon. Friend knows full well, what we give to animals ends up in the food chain, so it ends up in my brief.

The hon. Member for Washington and Sunderland West touched on consultation. She is often rightly concerned about the impact on industry, which was also mentioned by other hon. Members. Members carried out a full public consultation on the proposed approach to retained EU law in the food and safety space before we tabled the SIs. It was open for six weeks from 4 September until the middle of October. The approach we outlined proposed making a number of corrections to retained EU law under the powers of the European Union (Withdrawal) Act 2018. The responses we received are all available on the food.gov.uk website. Generally speaking, of the 59 responses received, 82% supported or did not disagree in any way with the approach we proposed.

I said to the hon. Member for Stoke-on-Trent Central (Gareth Snell) that I would come back to ceramics. The ceramics legislation dates from a European directive of 1984. Why it has not been updated before now is a fair question and one that I have asked of officials. I can write to him with more detail without detaining the House. He will be interested to know that work is ongoing at a European level to revise the legislation in this space. The FSA has collaborated closely with the UK industry on the establishment of the new European standards, and I am sure that is the case. Obviously, we are importing the law—the directives and the regulations—into our law, so it ends up in my brief.

It was interesting to hear the reflections of my hon. Friend the Member for Camborne and Redruth (George Eustice). I am the sponsor of the FSA as an arm’s length body. It works very closely with DEFRA, the Department of Health and Social Care and Public Health England, for which I am also responsible. We continue to take a co-ordinated approach on food to support consumer choice. Yes, the fourth SI on feed could as easily have been introduced by a DEFRA Minister, but as my hon. Friend knows full well, what we give to animals ends up in the food chain, so it ends up in my brief.

The hon. Member for Walsall South (Dave Watts) is no longer in his place, but I will still respond to his letter. The ceramics regulation dates from a European directive of 1984. Why it has not been updated before now is a fair question and one that I have asked of officials. I can write to him with more detail without detaining the House. He will be interested to know that work is ongoing at a European level to revise the legislation in this space. The FSA has collaborated closely with the UK industry on the establishment of the new European standards, and I am sure that is the case. Obviously, we are importing the law—the directives and the regulations—into our law, so it ends up in my brief.

It was interesting to hear the reflections of my hon. Friend the Member for Camborne and Redruth on how the FSA grew out of the BSE crisis. We should also remember, as I have said many times, that EFSA grew out of the FSA. That is the rock on which it built its church, in many ways. The relationship between the FSA and EFSA is incredibly strong, even though the legal position will change. Many of the people there are actually our people. I am therefore confident that as the ceramics legislation changes, we will have a strong voice around the table, even if, legally, we are not around it.

Gareth Snell: I thank the Minister for that response. It will be heartening for some of the industries in my city, and I look forward to his letter. The issue that was most of concern to them, albeit diminished because of his helpful answer, is that significant changes to the food contact regulations could affect the way in which they glaze their products through the use of cadmium or other elements. Whether that changes in the UK has an impact on them, but it also affects them if we lose our alignment with Europe and have to set our own standards for exports. I appreciate that that is more of a trade question than a contact question, but the two things are very much linked.

Steve Brine: It is a trade question, but ultimately if we want to trade with our biggest trading partner and our neighbours in the EU, we have to maintain those standards. We would not want to do anything to hobble our world famous potteries industry. I know that he agrees with that sentiment.

A lot has been said about GM food and feed. My hon. Friend the Member for Taunton Deane (Rebecca Pow) made that the kernel of her remarks. The laws around genetic modification were very high profile, perhaps due to Prince Charles’s interventions, back when I was at school.

Valerie Vaz (Walsall South) (Lab): Not that long ago.

Steve Brine: Quite right. The GM regulations are not about changing the robust controls that we have for GM food and feed; they are about correcting the deficiencies in the authorisations that will exist at the point of EU exit. I want to maintain those robust controls. I am putting in place a UK-centric authorisation process as a result of exit, but the data requirements and the robust scientific studies that are required for application will remain exactly the same. Any assessments made of GM food and feed will be made purely on scientific, evidence-based grounds. There is plenty of evidence to suggest that decisions are not made entirely on those grounds at an EU level at the moment. That is one of the benefits that we will glean from taking back control—I knew I would get it in there somewhere.

My hon. Friend the Member for Taunton Deane (Rebecca Pow) mentioned the Agriculture Bill. These SIs only fix the operability of EU law when it is brought into UK law. It is for the House to discuss and debate any changes required to give effect to policies in the Agriculture Bill, and I know that she will be at the heart of that.

The hon. Members for Edinburgh North and Leith (Deidre Brock) and for Falkirk (John McNally) are absolutely right, and I have said that whenever I have spoken about SIs. There has been a lot of talk of the withdrawal Act containing Henry VIII powers, but Henry VIII was an awful lot more powerful than the Act. It is a piece of housekeeping legislation that allows us to bridge EU regulations over to UK legislation; it does not allow us to make significant changes either way on standards. That is perfectly reasonable. Once this House resumes the role of a sovereign Parliament, it will be able to make those decisions for our country, and the Scottish Parliament will be able to do the same north of the border.

If I may say so respectfully, many of the arguments that the hon. Member for Edinburgh North and Leith made belong back before 2016. The country made a decision to leave the European Union. She argues against a no-deal Brexit, as I do—that is not the Government’s policy. I gently say to her that I keep voting for a safe exit from the European Union; she and her party do not.
My hon. Friend the Member for Camborne and Redruth, whom I am sorry to see on the Back Benches, because he was an excellent farming Minister, is absolutely right that this is about having an operable statute book and transferring functions. I have learned many things about food and feed in the past few months, because we are discussing them in the House of Commons and its Committees. That is very refreshing, and we will be doing so more, because when we introduce changes either way, they will have to be discussed and agreed by this House. He is right that they were previously only discussed by the Committee chaired by my hon. Friend the Member for Stone (Sir William Cash). I am sure he thoroughly enjoyed that, but they are now discussed on the Floor of the House of Commons. That truly is progress.

My hon. Friend’s thoughts on the FSA’s conception and birth were very interesting. He was right to spot—he gave the paragraph references in three of the four SIs—that Ministers must have regard to FSA advice. He was also dead right to say that how operability will function is not a finished piece of work. That is why we have taken these powers in the first instance. Once we are a third country, we will have to refine and change that, and we will discuss it with the House and its various Committees. On the architecture, his advice about looking at the Health and Safety Executive was very interesting. I and the FSA, I am sure, will be very interested to talk to him in more detail about that.

We have spent a long time talking about housekeeping measures that will ensure that we maintain the food and feed standards that our constituents expect. Notwithstanding the difficulties we have deciphering what 17.5 million people meant when they voted leave, I am sure we all agree that they did not mean lower standards in the food that they eat and give to their children. These regulations play a very important part in ensuring that those standards are maintained when we leave the European Union.

Question put and agreed to.
Resolved.
That the draft Materials and Articles in Contact with Food (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 5 February, be approved.

EXITING THE EUROPEAN UNION
(AGRICULTURE)
Resolved.
That the draft Genetically Modified Food and Feed (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 4 February, be approved.—(Steve Brine).

EXITING THE EUROPEAN UNION
(FOOD)
Resolved.
That the draft Novel Food (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 4 February, be approved.—(Steve Brine).

EXITING THE EUROPEAN UNION
(AGRICULTURE)
Resolved.
That the draft Animal Feed (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 5 February 2019, be approved.—(Steve Brine).
As the Chair of the Liaison Committee pointed out in an article just this week, "Select Committees have been strengthened" since recent reforms "which allowed their members to be elected by their fellow MPs—and Chairs by the whole House of Commons—rather than appointed by the patronage of party whips. As a result, members are more likely to have relevant experience and genuine interest in the work of their Committees".

Of no one could that be said more truly than the hon. Member for Ilford South. As far as I am aware, there is no criticism of the way in which he or I have discharged our responsibilities on the Foreign Affairs Committee. He is a distinguished former Chair of the Committee, and before that he was the Labour party’s foreign policy expert. As I have seen in my short time on the Committee, and as Members in all parts of the House would agree, he has a more detailed knowledge of foreign policy issues, and greater contacts around the world, than anybody else in the House of Commons. Booting off the Committee somebody like that, who holds the Government to account, is a ridiculous decision. It flies in the face of how Select Committees are supposed to operate.

As for me, I was one of the people who instigated the Committee’s inquiries on Kurdistan. I was one of the MPs in this House who campaigned for years for the Magnitsky Act.

Mark Pritchard (The Wrekin) (Con): The hon. Gentleman and I may disagree on many domestic policy issues, but for years we have worked together on many foreign policy issues, some of which he is touching on. He mentioned that the Leader of the Opposition is behind this move. Is that because the hon. Gentleman is aghast at some of the hon. Gentleman’s views on antisemitism and some of the other foreign policy issues that he has just raised?

Ian Austin: I will come on to that, but I will say this: I have been very clear about why I left the Labour party. I left after 35 years because I had become absolutely ashamed of the way in which the leader of the Labour party had allowed a culture of extremism, antisemitism and intolerance to develop—and for no other reason. Members have a choice to make this afternoon. They can choose to stand with someone who has campaigned against racism all their life, or stand with the leader of the Labour party in his vindictive attempt to boot people off a Committee simply because they stood up to racism. Frankly, I think it is outrageous.

I make one more point on my work on the Foreign Affairs Committee. I was one of the MPs who were a driving force behind the Magnitsky Act—legislation to take tough action against people responsible for gross abuses of human rights and large-scale corruption. I was one of the Committee members who instigated its current inquiry on UK sanctions policy.

As I mentioned, this debate is happening because the Labour party has decided that it wants to kick me off the Committee in retaliation for my decision to leave the Labour party. I want to set out the background to that and explain why I took that decision. I want Members to think about this and consider it when deciding how to vote.

The main reason why I decided to join the Labour party, 35 years ago as a teenager in Dudley, was to fight racism. I really cannot believe that after all this time, I have ended up leaving the Labour party because of racism. It was a difficult decision for me to take, but I have to be honest with people, and the truth is that I have become ashamed of the Labour party under its current leadership. I am appalled by the offence and distress that the leader of the Labour party has caused to Jewish people. It is terrible that a culture of extremism, antisemitism and intolerance is driving out not just Members of Parliament, but other members, too—decent people who have dedicated their whole lives to mainstream politics.

It is a matter of great shame that someone such as the Labour party has got itself into this mess and why, in my view, the leadership has decided that they want to kick me out of the Labour party. It was wrong of the Labour party to threaten the right hon. Member for Barking (Dame Margaret Hodge) and me with disciplinary action when we spoke out on antisemitism. It had to drop that, because we had done nothing wrong. The hard truth is that the Labour party under its current leadership is tougher on the people who complain about racism than on the racists.

The current leader and the people around him have turned what was a mainstream political party into something very different. He has spent his entire career working with, defending and supporting all sorts of extremists, and in some cases antisemites and terrorists. I thought from the very beginning—since before he was elected in 2015—that he would be utterly unfit to lead the Labour party, and he is completely unfit to be our country’s Prime Minister. He has said and done things that are clearly antisemitic, including defending that grotesque racist mural on a wall in east London. We need to ask ourselves what he would be saying if a senior member of the Conservative party had defended a grotesque mural that was racist against any other group of people. He called Jewish people Zionist, and said that they did not understand English irony—as if, somehow, they were different from the rest of us. He also calls Hamas and Hezbollah his friends.

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. This is a debate about positions on the Foreign Affairs Committee. It cannot become a personal attack on a particular Member who may not have been given notice that that was going to happen in the Chamber. We must work within the rules. [Interruption.] I am trying to recognise and understand the frustration with what is happening, but what we should not be doing is attacking another Member who is not here and who may not have been given notice. That is where we are.

Ian Austin: Well, may I seek your guidance, Mr Deputy Speaker? I have to say that I do not think that the leader of the Labour party would need much notice to know what my views are of his behaviour and history. If I may say so as well, the reason why we are having this debate is that he wants to boot me off this Committee, because I have stood up against racism. If you will allow me, Mr Deputy Speaker, I want to explain why I think the Labour party has got itself into this mess and why, in the end, I decided to leave.

Mr Deputy Speaker: I am sorry, but this is about relevance to the motion before us. The issue that the hon. Gentleman raises could be for another time and another debate, but unfortunately this debate is about
Ian Austin: I completely understand, Mr Deputy Speaker. I have made some of the points that I wanted to make about the Leader of the Opposition and the position that he has taken the Labour party to under his leadership.

I will draw my remarks to a close. I want to stay on the Committee because I want to speak up for freedom, democracy, human rights and the rule of law. I want to carry on campaigning against totalitarian dictatorships such as Venezuela, which are supported by the leader of the Labour party and the people around him at the moment. I want to carry on speaking out against the Kremlin and against Vladimir Putin and his brutal regime of corruption and abuse: he murders people on the streets of Russia and kills them here in Britain, too. I think every Member will recall the appalling response the regime of corruption and abuse: he murders people on the Kremlin and against Vladimir Putin and his brutal moment. I want to carry on speaking out against the Labour party and the people around him at the moment. I want to carry on speaking out against the Kremlin and against Vladimir Putin and his brutal regime of corruption and abuse: he murders people on the streets of Russia and kills them here in Britain, too. I think every Member will recall the appalling response

Mark Pritchard: The hon. Gentleman is being very generous, and I am grateful to him for giving way. I will need to decide which way to vote today. Will he also include in that litany of why he should stay on the Committee the potential dismantling of our intelligence agencies, which protect us and our allies, day in, day out—another policy espoused by the Leader of the Opposition?

Mr Deputy Speaker: Absolutely, totally irrelevant!

Ian Austin: What I will say, Mr Deputy Speaker, is that, on the Committee, I promise to stand up for the intelligence and security services and the democratic institutions that underpin our democracy in this country. That is one of the reasons why I am keen to carry on representing Members across this House on the Foreign Affairs Committee.

We are elected on to Select Committees not to pursue party political agendas, but to work on a cross-party basis in scrutinising the work of the Executive. I do not think that there have been any criticisms of my work or the work of the hon. Member for Ilford South in that regard. I very much hope that, when the House divides on this motion later today, Members across the House will vote against what I think is the Leader of the Opposition's vindictive and unpleasant attempt to boot us off the Committee.

3.38 pm

Simon Hoare (North Dorset) (Con): It is a pleasure to follow the hon. Member for Dudley North (Ian Austin). Probably seared on to all our memories—I would be surprised if hon. and right hon. Members have not seen this—is the moving interview that the hon. Gentleman gave to the television news in which he talked about being able to look his father in the eye. One can understand entirely the passion with which he has spoken, and I am grateful to him for it.

My hon. Friend the Member for North Herefordshire (Bill Wiggin), as Chairman of the Committee of Selection, said very helpfully that it is up to the House to decide on the merits of the motion. He moved the motion as, effectively, the servant of that Committee in a way that has come to typify the approach that he adopts in these matters, and the House should be grateful for that.

I very much echo the closing point made by the hon. Member for Dudley North about the role of Select Committees. We all get ourselves frightfully hot under the collar when people are badgering us in the Tea Room saying, “Will you support us on this?”; “We’re going for that,” and so on. But when the Select Committees get up and running, the epithets of party political allegiance seem to disappear. I have served on only two Select Committees, the Procedure Committee and the Welsh Affairs Committee, but I never really felt that I went into meetings as a Conservative member of the Committee. I went in as a Member with an interest in the subject. Each Committee is almost a mini House of Lords, if you will—a receptacle of expertise where people motivate themselves to sit on the Committee because they have an interest in, or experience of, that particular area. It is of course the job of Select Committees to hold the Executive to account, and sometimes the Executive get a bit of a clobbering. It is always worthwhile remembering that it was a Conservative Government who brought in Select Committees as we know them, through the Thatcher/St John-Stevas reforms.

Nobody could doubt the record of the hon. Member for Ilford South (Mike Gapes): he was Chair of the Foreign Affairs Committee between 2005 and 2010 and a member of the Committee from 1992 to 1997, and of course he also sits on the Committee now. I have only been in this place since 2015.

Richard Benyon (Newbury) (Con): It seems longer.

Simon Hoare: My right hon. Friend should try looking at it from where I am standing; it seems like 40 years, rather than four.

I hope that the hon. Member for Ilford South will take it in the spirit in which it is intended when I say that I watched the TV news and the proceedings in this place long before coming into the House, and when the hon. Gentleman spoke on foreign affairs, I did not say to myself, “Oh, there goes the Labour Chairman of the Foreign Affairs Committee.” I said to myself, “Here is somebody who speaks with authority, interest, passion and a breadth of experience that the House is well advised to listen to and take heed of.”

I agree with the assessment of the hon. Member for Dudley North. When I read the Order Paper initially—of course, this is the Labour party’s second stab at this—I thought to myself that this was one of the most mealy-mouthed, vindictive and small-minded motions.

Mark Pritchard: More widely, the hon. Member for Ilford South (Mike Gapes) has brought to bear his wonderful knowledge and wisdom on foreign affairs at the Inter-Parliamentary Union, the Commonwealth Parliamentary Association and other international bodies such as the Council of Europe. The Committee would be missing out on all that knowledge should he be removed today.
Simon Hoare: I agree entirely. One is tempted to say that if the hon. Member for Ilford South did not exist, we would have to invent him. I am not quite sure what the formula for the invention would be, but one would have to invent him none the less.

I agree with the hon. Member for Dudley North; at the kernel of this decision is the discomfort that both hon. Gentlemen subject to this motion have created within the Labour party regarding the Leader of the Opposition’s stance on the antisemitism question, and their refusal to be silenced on it. That is true not just of these two hon. Gentlemen, but of many colleagues on the Opposition Benches.

Any student of history could tell us that the vindictive left—I put the Leader of the Opposition very much in that camp—will chase people out, even if the office that they hold is to bring the biscuits to the constituency they hold is to bring the biscuits to the constituency that camp—will chase people out, even if the office that is left—I put the Leader of the Opposition very much in their refusal to be silenced on it. That is true not just of the antisemitism question, and their refusal to be silenced on it. That is true not just of these two hon. Gentlemen, but of many colleagues on the Opposition Benches.

Mr Charles Walker (Broxbourne) (Con): Since in what feels like the dying days of this Parliament we live in a political free-for-all, with Ministers not voting on three-line Whips and colleagues not voting in the Division Lobby for the motions that they move, is it really such a big deal if we allow these two Opposition Members to continue on their Select Committee? After all, all the existing rules of politics have now been broken, so let us just break a few more.

Simon Hoare: I am not entirely sure that I understand the point that my hon. Friend is making. If he is encouraging me to endorse the proposition that there should be an early dissolution of this Parliament, then he will find me in the No Lobby. I am afraid. If he is saying that the hon. Gentlemen who are the subject of this motion should remain in post, then I agree with him, but if not, then I disagree with him wholeheartedly.

Mr Walker: My hon. Friend’s analysis is entirely right. We live in strange political times, and let us just make them a little stranger.

Simon Hoare: I have to say that there are times when I have cursed the man who wished that we all lived in interesting times. I think that some rather calm, boring times would suit the House very well indeed.

As I say, this is a very vindictive motion, and it speaks to the heart of today’s Labour party. Never mind the quantum of expertise; never mind the demonstrable levels of interest; never mind the heights of respect that an individual is met with across the House and within the media—if they do not pass the intellectual purity test, or rather the anti-intellectual purity test; if they do not pass the ideological test; if they do not know in the original Russian all the words of the eighth verse of “I Love the Member for Islington North” and can sing it backwards in the bath, they fail and they are out. This motion is effectively a Muscovite approach to the gulags. It is trying to send the hon. Members for Dudley North and for Ilford South to some Siberian wasteland of ex-Select Committee members. It is nothing to do with the good that they have done, nothing to do with—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. This is not a debate about the leader of the Labour party, as tempting as that may be for Members in all parts of the House. The reality is that it is about the replacement of members of the Foreign Affairs Committee. We need to keep that in mind, and we need to be more temperate given the way that the Chamber seems to be getting quite heated and excited. I am sorry that I have stopped you when you are going on at your finest rate, but I am sure you want to recognise that there are lots of other speakers who may wish to add to the debate.

Simon Hoare: I am grateful, Mr Deputy Speaker, and of course I take your ruling.

The lesson that we can draw is that if this is how senior and respected Members of Parliament who just happen to sit on Benches opposite to the Government Benches are treated by their former comrades, then God help the rest of us. We will be the first up against the wall. We will not just be off the Select Committees—we will be absolutely cast into outer darkness.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): I think that my hon. Friend is missing an important point that has to be addressed. As much respect as I have for the two hon. Members concerned, and I do, the simple fact is that we will be in a position where nominations for the official Opposition on the Foreign Affairs Committee go down from half of the Committee to two members of the Committee. That does not reflect the make-up of this House as Select Committees are supposed to. One does have to bear that in mind.

Simon Hoare: I take what my right hon. Friend says with great seriousness. He is a former member of the Cabinet and, more importantly, a former Government Chief Whip. I concur with him up to a point. If this motion sought to tilt the balance of a Select Committee’s membership in favour of the Government and against the Opposition, I would be with him entirely, but it does not do that. This motion maintains the balance between, for want of a better phrase, Executive Members and Opposition Members, and that is entirely as it should be. However, if I am correct in my assessment—I am perfectly prepared to accept that I am not—in practical, political terms, the badges and colours of separate parties are left at the door of a Select Committee meeting and picked up again when Members leave. I am not sure that this motion does anything other than pursue an agenda of vindictiveness.

Ian Austin: I am grateful to the hon. Gentleman for giving way, because I hope it will allow me to reassure the right hon. Member for Derbyshire Dales (Sir Patrick McLoughlin) that my views on foreign policy have not changed at all. The values that inform my work on the Committee have not altered in the slightest since I was selected by the Labour party to be a member of it. The arguments I put forward and the way that I scrutinise Ministers have not changed at all. I am absolutely clear that I stand up for the mainstream, decent values of the Labour party that I have stood up for all my life. That is the work I bring to the Committee, and I hope that that reassures the right hon. Gentleman.
Simon Hoare: I am grateful to the hon. Gentleman for using me as a conduit to send that message to my right hon. Friend the Member for Derbyshire Dales. He amplifies perfectly my definition of what a Select Committee is about.

In conclusion, the Leader of the Opposition may be motivated by instincts of vindictiveness and—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. We have gone past that. This debate is not about the Leader of the Opposition; it is about the replacement of members of the Foreign Affairs Committee. We have had a good run round the track. We do not need to finish with another quote about vindictiveness. Has the hon. Gentleman finished?

Simon Hoare: No—I just have one final sentence to add. This motion has come from somewhere. It did not just spring on to the Order Paper by itself.

Mr Deputy Speaker: I will help the hon. Gentleman. I think Mr Wiggin is responsible for it appearing on the Order Paper.

Bill Wiggin indicated assent.

Simon Hoare: Yes, but who triggered the vote on the Committee? That is the question.

Mr Deputy Speaker: That is not what you asked.

Simon Hoare: Indeed. I asked the wrong question—forgive me.

I happen to be a broad church, one nation, moderate Conservative. I happen to believe—[Interruption.] My former right hon. Friend, the right hon. Member for Broxtowe (Anna Soubry), is doing some sort of peculiar dance of the seven veils to entice me over. I have no idea what she is doing, but I am not coming.

I am not motivated by vindictiveness. I believe that we should respect those who have an interest in issues and who can speak with authority, knowledge and enthusiasm. If this motion is pushed to a vote, I shall vote against it.

Alec Shelbrooke (Elmet and Rothwell) (Con): On a point of order, Mr Deputy Speaker. I seek your guidance, following the comments you have made so far. We are debating the motion on the Order Paper about the selection of Committee members, but I am interested in the context of how we got there. I seek your guidance on what weight we should put on the context of where we are today, as well as what it is in the motion.

Mr Deputy Speaker: The motion is quite simple: it is about the replacement of people on the Foreign Affairs Committee. It is as narrow as that. This is not a witch hunt of certain individuals. [Interruption.] No, it is not. As tempting as it may be, that is not what the debate is about. There has been a little leeway, and I understand the frustration, but it cannot be about that. It is about the replacement of names. I have a job to do. I have to rule on the debate we are having.

Mark Pritchard: Further to that point of order, Mr Deputy Speaker. I think that the context is important. Somebody like me who has no idea what is going on this afternoon—that is nothing new—just needs that contextual help, and I genuinely do.

Mr Deputy Speaker: I am sure you do not, because you are a member of the Panel of Chairs. You have great experience and wisdom, and you do not need to test me on this, because you already have that.

3.55 pm

Joan Ryan (Enfield North) (Ind): I rise to speak against the motion, in the main on behalf of the Independent Group of MPs, but I also associate myself with the remarks of my hon. Friend the Member for Dudley North (Ian Austin). I want to expand a little bit on what was said by the hon. Member for North Herefordshire (Bill Wiggin), who has moved the motion on behalf of the Selection Committee, and I am clear in my own mind that he did not initiate this motion at the Selection Committee.

We are told by the Library that, at the start of each Parliament, places are allocated to the political parties on departmental Select Committees on the basis of their strength in the House of Commons. There is no Standing Order that governs this process, or which requires that places on Committees be kept in exact proportion to the House at large. That is why there has not been a change every time a Member has been suspended from their Whip, for example, and the Selection Committee is not compelled to act. However, through mutual agreement, Select Committees are appointed in rough proportion to the House. Unlike with General Committees, such as Public Bill or Delegated Legislation Committees, there is no formula that sets out the exact number required.

That advice makes us look behind what is going on here and see that there does appear to be a personal element to this, because the only names being removed are those of Members who declared their independence just a few weeks ago. We are very clear who is initiating this. Suffice it to say—you may want to give your advice on this, Mr Deputy Speaker—I am told that, in something like 35 years, some very experienced Opposition Back Benchers have not known being instructed by their Whip to vote for such a motion of the House. However, they have been told to do so today, as I understand it, on this motion, which is the business of the House. I think that tells us where this is coming from.

Siobhain McDonagh (Mitcham and Morden) (Lab): For the information of the House, I would like to read out the text I have received from my Whips: “The motion to change the membership of Select Committees Foreign Affairs will be starting shortly. We remain on a three line whip. We expect a Division in the next hour.”

Joan Ryan: Assuming the Labour Whips represent the Leader of the Opposition and are the vanguard for delivering his will, that gives ample evidence that there is something very personal going on here. May I at some point seek your guidance, Mr Deputy Speaker, on whipping business of the House in this way? Is that acceptable? It is certainly very unusual, as we know.

I think this is a mean-minded parliamentary manoeuvre by Labour. It is attempting to remove, from one of the most important Select Committees of the House of Commons, a man who has served on it for almost two decades, including as its respected Chair. Select Committees are one of the most important parts of Parliament, and they are integral to the way in which MPs scrutinise the
work of the Government. They have always operated in a cross-party way and they are at their best when they are consensual. After members of Select Committees are elected to them by their colleagues, they are not ciphers for political parties; they are representatives of their constituents, performing an important function.

Traditionally, members of Select Committees, and especially their Chairs, are treated with respect by political parties and by this House. This motion is utterly disrespectful. That is true for both Members who are the subject of the motion, but let me talk for a moment about my hon. Friend the Member for Ilford South (Mike Gapes), because it is especially true for him. He has been a member of the Foreign Affairs Committee since 1992, when he was appointed under the then Leader of the Opposition, Neil Kinnock. He was reappointed to that Committee by John Smith, by Tony Blair, by Gordon Brown, by the right hon. Member for Doncaster North (Edward Miliband) and by the current Leader of Her Majesty’s Opposition, who apparently had faith in him then, the right hon. Member for Islington North (Jeremy Corbyn).

In total, my hon. Friend the Member for Ilford South has served for 19 years on the Committee, with five years as Chair from 2005 to 2010. During his tenure as Chair, the Committee published reports on Afghanistan, Pakistan, the implications of cuts to the BBC World Service and to foreign language capability in the Foreign and Commonwealth Office, relations with Turkey, the Arab spring, human rights, extraordinary rendition, the future of the EU and relations with the United States. And that is not all: in his time as Chair of the Committee, my hon. Friend took evidence from the Dalai Lama, despite Chinese protests, visited Guantanamo Bay, and exposed corruption and intimidation that led to the UK Government suspending relations with the Turks and Caicos Government, and it was only after the Committee criticised the Syrian Government that the Foreign and Commonwealth Office included Syria as a human rights country of concern. My hon. Friend has also been a convenor and for 10 years a member of the quadripartite Committees on Arms Export Controls.

With my hon. Friend in the Chair, the Foreign Affairs Committee always operated as it should, on a cross-party and consensual basis, not least thanks to his strong belief that the role of Select Committees is to hold Government to account and that Committee members are not there as delegates of their parties. He has served actively and constructively under Conservative Chairs, including Richard Ottaway, the former Member for Croydon South, and the hon. Member for Reigate (Crispin Blunt) and the current Chair, the hon. Member for Tonbridge and Malling (Tom Tugendhat).

By virtue of his position, my hon. Friend the Member for Ilford South has been a representative of our Parliament at home, welcoming foreign delegations, and abroad, liaising with diplomats and Governments. To this day, he continues to be active in the Committee, playing a role in amending draft reports and regularly meeting international visitors on behalf of the Committee.

Tom Tugendhat (Tonbridge and Malling) (Con): I hope the right hon. Lady will forgive me; I was chairing a sitting of the Committee just now, hence I missed the beginning of the debate. I echo her words, because she is absolutely speaking the truth. More than that, to a new Member who has had the good fortune to chair one of these great Committees very early on, the hon. Member for Ilford South (Mike Gapes) has been an amazing rock to lean on. His wisdom, his courtesy and his judgment have been of great value to me and, I hope, the whole House and the whole Committee, as he has helped to guide not just me but us all through some complex moments of foreign policy, where there have been very few more important subjects for our House, so I echo completely the right hon. Lady’s words.

Joan Ryan: I thank the hon. Gentleman, the Chair of the Committee, for those remarks, which I think are well received and well deserved by my hon. Friend the Member for Ilford South. I take them as an endorsement of all that I am saying about the way in which he has served the Committee, the House and the country. I know that the Chair of the Committee and, for that matter, all its members do not want this to happen and have made that clear in their own way.

Membership of Select Committees is fundamentally a matter for the House of Commons. It should not become the subject of mean-spirited manoeuvres by party leaderships who do not brook dissent. Every move is the latest indication of how its leadership is unable to handle criticism, alternative viewpoints or any dissenting voices—a very worrying development in a democratic Parliament. This Parliament works through the Commonwealth, the Commonwealth Parliamentary Association and the Inter-Parliamentary Union to help other Parliaments around the world to learn from our examples and our experience to be good, democratic Parliaments, to strengthen democracy and to strengthen parliamentary democracy in particular. This move by the Leader of the Opposition absolutely cuts across and undermines all those aims, all of that mission and all that work.

Ann Clwyd (Cynon Valley) (Lab): As a member of the Foreign Affairs Committee both in this and the previous Parliament, I support the Members who are on it presently and particularly my hon. Friend the Member for Ilford South (Mike Gapes), who I have known for over 40 years. He has been an excellent member of the Committee. He has great knowledge and expertise and, as the Chairman said, he has been a rock to many of us in the Committee. Because of his experience and wisdom, he is an essential part of the Committee. Not for the first time, I will vote against the Whip—if there is a three-line Whip asking us to vote for the expulsion of those Members, I will not do it.

Joan Ryan: I sincerely thank my hon. Friend, as I am sure her hon. Friend the Member for Ilford South will, for those remarks and for her courage in saying that she will not follow this Whip. I hope that other Opposition Members, many of whom I know are not happy about this move, will show their displeasure and vote against the motion. I also hope that will be true of Government Members.

Members from inside and outside Labour who have raised serious concerns about Labour’s direction will not want to see the silencing of an experienced voice from the Foreign Affairs Committee at a time when the leader of the Labour party’s foreign policy has come under intense scrutiny. From Venezuela to Syria and Russia, the positions taken by the leader of the Labour
party and Labour Front Benchers have been a concern to MPs on both sides. This attempt to remove a platform from one of Parliament’s most experienced voices on foreign affairs should be opposed. I want to refer back to what my hon. Friend the Member for Dudley North said about his reasons for leaving, which are virtually identical to my own—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. This is a debate about replacement. I understand the frustration and anger, but unfortunately, I have to chair the debate on what it is about, which is the replacement of people on the Foreign Affairs Committee. The subject is narrow. We have broadened it a bit and I have been generous in trying to do that, but this cannot become a personal attack on one person by every speaker—unfortunately, we have to stick to what we have.

Joan Ryan: Thank you for your guidance, Mr Deputy Speaker.

The reasons my hon. Friend the Member for Ilford South left the Labour party have a direct bearing on his work as a member of the FAC. He stated three reasons: Brexit, antisemitism and Labour’s foreign policy on Syria, Russia and Venezuela.

Mr Deputy Speaker: Order. Being a member of the Speaker’s Panel, you know I have to keep the debate within the scope of the motion, and the scope does not allow us to go into the reasons; it is about the replacement of members. I do not want to be hard, but I have to keep to the agenda.

Joan Ryan: Can I seek your guidance, Mr Deputy Speaker? There are a few things I want to say about Select Committees that I think are relevant. I understand what you are saying about the narrowness of the debate, but there is the broader context of who is being removed and who has not been removed in the past. There is an underlying reason that is obviously about the people who left the Labour party a couple of weeks ago, and it is difficult to address this matter without being able to address the reasons it comes before us. With your guidance, I will attempt to continue, but I am sure you will tell me if I am wrong.

Mr Deputy Speaker: I think you know what you have to do, given your experience of chairing Committees. The reasons certain people left the Labour party can be debated some other time, but this debate is not about that; it is about replacing existing members. I do not want to put words into his mouth, but I presume that Mr Wiggins will establish why the representation of political parties should reflect the make-up of the House when he winds up. This debate is about the replacement of two, let’s be honest, very popular Members. There is no doubt about that, but it is about their replacement, so it is quite narrow. I have allowed some freedom, but it cannot be a personal attack on one person.

Joan Ryan: Thank you, Mr Deputy Speaker. I will endeavour not to mention the particular person we refer to.

Mike Gapes (Ilford South) (Ind): Voldemort.
Robin Cook, the former MP for Livingston and a very respected and eminent Member of the House, and the Labour Government allowed free votes on Select Committee matters, because they were matters for the House. Will Labour do the same now, and if not, why not? I do not think that any free vote will take place today.

During the same debate, my right hon. Friend the Member for Birkenhead (Frank Field) said:

“There is a message to my right hon. Friend. The Government might get away tonight with sacking two hon. Members who should be members of Select Committees, and they might think little of it, but in the last Parliament, and in this Parliament, sadly, they continue to present an image of what they are like which, I am sure, is totally inaccurate. The image suggests that they believe that one can ride roughshod, and grab and take anything. The impression of a belief that we rule, no matter what people say, is being marked down on our card outside. When we are in difficult times, we will find, like the shambles of the Conservative party, being marked down on our card outside. Will Labour do the same now, and if not, why not?

Those are words to which the current Leader of the Opposition should perhaps pay a bit of attention.

Simon Hoare (North Dorset) (Con): The right hon. Lady has mentioned the right hon. Member for Birkenhead (Frank Field), who, to the best of my knowledge, resigned the Labour Whip. Is she aware of any moves by his previous party to remove him from the chairmanship of the Work and Pensions Committee? That question plays into the argument that she and I, and others, have been making that this is a very partial and personal attack.

Joan Ryan: The hon. Gentleman has made that point before, and I could not disagree with him. In my view, this is entirely about Members who declared their independence just a couple of weeks ago, and no others.

Angela Smith (Penistone and Stocksbridge) (Ind): My right hon. Friend will remember the reforms introduced by an ex Member of the House for Cannock Chase, Tony Wright. Does she agree that this motion, and a whipped vote on it in the part of the Labour Benches, goes completely against the spirit of the Wright reforms, which we voted upon in the 2005-2010 Parliament?

Joan Ryan: My hon. Friend is absolutely right and I could not agree with her more. This undermines those reforms in total, and also calls into question the ability of Select Committees to work in a consensual, non-tribal, cross-party way to properly scrutinise the business of government.

Tom Tugendhat: Does my right hon. Friend, as I will accurately call her, agree that equality before the law is one of the principles of British justice and that this House of all places should demonstrate that principle of equality? Does she not therefore feel it is slightly odd that the right hon. Member for Birkenhead (Frank Field) has not been singled out and the hon. Member for Liverpool, Wavertree (Luciana Berger) has not been singled out, yet the hon. Member for Dudley North (Ian Austin), who has spoken very clearly about antisemitism, and the hon. Member for Ilford South (Mike Gapes), who has again shown his courage in this matter, should be the two who are singled out?

Joan Ryan: That is a powerful point, and what I would say in terms of equality is that I said in my speech when I resigned from the Labour party after 38 years that it was in the main due to the fact that the Labour party was institutionally antisemitic.

Ian Austin: On a point of order, Madam Deputy Speaker. Is it in order for the shadow Deputy Leader of the House, the hon. Member for Nottingham North (Alex Norris), to sit there muttering away, shaking his head every time a contribution is made yet not say a word from the Dispatch Box about why the Opposition have imposed a three-line Whip on their MPs to vote in a particular way in this debate? Stand at the Dispatch Box and explain yourself.

Madam Deputy Speaker (Dame Rosie Winterton): I think we should lower the temperature here a bit—that is not a matter for the Chair. What I would say is that this is about the replacements on the Select Committees and there is quite a lot of muttering going on, and it would be much more polite if we could listen to what the right hon. Member. Member for Enfield North (Joan Ryan) is saying. But I remind this House that this debate is focused on the issue of the Select Committees.

Joan Ryan: Thank you, Madam Deputy Speaker.

To finish addressing the point made by the Chair of the Select Committee on Foreign Affairs, the hon. Member for Tonbridge and Malling, as to whether all Members are equal before this House, some are clearly more equal than others. When I resigned on the basis of the Labour party becoming institutionally antisemitic and the fact that I could only say that I considered the Leader of the Opposition not fit to be Prime Minister, I made the point that Labour’s founding principle is equality, so I can only agree that that founding principle has been desperately undermined by the current Leader of the Opposition.

The Chairman of the Foreign Affairs Committee also mentioned my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) and it remains seriously concerning that Labour has sought names to replace her on the Health and Social Care Committee; that is on its list of vacancies where it seeks a replacement. Although the party has briefed that there are no plans to replace her, it has begun the process by seeking nominations, and presumably it remains the case that if someone from the parliamentary Labour party puts themselves forward Labour will submit their name to the Selection Committee. It is not right that my hon. Friend faces this situation; she is on maternity leave. What would we say to other employers who took punitive action against an employee on maternity leave? I think we would take a very dim view of that indeed.

I have said a lot about my right hon. Friend the Member for Islington—or rather my hon. Friend the Member for Ilford South. [ Interruption. ] I think I have said a lot about both, frankly, and I wanted to say a few more words about—my hon. Friend the Member for Dudley North, who is a very good friend—the Member for Dudley North, who I very much wish was part of our group because I very much enjoy working with him, but I understand his reasons why he is not.

Leaving aside members of the Independent Group, it is concerning that Labour is moving against the hon. Member for Dudley North, whose resignation from
Labour over antisemitism was brave and principled. The fact that Labour is responding by seeking to remove him from the Committee shows how the party’s leadership still does not understand the seriousness of the issue it faces. I really think it needs to listen today to what is being said and to the views of this House.

There cannot be independence as long as there is this system of patronage; the House itself needs to take this issue on. However, nobody in this place should endorse these mean-minded, petty actions by the Leader of the Opposition. Beyond that, if they do, they will appear to be endorsing the most despicable views that have infected this Labour party around racism against Jewish people—antisemitism—and not just the inactivity but the refusal of the Labour party to deal with that. The House needs to express its view on what I consider to be institutional antisemitism. This motion should be resisted at all costs. It has far, far greater implications and consequences than perhaps everyone is seeing at first glance.

4.26 pm

Alec Shelbrooke (Elmet and Rothwell) (Con): I will speak to the motion, which starts by saying that “Ian Austin and Mike Gapes be discharged from the Foreign Affairs Committee”. I will explain why I think that is wrong.

There is no doubt that, on almost every domestic issue, the hon. Members for Dudley North (Ian Austin) and for Ilford South (Mike Gapes) and I completely disagree. I would be shocked if there were many domestic issues we saw eye to eye on.

Mike Gapes: As a fellow West Ham supporter, I can assure the hon. Gentleman that that is not the case.

Alec Shelbrooke: I am most grateful for that; it just goes to show that we can all be wrong at some point in the day.

This issue is far more important than whether we agree on domestic issues. I want to speak about how Select Committees operate and the sort of people who should be on them. When we look at why this motion has been brought forward, it is worth noting that, in terms of the mathematics of Parliament, we will still have the same number of Opposition MPs on the Select Committee compared with Government MPs.

In April 2013, the hon. Member for Dudley North (Ian Austin) and for Ilford South (Mike Gapes) and I completely disagree. I would be shocked if there were many domestic issues we saw eye to eye on.

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In April 2013, the hon. Member for Dudley North and I went to Kiev, shortly after the purple revolution. We saw at first hand how people tore up the streets to use the stones as missiles. We actually saw a lynching in the square. Why did we go on that trip? We were trying to understand what was going on because that is what parliamentarians should do in this country—in this free democracy we live in. We have to understand repression around the world and bring to bear the values we hold dear—freedom, the rule of law, democracy and the right to choose what we want to do—when we discuss various issues.

It sends an appalling message to our fellow countrymen that this motion is effectively about the hon. Member for Dudley North standing up to racism and to antisemitism and calling out an affront to democracy. It breaks my heart that in the 21st century we are discussing issues that should have been put to bed 70 or 80 years ago. I do not know what this country is coming to when politicians elected to this House are on the list of the biggest threats to Jews in the world. How did we get here?

Standing up for those principles and going around the world to witness events in other countries to bring that experience back to a wider audience should be appreciated and valued. We should not immediately get rid of somebody from an influential Select Committee just because they stood by their principles. The hon. Member for Dudley North brings his many years of experience, and his skill is based on his time in government—he is an experienced Member of this House.

I say again that the hon. Gentleman and I disagree on many issues. In fact, we have had our ding-dongs in this Chamber—we can see them in Hansard—especially back when I was newly elected and full of vim and energy and wanted to make my point. However, that is no reason to get rid of someone with such high-held principles, which this country exports around the world. Those of us who travel around the world encouraging democracy know that this country’s principles about freedom of democracy should be celebrated, and we should not kick people off Select Committees when they stand up for them.

Tom Tugendhat: The hon. Member for Dudley North (Ian Austin) has shown exemplary personal courage on many occasions, most often when I argue in the Conservative interest and he argues in the Labour interest. It is really quite something that someone who is as dyed in the wool—if he will forgive that expression—to his party as he is should find themselves choosing between their father and their party.

What a time it is to find that we are so divided in this House that we have people who cannot reconcile their conscience and their family in one party! As Chair of the Foreign Affairs Committee, on which the hon. Gentleman serves, I pay tribute to him for the exemplary way in which he conducts himself, to his intelligence and subtlety of thought, and to the diligence he brings to reports and inquisitions.

Alec Shelbrooke: My hon. Friend summarises why I believe that the hon. Member for Dudley North should remain on the Foreign Affairs Committee under my hon. Friend’s chairmanship.

I turn to the hon. Member for Ilford South. This is not just about his membership of the Foreign Affairs Committee, because moves are also afoot to remove him from the delegation to the NATO Parliamentary Assembly. I am a member of that delegation and have
been on the same sub-committees as the hon. Gentleman. For those unaware of the work of the NATO PA, I should say that it is divided into committees, and we meet with delegations from the other 26 member nations to discuss pertinent matters.

The hon. Gentleman and I are members of the Political Committee, which discusses the threats facing the world, and it is obvious at any meeting that the hon. Gentleman is almost a go-to man for the other nations. When we socialise outside of those meetings, we are not talking about the football—well, the hon. Gentleman and I may be talking about the football—because we and plenty of other people discuss further the issues of the day.

Other delegates go to the hon. Gentleman because he has 30, 40 and perhaps even—I do not want to be presumptuous—50 years of foreign affairs experience, and he brings that experience to this Parliament and projects the experience of this Parliament to other partner nations. At a time when our standing in the world is being questioned and when people are wondering where we are going next, we should be using those who are respected around the world to give the British perspective on issues of foreign affairs and defence.

Andrew Rosindell (Romford) (Con): I have had the privilege of serving on the Foreign Affairs Committee for nine years with the hon. Member for Ilford South (Mike Gapes). Both he and the hon. Member for Dudley North (Ian Austin) play an enormously important role in the Committee's work and, frankly, I would not want to lose them—I want them to stay on the Committee. If a Member is selected to be a member of a Select Committee, they should be a member for the duration of the Parliament, just as we are elected to this House for the duration of a Parliament. If we change party, we do not have to give up our seat and, therefore, surely the Members concerned should continue to serve on the Committee for this Parliament.

Alec Shelbrooke: I echo and reinforce what my hon. Friend says about being selected to serve, and I am grateful for his intervention. The number of Opposition MPs on this Committee has not changed, and the balance between Government MPs and Opposition MPs is still the same.

If this motion is passed, we will have decided that if a Member stands up for their values and the things I am sure we would all value as the principles of being a British parliamentarian, they are out—"It doesn't fit in with the views we want, so you are out." How are we then supposed to do soft power around the world? It is up to the Executive and the Prime Minister to go around the world doing the hard power of this nation, but we do the soft power. We make this country relevant, around the world doing the hard power of this nation, then supposed to do soft power around the world? It is not the issue that, when it comes to a contest between talent and tribe, talent must always win out? Ultimately, this country is best served by having its star players on the pitch, and the world would not understand if we deliberately took our best players off the pitch. Does he agree?

Alec Shelbrooke: I am most grateful to the hon. Gentleman. I will preface it, but he reminds me of the poem about the holocaust that finishes:

"Then they came for me—and there was no one left".

We should bear that in mind. What has led to this situation? I regard the hon. Member for Ilford South as a good friend, and we have travelled the world together. I saw the huge, incredible levels of abuse he received, often from his alleged supporters in his own party. I think he dealt with that stoically.

I know that it was no easy decision for the hon. Gentleman to leave his party. I do not want to embarrass him, but I know it broke his heart because we have had those conversations. He did not want to leave the Labour party. He was forced into that position by standing up for what was right and standing up for the values we should all stand for in this House. That is the problem with the motion.

What message are we sending to the House with this motion? The motion asks us to replace two Members of this House who have enormous experience. The context is a lack of toleration in this place. The Brexit debate was framed around the fact that people wanted politics done in a different way—we can argue and disagree about what that way is. What we are actually saying today is, "Stand up for your principles and you're out." It is an establishment stitch-up.

The reason why I want the two hon. Gentlemen to stay on the Committee—this is what I worry about most of all—is that they are experts in their field. They are admired by the other Committee members and by the years of experience and the global respect that the hon. Members for Ilford South and for Dudley North have. How must we look to the public viewing us today?

Alex Chalk (Cheltenham) (Con): My hon. Friend is making a powerful point. Is not the issue that, when it comes to a contest between talent and tribe, talent must always win out? Ultimately, this country is best served by having its star players on the pitch, and the world would not understand if we deliberately took our best players off the pitch. Does he agree?
the people they see around the world. We should not give in to the pressure and, frankly, intolerance they have had to face, and thereby lessen the capability of the Committee they sit on.

4.41 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): I am grateful, Madam Deputy Speaker, for the opportunity to say a few words in a debate that is both important and timely.

There are bigger points of principle at stake in this debate, with all due respect to the hon. Members for Dudley North (Ian Austin) and for Ilford South (Mike Gapes)—both of whom I hold in high regard and whose treatment I utterly deplore. We are really talking about the rules by which this House governs itself. Just as important as the rules are the reasons for which those rules are put in place. The rules do not just emerge out of nowhere. We have the rules that we have for a particular reason.

It is worth recalling that when the Chairman of the Selection Committee and I came into the House in 2001, it was a very different sort of House that ran to very different rules. The Chairs and members of Select Committees were all appointed at the pleasure of the leaders and Whips of their own parties. That system was, frankly, open to abuse and it was often abused. We all saw it. I remember John Denham—a man I held in high regard—going virtually automatically from being a Home Office Minister to being Chair of the Home Affairs Committee. That was not a proper way for the House to order its business. It happened because it was not the House that was ordering its business; it was done by the party managers.

I also remember the occasion that the right hon. Member for Enfield North (Joan Ryan) reminded us of, when the business managers tried to replace Lord Anderson of Swansea and the late Gwyneth Dunwoody as Chairs of the Foreign Affairs and Transport Committees. I remember Gwyneth Dunwoody as one of the most formidable operators ever in this House. You may recall, Madam Deputy Speaker, that when she chaired the Transport Committee, it was said to be the only Committee of this House that had need of its own witness protection programme. One could quite understand why the Ministers and business managers wanted to be rid of her, but it was obviously in the interests of the House and the good functioning of our Select Committees that she not be removed. On that occasion, the House stood up for Gwyneth Dunwoody and Lord Anderson. They were able to retain their positions as Chairs of the Select Committees and continue doing their very important work.

That is why the Wright committee was set up to look at the workings of the House. Its recommendations were radical and highly innovative in changing the business. I declare an interest: at the time of the implementation of the Wright reforms, I was deputy Chief Whip of the coalition Government. The right hon. Member for Derbyshire Dales (Sir Patrick McLoughlin) was the Government Chief Whip, and Lord Young of Cookham, as he now is, was the Leader of the House of Commons, and we brought forward those changes.

For us as business managers, the changes were not always easy. I remember that, during that Parliament, a Chair of a Select Committee came to me and said that the presence of a Liberal Democrat MP on the Select Committee was making it difficult for the Committee to hear all the evidence and information it needed, because it was felt that he would compromise in some way the information being given to it. I had to say to that Select Committee Chair, “I’m sorry, but there’s not really anything I can do to remove him. I no longer have that power.” We have spoken about soft power and hard power. I should put it on the record that, as a result of sweet reason and good persuasion, we were able to persuade that gentleman to remove himself from the Committee. In that way, the House was able to continue.

For those reasons, I think it was right that we handed over control of Select Committee chairmanship and membership to the House. That is why I feel profoundly uneasy about the motion that has been brought to the House today. The reforms that we implemented as a consequence of the Wright report were long overdue and very hard-fought. For the House to be complicit in somehow rolling them back would be a retrograde step at a time when it is surely more important than ever that the House is prepared to assert its control and primacy over the Executive and the party machinery, which is being challenged.

Tom Tugendhat: The right hon. Gentleman and I represent opposite ends of the country, so I ask him this question: has he ever heard in the community he represents that what people really want is more political party control?

Mr Carmichael: With the possible exception of my hon. Friend the Member for Caithness, Sutherland and Easter Ross (Jamie Stone), just about everybody represents seats in the other end of the country, as far as I am concerned. No, of course I have not.

That was why the House eventually acted in the way it did. We did not rush to act—my goodness, it was long overdue. Let us not overstate the party influence here. It is important to recognise that we are all elected on a party ticket, but once we are here we have other considerations to take into account.

Jo Swinson (East Dunbartonshire) (LD): My right hon. Friend’s position as a former deputy Chief Whip of the Government gives the points he is making even more weight. Does he accept that, of all parts of this House, the Select Committee system is so successful largely because people leave their party allegiances at the door and work together collectively? It is one of the most respected parts of our Parliament, so it is disappointing that the Labour party is trying to politicise it and make some sort of territorial claim on those seats, even though there are excellent individuals serving in those roles.

Mr Carmichael: Indeed. I had cause to reflect on the role of Select Committees recently, when the recently retired Clerk of the House stood down. He was instrumental in building the reputation of those Committees, because he started his career as a Clerk clerking them. The strength and standing of the Select Committee system that we enjoy today is not an accident. It has been hard won.
Many people had to work and fight very hard to build it. If we undermine it, we not only do a disservice to the hon. Members for Ilford South and for Dudley North, but risk doing a disservice to the House.

I understand why the Labour party moved in this way. I do not challenge the competence of the motion before the House, but it is significant that at the end of the day, this matter remains in the control of the House.

Angela Smith: I agree with the right hon. Gentleman. I understand that the competence of the motion is not in question, but surely the imposition of a three-line Whip is entirely against the spirit of the reforms that have made this House a better place.

Mr Carmichael: It is not entirely without precedent for parties to whip House business, but it is rare, and it is ill advised. As I say, I certainly do not challenge the competence of the motion, but I do challenge and seriously question the wisdom of those who sought to bring it forward in this way, at this time. I do not refer to the members of the Committee of Selection, and certainly not to its Chair, the hon. Member for North Herefordshire (Bill Wiggin); they are there to perform a function—to facilitate the House's having this debate. Ultimately, the question of who should be on the Foreign Affairs Committee remains within the control of the House. I hope that the House will thank the Chair of the Committee of Selection and his colleagues, and politely decline to accept their advice.

4.52 pm

Kevin Foster (Torbay) (Con): It is a pleasure to be called in this debate. It is worth saying that I have no personal objection to the hon. Members for St Helens North (Conor McGinn) and for Hornsey and Wood Green (Catherine West) joining a Committee; I remember the rather courageous stand that the hon. Member for St Helens North took a few years back in supporting the Government's taking military action against Daesh when his party leader was not doing so. The comments I am about to make are no reflection on those two Members, but I do feel rather conflicted.

There has been a lot of talk about whipping and potential arrangements. I do not think it is right to discuss on the Floor of the House Members' conversations with Whips, but I must say that while it is always lovely to hear from my hon. Friend the Member for Bury St Edmunds (Jo Churchill), my Whip, it was nice not to hear from her today about this motion and the amendment. She has the joy of texting me to ask if I am here, which usually gets the response, "I'm sitting on the other end of the Bench from you."

There is a bit of a conflict in my mind today, and I will explain why. Previous motions from the Committee of Selection that we have considered on the membership of Committees, including Select Committees, have usually been brought forward when a Member has said that they no longer wish to be on a Committee, and the relevant party is looking to replace them. That is why, when a couple of years back, there was a motion relating to the right hon. Member for Leicester East (Keith Vaz) being on the Justice Committee, I took the view that it was a Labour vacancy, and the Labour party had nominated someone. While the motion was controversial to those on the Government Benches, I took the view that it was not really for Government Members to pick who represented the Opposition on a Select Committee: I felt that voting against the motion would set a bit of a precedent, so on that occasion, I was prepared to vote in favour of it. It was not that I had any great thoughts about the merits of the individual concerned; I felt that it was a Labour vacancy, as a Labour Member was standing down from the Committee. The Labour party was therefore entitled to nominate someone. I did not feel it was for a Government MP, particularly one who was quite involved in things, to say, "No. Come back with someone else."

I accept that today the situation is very different. Neither the hon. Member for Dudley North (Ian Austin) nor the hon. Member for Ilford South (Mike Gapes) wishes to be removed from the Foreign Affairs Committee, and neither has done something that makes it necessary for the House to remove them. They have both given exceptional service. We saw in the superb speech of the hon. Member for Dudley North exactly why he is on that Committee. It is because of the incisive nature that he brings to debates and his passion for the subjects concerned. In the case of the hon. Member for Ilford South (Mike Gapes), I can say that I may not share some of his views, but I may not share his thoughts on a second referendum, and every time he speaks, I may not innately think, "Yeah, great point. That is one I would have made myself." That is not what it is about; it is about making sure that there is independence on these Committees.

Where I feel uncomfortable is whether it should really be the Parliamentary Private Secretary to the Chancellor of the Duchy of Lancaster who goes through the Lobby to decide who represents the Opposition on Select Committees. That is why I feel uncomfortable with suggestions that we should vote against this motion. It will set a precedent. I am conscious that there will be a number of Members on the Government Benches who will wish to vote against this motion. In particular, the respected members of the Committee may feel that they have a stronger need to express their views. None the less, as PPS to the de facto Deputy Prime Minister, I feel reticent about going through the Lobby to choose the Opposition representatives on that Committee.

Tom Tugendhat: I am very grateful to my hon. Friend for giving way. I appreciate the point that he is making about choosing who should serve on Committees—which party they come from and how they should be selected—but surely the question before us today is a fundamental one about whether those who are elected to serve on a Select Committee are delegates of the whole House or representatives of their party. That is a fundamental question that we should be considering. The truth is that the Select Committee system was established so that the whole House could look into matters at greater depth than is possible for the Chamber as a whole. That is the question that we should be asking ourselves today. Therefore, once the House has made a decision as to who should represent it, should it be up to the Whips Office from one party or another to make a difference?

Kevin Foster: I thank my hon. Friend for his intervention. In relation to Committee Chairs, he is absolutely right that we select as the whole House. They are appointed by the whole House, and I would be reluctant to set a precedent, if Chairs of the Committees were to change...
their political affiliation—there has been one such change—that they were delegates of one party or another. At the start of the Parliament, we make the allocations. If there comes a vacancy, that would potentially make a difference.

For me, there is a challenge in this. This matter is being debated on the Floor of the House. Members are appointed by the whole House to be Chairs and members of Committees, but we are talking about the Opposition’s spaces, and I do have a view on that. Although I suspect that, in this Parliament, things will be handled quite maturely—in fact I suspect that, under a number of Labour Governments, things would be handled well—we could be setting quite a precedent if Government Members, particularly Government payroll Members, started choosing the Opposition members on a Committee, regardless of what I might think on this particular occasion. It is different for those who are not on the Government payroll.

Kevin Foster: Does my hon. Friend feel that it would undermine the system if we were in a position where Members of a Select Committee were always having to look over their shoulder, because they might suddenly find that their place had been made unilaterally vacant on their behalf if they were not following the party line? In this case, there will still be the same number of Opposition Members on the Foreign Affairs Committee.

Kevin Foster: I accept that the balance of Opposition Members will be the same. This is not, for example, about someone having gone from the Government Benches to the Opposition Benches, and then a motion trying to flip back the balance. For me, though, this is about choosing the Opposition Members on a Select Committee. Let us be candid: there will be occasions when the Government might not particularly want certain individuals from the Opposition on a certain Committee. That is where the conflict lies. This is about Government Members—particularly those in the Government—choosing the Opposition Members on a Select Committee.

Kevin Foster: I thank my hon. Friend and neighbour Dr Wollaston:

Kevin Foster: I will give way to my hon. Friend. Friend.

Kevin Foster: I thank my hon. Friend—and I mean that—for her intervention. She is right that the Select Committees are at their best when a member of the public attending a sitting would not be able to tell which party label applied to which Member of Parliament. I remember the time that I spent on the Public Accounts Committee, and the questions there were as fearless from Government Members as from Opposition Members. That is the strength of Select Committees. The fact that we work by consensus in most instances gives strength to our reports. If an inquiry was just an attack by an Opposition motivated by party politics, it would not get the support of Government Members. And ditto—if a report were trying to praise the Government too much, funnily enough Opposition Members would probably not sign up to it.

It is right that people do not take their party labels into Select Committees, but the conflict for me is the issue of the Opposition having certain protections in this place. In a situation where a Government had a significant majority, they could in theory start playing a game with these sorts of motion. I think it is safe to say that a game is being played this afternoon, but it is quite clear to me that there is a difference between Members on the Government payroll and other Members. Each Member can take their own view; I just feel a slight difficulty in choosing the Opposition Members on a Select Committee from my position.

Kevin Foster: Actually, I commend the Government Whips Office for giving us a free vote to allow people to make their choice according to their conscience. I will abstain. I am not whipped as a payrolled Member to be driven off a Committee.

Kevin Foster: I thank my hon. Friend. Friend, who shows his skills as a parliamentarian in recognising how this place works. It is not about our own views; it is about how we see the process working. Although I hear his strong point, I still have my view, and I will be abstaining—I will not be voting in favour. I would normally say that a nomination by an Opposition party should be respected by Government Members, but this situation is different in that it is not the case that Members are looking to retire from the Committee and that a vacancy therefore exists that needs to be filled. I do question the motivations and timing behind this move, but I do not feel that it is for me to be choosing Opposition Members. I might change that view if we were talking about Government Members, but it is my view that this decision is for the Opposition.

Dr Julian Lewis (New Forest East) (Con): This is the first time that I have ever had to disagree with anything my hon. Friend has ever said on the Floor of the House. I still hope that he will think again, listen to the rest of the debate and perhaps be persuaded. I must say that if any move is made to remove the hon. Member for Totnes (Dr Wollaston) from the chairmanship of the Liaison Committee, I shall certainly vote against that. As someone who disagrees with the stance taken on Europe by all the Independent Group Members, which has led them to find themselves cast into the wilderness, I would certainly say to my hon. Friend that it is not about him choosing who should be the Opposition Members to go on a Committee; it is about him deciding whether a witch hunt should allow Opposition Members to be driven off a Committee.

Kevin Foster: I thank my hon. Friend. Friend, who shows his skills as a parliamentarian in recognising how this place works. It is not about our own views; it is about how we see the process working. Although I hear his strong point, I still have my view, and I will be abstaining—I will not be voting in favour. I would normally say that a nomination by an Opposition party should be respected by Government Members, but this situation is different in that it is not the case that Members are looking to retire from the Committee and that a vacancy therefore exists that needs to be filled. I do question the motivations and timing behind this move, but I do not feel that it is for me to be choosing Opposition Members. I might change that view if we were talking about Government Members, but it is my view that this decision is for the Opposition.

Dr Lewis: If my hon. Friend’s objection were well founded, does he not think that our own Whips Office would have issued a three-line Whip and not given us the free choice to vote as we please?

Kevin Foster: I commend the Government Whips Office for giving us a free vote to allow people to make their choice according to their conscience. I will abstain. I am not whipped as a payrolled Member to be driven off a Committee in the Aye Lobby or the No Lobby. It is right that all Members of the House should make their own choice today. We all differ, and each choice will be valid.
With that, I bring my remarks to a close—[Interruption.] I can hear the disappointment of the hon. Member for Scunthorpe (Nic Dakin). The reason I will abstain is purely that I do not agree with the principle of key Government Members making a decision about Opposition Members.

5.4 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): I will not detain the House for long, but I felt the need to stand up and be counted on both the specific and the general contents of this debate.

I oppose the removal of my hon. Friend the Member for Ilford South (Mike Gapes) and for Dudley North (Ian Austin) from the membership of the Foreign Affairs Committee. That is not because I oppose my hon. Friend the Member for St Helens North (Conor McGinn) or my hon. Friend the Member for Hornsey and Wood Green (Catherine West) being members of that Committee in future. I am sure that they will, in future, make fine members of the Foreign Affairs Committee should they wish to stand for it. This, for me, is about people being removed because they have held their heads up and said that the party in which they entered this House no longer represents their values and their views. Because I know both those Members, I know how hard and how difficult that was, and I commend them for their bravery. Over the past almost 22 years of my membership of this House, I have had little interest in the rules of the House, of debate, or of memberships of Select Committees—for me, what matters is what I do in my constituency and how I represent my constituents. I appreciate that people have different views of how they do the job. Surely that is the point, and the strength, of our system.

The hon. Member for Torbay (Kevin Foster) may like to look at evidence from the House of Commons Library about how members of Select Committees are dealt with if they leave their party and transfer to another. On 2 March 1981, Robert Maclennan defected from Labour to the Social Democratic party. He was a member of the Public Accounts Committee at the time. He remained a member until the end of the Parliament. On 9 March 1981, John Cartwright defected from Labour to the SDP. He was a member of the Defence Committee at the time. He did not leave the Committee until 31 March 1982—a year later. On 7 October 1981, Tom McNally defected from Labour to the SDP. He was a member of the Defence Committee at the time. He remained a member until the end of the Parliament. On 7 October 1981, James Dunn defected from Labour to the SDP. He was also a member of the Defence Committee. He did not leave it until December 1982, over a year later, and even then he was replaced by an SDP Member.

On 2 December 1981, Ronald Brown defected from Labour to the SDP. He was the Chair of the Committee of Selection at the time and remained so until the end of the Parliament. On 18 December 1999, Shaun Woodward defected from the Conservatives to Labour. He was and remained a member of the Joint Committee on Human Rights. In 2005, Paul Marsden returned to Labour, having previously defected to the Liberal Democrats. He was and remained a member of the Transport Committee. I would therefore suggest to the hon. Gentleman that the experience in this House, even in the days when Whips had more control over who was on Select Committees, suggests that people could remain.

We all know that this measure is a vindictive one. It shames our Whips—I say that as somebody who has been a Government Whip—to be involved in this manoeuvre today. There is no suggestion that either my hon. Friend the Member for Ilford South or my hon. Friend the Member for Dudley North have not done their job well, been regular attenders or argued their point of view. They are not being removed for any disciplinary issue or for not being up to the mark. They are being removed because of their politics—because my party has become intolerant and unwilling to listen to other voices.

Joan Ryan: As evidence to support what my hon. Friend is saying, in the most powerful way, members of the Independent Group who left the Labour party just a couple of weeks ago and who sit in the Council of Europe, the NATO Parliamentary Assembly and the Organisation for Security and Co-operation in Europe have all been threatened with removal by the actions of our Whips. The Whips cannot remove all of them, because they have a term of office, but that more than demonstrates the fact that this is, exactly as she says, about intolerance.

Siobhain McDonagh: I thank my right hon. Friend, who is my friend in this place in the true meaning of the word. One of the most shocking things is that attempts were going to be made to remove my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) from the Health and Social Care Committee while she was on maternity leave. Those were attempts by the Labour party—the Labour party of Barbara Castle, of Mo Mowlam and of the late, great Tessa Jowell. The party that introduced statutory maternity leave was considering removing a Member from a Committee while she was on maternity leave. Is that not an indication of how much we have lost our values and sense of who we are?

Whether it is the Conservative party having to remove people because of Islamophobia or the Labour party having to remove people because of antisemitism, we all have to stand up in our parties to extremism and totalitarianism. I say that with regret, but I hope that Government Members do not believe that I do not mean them too—I do. They need to watch their constituencies and their membership. If we move away from where the quiet, moderate majority lie, they will become disaffected with our politics.

Membership of the Foreign Affairs Committee is a small, arcane matter for this House, but it exemplifies the problems that all parties are experiencing. However uncomfortable it is and whether or not it means that some people on our side of the House will choose not to speak to us after this debate, we have to stand up, because for evil to triumph, it only needs the majority of us to say nothing.

5.12 pm

Richard Benyon (Newbury) (Con): I am moved by the speech of the hon. Member for Mitcham and Morden (Siobhain McDonagh). Those were extraordinarily courageous words to say in this extraordinary Parliament, where we find ourselves in unfamiliar territory in so many ways, with a new fluidity in politics that we need to reflect. I will detain the House for only a very short moment.
As the leader of the UK delegation to the NATO Parliamentary Assembly, it has been my good fortune to work with the hon. Member for Ilford South (Mike Gapes). At the moment, when we go to these forums, parliamentarians from across the world—in our case, from across the NATO alliance—ask, “What is going on in the United Kingdom?” We try to explain, which at times I find almost impossible. If they are confused by our actions in this Parliament and our inability to get through a certain matter, they will be doubly confused when they see that somebody of the hon. Gentleman's standing and stature in the NATO Parliamentary Assembly is being excluded from a Select Committee on which he has extraordinary experience and of which he is a former Chair. If he were also to be removed from our delegation, that would be extraordinary, and I simply would not be able to explain it to the many parliamentarians who look to this Parliament for inspiration and feel that there is a basic sense of fairness and decency, which we should uphold. I am grateful that the Government's whipping allows me to do what I was going to do anyway.

Angela Smith: Does the right hon. Gentleman—I think he is right honourable—not think that this Parliament, in removing someone like my hon. Friend the Member for Ilford South (Mike Gapes) from the NATO Parliamentary Assembly, would be sending out a message to the international community that Britain no longer stands for fairness and justice?

Richard Benyon: The hon. Lady makes a very important point. I do think that the membership of a Select Committee or of a delegation—although, out there in the real world, it is not what they are talking about in the Dog and Duck—is an indication of the kind of politics we do in this place, and to me, it matters.

The machinations of the Labour party are something that, in one sense, we on the Conservative Benches could just not be part of. Personally, however, I am saddened if a great internationalist party does not still have people on its Benches—they have now moved to a different arrangement—who really understand the importance at this time of that internationalist approach and have an understanding of the dynamic of foreign affairs. If we are to define global Britain, it is not just going to be done by the people on the Conservative Benches; it has to be something on which Members of this Parliament engage across a whole range of different forums.

Alec Shelbrooke: Will my right hon. Friend give way?

Richard Benyon: I will give way very quickly, and then I will conclude.

Alec Shelbrooke: Would my right hon. Friend summarise it in this way? The UK delegation to the NATO Parliamentary Assembly is one of the most respected delegations because of the strength and depth of its knowledge, and if this was to pass, along with changes to the NATO PA delegation, we would diminish ourselves on the world stage.

Richard Benyon: I entirely agree with my hon. Friend. I will conclude by saying that the hon. Member for Ilford South does the work, chairs committees and understands how these things work, and I hope—

Vicky Ford (Chelmsford) (Con): Will my right hon. Friend give way?

Richard Benyon: I will not, because I have made a promise that I am going to shut up.

I just want to say that I have huge respect for the hon. Member for Dudley North (Ian Austin) as well. He and I have worked on issues relating to Russia and Magnitsky, and I know his knowledge and understanding, and his courage as well. For goodness' sake, let us be a Parliament that raises ourselves above this. Let us just be a little bit mature and reflect on the fact that, even if we were talking about people who had been on the Conservative Benches, we would actually stand up for something more important than what we are talking about today.

5.17 pm

Mike Gapes (Ilford South) (Ind): There have been times today when I thought I was listening to my own obituary, and it has been quite moving to hear some kind things said about me. But it is not about me, and it is not about my good friend the hon. Member for Dudley North (Ian Austin) either; it is about the way in which this Parliament works.

I have had the privilege and the honour to be a Member of Parliament for 27 years. For the vast majority of that time—19 years—I have been a member of the Foreign Affairs Committee. I have also served on the Defence Committee, the Joint Committee on National Security Strategy briefly, the Liaison Committee and, for more than 10 years, the Committees on Arms Export Controls, formerly known as the Quad. I know that the only way that this Parliament's Select Committees work and work effectively is if we produce unanimous reports. We get listened to and noticed only when we work on a cross-party basis and leave our party labels behind us. If we get a 9:2 split in a Committee, it is better that the two are from different parties and that the nine are from different parties, than if it goes the other way. That is how Parliament works, and it works effectively.

Dr Julian Lewis: Is this not the heart of the matter? Is it not absurd to be talking about changing the balance between Opposition and Government membership on these Committees? These Committees, with very few exceptions, never divide along party lines. When the Defence Committee meets, I never ever have to consider the fact that it might be me—one Conservative—and five Opposition Members who happen to be in that meeting at the time.

I crave your indulgence for a second, Madam Deputy Speaker, to say that I am very sorry I cannot make a full speech in this debate because I was chairing a Defence Committee meeting that overlapped with a large part of it. However, I have known of the hon. Member for Ilford South (Mike Gapes) since the 1970s, when we were both fighting Trotskyists inside the Labour party. In the 1990s, I remember going with Conservative delegations to eastern Europe, only to find that the hon. Gentleman, as international secretary of the Labour party, had got there before us. The idea that the hon. Gentleman has had to leave the Labour party, when every drop of his blood is infused with the ethos of the Labour party, is absolutely tragic—

Madam Deputy Speaker (Dame Rosie Winterton): Order.
Mike Gapes: I am grateful to the right hon. Gentleman.

When a Select Committee produces a report that contains lots of recommendations and says some telling and critical things and it wants the Government to produce a serious response, that Committee has effect if it works collectively and comes to a consensual report. If the Government then gives an inadequate response, the Committee goes back. Under the chairmanship of my very good friend the hon. Member for Tonbridge and Malling (Tom Tugendhat), we have been persistent. We have told the Foreign and Commonwealth Office: “This is an inadequate response. We’re not accepting it.” We have made it difficult for them—we are persistent—and we do that on behalf of the House as a whole. We do it not as delegates from the central committee of a political party, but as parliamentarians who have used our knowledge, experience, integrity and persistence to beaver down, get the facts, expose the scandals and the problems, highlight them and then challenge the Executive.

There has been a trend in this Parliament for the Executive to treat Parliament with contempt. We have even passed motions saying that. I will not deviate from the terms of the motion, but we have seen lots of examples of Parliament having to struggle to assert our knowledge, experience, integrity and persistence to represent the will of the House tonight, do we not know what we should do?

Mike Gapes: I am very grateful. Obviously every Member has to look to their own conscience and presumably their own relationship with their party to decide what they will do, but I must say that I am astonished that there is a Whip on this House business. It is not usual.

I was in the House in 2001, and I recall the attempted removal of the Chairs of the Select Committee on Transport, Gwyneth Dunwoody, and the Select Committee on Foreign Affairs, Donald Anderson, now Lord Anderson. That was not exactly the same as tonight’s proposal, because there was a vote in a parliamentary Labour party meeting, but it was ultimately a decision for the House as a whole. The House at that time rejected the proposal from the Labour party and those names were reinstated. We are in a different situation today, but the essence of my point is that, regardless of what happens to my personal position, this is about how Parliament and the Select Committees work.

Alec Shelbrooke: Does the hon. Gentleman agree that the fundamental point is that the number of Opposition and Government MPs remains the same? He has not crossed the Floor; therefore, the fundamental mathematics remain the same.

Mike Gapes: Yes, that is factually correct. More importantly, this is not just a question of positioning on the Benches. My views on the awful Maduro regime in Venezuela, the Putin kleptocracy and the barbaric, murderous Assad regime have not changed from when I said those things over recent months. It may be that factors around those have played some role in this—I do not know.

Mr Bob Seedy (Isle of Wight) (Con): The hon. Gentleman is aware that as a fellow Committee member, he has my full support, and I look forward to him, and indeed, the hon. Member for Dudley North (Ian Austin), being on the Committee for the rest of the Parliament.

Mike Gapes: I am very grateful. I say to all the members of the Foreign Affairs Committee that I am very pleased and grateful that the Committee decided unanimously that it did not want to have two of its members removed. The Chairman of our Committee wrote a letter to the Chief Whips of the respective parties pointing that out, so there is no doubt about the position of the other nine Committee members with regard to me and my hon. Friend the Member for Dudley North.

In conclusion, whatever happens today or with the NATO delegation, I will continue to do the right thing and fight on foreign affairs to represent the best interests of our country abroad and to highlight issues of concern, because those internationalist values that I had when I joined the Labour party 50 years ago are still my internationalist values.
my part when I saw that she had crossed the Floor, precisely because we elected her for the duration of this Parliament and she should serve out her term as Chair of that Committee.

The reason that I will oppose the motion this evening is that it is not based on the balance of this Chamber. What is behind this motion—we in the Chamber must always look for what is behind something—is vindictiveness, as has been stated. There is no doubt that the way in which these two Members departed the Labour party and the policy differences that they have, particularly on foreign policy matters, are behind this move. I am not going to put my name to anything that is based on pure vindictiveness, which is what this is.

A lot of things have been said about the two Members today. I did think that they may have died, because people are not normally that nice about those who are alive. Somebody even accused the hon. Member for Dudley North (Ian Austin) of a subtlety of thought—I have never thought he has that, which is the reason I like him so much. There is no doubt, however, that in matters of foreign affairs they bring to the Committee a voice and experience that it would be the poorer without. We should consider, too, the views of the Members who serve with them on that Committee, who to a person wish them to remain on the Committee.

For that reason and because of the vindictiveness that lies behind the motion, I will 100% be opposing it this evening, and I hope that other colleagues will do the same and that they will consider carefully whether a three-line Whip should really be imposed in matters concerning the business of the House. I hope that colleagues on the Opposition Benches will reflect carefully on that and will support these two Members. If they do not, I should remind them, as has been said, that it may be these two today, but it could be others in the future.

5.30 pm

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): I came to this debate with an open mind, not sure how to vote, and, as a relatively new Member, I do not know either the hon. Member for Dudley North (Ian Austin) or the hon. Member for Ilford South (Mike Gapes) terribly well on a personal level.

On the argument about over-representation, numbers and fairness, there is a point: the TIG, in particular, but independent Members generally, are over-represented. The SNP, which has 35 Members, has two Select Committee Chairs, whereas the independents, of whom there are 21, also have two. The TIG, in particular, is well represented on Select Committees, holding almost two and a half times as many places as the Lib Dems, who have a similar number of Members. It is a fair point, then, that the Independents have more Select Committee places and that, had this been done at the start, the places held by these two hon. Members would have been contested by Labour Members, not Independent Members.

That said, we have to consider what Select Committees are for. I am lucky to serve on the Environment, Food and Rural Affairs Select Committee and previously to have served on the Health and Social Care Select Committee. The role of a Select Committee is to scrutinise the work of Government. Does having left the Labour party and sitting as an Independent make someone less able to do that? I would argue that it does not. It is clear that both Members are held in extremely high regard by the Chair, my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat), and each Committee member. Conservative members of the Committee have said how well they regard these individuals and how well they do their job of scrutinising the Government on matters of foreign affairs and attested to the level of expertise and skill they bring to their role.

Had these two hon. Members crossed the Floor, it would be fair to say that there had been a change in the balance of power in the scrutiny of the Government between Government and Opposition Members, but given that they have remained on the Opposition Benches, I do not think that argument holds any water.

On the motivation behind this move, I have listened to what has been said today, and it seems to me that this essentially is bullying. It is saying to people: “You didn’t agree with us, so you can’t do this job any more, not because you cannot do it, but because we don’t want you to, because we don’t agree with you any more.” That is wrong. I do not want to be part of a vendetta being waged against individuals for taking a stand, particularly a stand against racism, which is something we should all do. I will therefore oppose this motion.

Question put.

The House divided: Ayes 199, Noes 134.

Division No. 366) [5.34 pm]

AYES

Abbott, rh Ms Diane
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazzi, Tonia
Baker, Mr Steve
Benn, rh Hilary
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Bruce, Fiona
Bryant, Chris
Burden, Richard
Burgon, Richard
Butler, Dawn
Campbell, rh Sir Alan
Campbell, Mr Gregory
Carden, Dan
Champion, Sarah
Charalambous, Bambos
Coaker, Vernon
Cooper, Julie
Crausby, Sir David
Cryer, John
Cummings, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
David, Wayne
Davies, Chris
Davies, Geraint
Davies, Philip
De Cordova, Marsha
Debonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Dodd, Anneliese
dodd, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
doughty, Stephen
dowd, Peter
Drew, Dr David
Dromey, Jack
Duddridge, James
Eagle, Ms Angela
Eagle, Maria
Efford, Clive
Elliott, Julie
Elmore, Chris
Elphicke, Charlie
Esterson, Bill
Evans, Chris
Fletcher, Colleen
Fovargue, Yvonne
Foxcroft, Vicky
Francois, rh Mr Mark
Frith, James
Furniss, Gill
Fysh, Mr Marcus
Gaffney, Hugh
Gardiner, Barry
George, Ruth
Gill, Preet Kaur
Girvan, Paul
Godsiff, Mr Roger
Goodman, Helen
Green, Kate
Greenwood, Margaret
Griffith, Nia
Grogan, John
Haigh, Louise
Hanson, rh David
Hardy, Emma
Harper, rh Mr Mark
Resolved.

That Ian Austin and Mike Gapes be discharged from the Foreign Affairs Committee and Conor McGinn and Catherine West be added.
Business without Debate

PROCEDURE COMMITTEE

Ordered,
That Dan Carden be discharged from the Procedure Committee and Gareth Snell be added.—(Bill Wiggin, on behalf of the Committee of Selection.)

Children Act 1989: Local Authority Responsibilities

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

5.51 pm

Kate Osamor (Edmonton) (Lab/Co-op): I am grateful for the opportunity to raise this pertinent issue. The “no recourse to public funds” condition applies to people who have arrived in the UK in a range of immigration categories, including students and workers and their spouses, who may have the right to work but not to access benefits. There is considerable confusion over what services people with no recourse to public funds are entitled to, which has led to terrible suffering for both adults and children, including many British-born children, who fall through the net of Home Office and local government support.

It was interesting that I was met with departmental confusion simply in trying to secure this debate. Over the past few days, the Department for Education, the Home Office and the Ministry of Housing, Communities and Local Government were each in turn named as the Department that would respond to this debate, and I fear that that speaks to the profound confusion around accountability—namely, which body or institution is responsible for assisting those who have no recourse to public funds.

Jim Shannon (Strangford) (DUP): The hon. Lady has secured an important Adjournment debate. Does she agree that the biggest duty of care we owe is to children who rely solely on the state to look after them? All local authorities must understand that that duty includes considering historical cases to ascertain the safety of children in foster care. More than just the bare minimum, that duty means taking responsibility for the welfare of a child who has no one else in their corner, and it is essential that all local authorities understand that. I congratulate the hon. Lady on bringing this important matter forward for debate. Let us get it right.

Kate Osamor: I thank the hon. Gentleman, who makes a valuable point. I will go on to express similar concerns around the responsibility for looking after such children and the fact that many children have been and are being failed.

Local authorities, in practice, and the Ministry of Housing, Communities and Local Government, on a strategic level, need to get a better grip on the issue and take responsibility for the people affected. The picture is currently bleak, but the legislation is very clear. Section 17 of the Children Act 1989 provides a general duty on local authorities to safeguard and promote the welfare of all children in need in their local area. This means that local authorities must do whatever possible to ensure sufficient services and measures are in place where a child’s health or development is not being achieved or maintained, or where it is being diminished.

This support is not considered a public fund and includes accommodation, subsistence and help for children with additional needs, such as a disability. For many destitute migrant families, section 17 support is their only opportunity to feed themselves and put a roof over their head. One of the last comprehensive national
studies of children from families with no recourse to public funds receiving section 17 support was in 2015, when an estimated 6,000 children were receiving such support.

I tabled a written question on 12 December 2018 asking the Home Office whether it had any up-to-date data on children in need with no recourse to public funds, based on applications showing a change in their parents’ circumstances. I received a response from the Minister for Immigration on 20 December stating that no ideal data was being held “entitled ‘Change of Conditions’.” I used that wording in my question, and maybe it is not correct, but I was trying to ascertain the data for people whose circumstances have changed. I was told:

“Answering this question would require manual inspection of all family and private life leave to remain applications within the date range. This would incur disproportionate cost to the public purse.”

When we are talking about the livelihoods of young children, I would hope the public purse could extend to date range. This would incur disproportionate cost to the public funds receiving section 17 support was in 2015, when an estimated 6,000 children were receiving such support.

Between April and December 2018, the figure went up to 3,405. Between April and December 2018, the figure went up to 3,405. and weekends. It is a great scheme, and other councils

Edmonton is in the borough of Enfield—were told to

Deliberately. In 2018, four of the eight families living in

Enfield who attended Project 17—my constituency of

Edmonton is in the borough of Enfield—were told to

arrange temporary accommodation following a request

for the streets and have no safe place to go. Secondly, it is

no stable place to be. When they are asked to leave

councils should follow that lead.

Kate Osamor: My hon. Friend makes a valuable point. A multitude of people are getting caught in this trap of destitution including, as he clearly spells out, people experiencing domestic violence, which is even more complex. Those people need more support—immediate support—and, in many cases, they need to be made safe. I am grateful for his input and, more importantly, for the civil society group he mentions. I will mention other civil society groups that are doing fantastic work in picking up the public purse and doing the work that the Government are not doing, about which I am quite aggrieved.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): North Lanarkshire Council runs Club 365 so that no child in North Lanarkshire goes hungry. Every child has a meal available every day during the holidays and weekends. It is a great scheme, and other councils

have a duty to ascertain the wishes and feelings of children and take them into account when planning provision, according to the Children’s Society, in 2015 six in 10 families with no recourse to public funds who applied for section 17 support were not supported by their local council.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): My hon. Friend is making a powerful speech in favour of some of the weakest and most vulnerable people in our communities. This is a particularly urgent issue in Glasgow, where the Home Office tried to force contractors such as Serco to enforce a move-on policy. It was actually forcing people out of their homes if their asylum application failed. Many of those people had no recourse to public funds.

We are talking about the risk of mass destitution. Is that not just another example of how the Government’s hostile environment has permutations that affect the weakest people in society, even among our communities? Councils often do not have the funds, after years of cuts, to step in immediately and fill that gap.

Kate Osamor: My hon. Friend makes a valuable point. I will go on to discuss the hostile environment and its impact on the most vulnerable in society.

Project 17, an east London-based charity that I have been working with, works closely with families who have no recourse to public funds. Its recent report, “Not Seen, Not Heard”, documents the experiences of children living under this condition—I call it a “condition” deliberately. In 2018, four of the eight families living in Enfield who attended Project 17—my constituency of Edmonton is in the borough of Enfield—were told to call the emergency out-of-hours service each night for extended periods, rather than being provided with accommodation. It is standard practice for some local authorities to wrongly refuse interim support when they are first approached by families who need help. One woman was forced to call the out-of-hours service every night for almost two months.

The practice of not being child-focused is deeply concerning for a number of reasons. First, families have no stable place to be. When they are asked to leave temporary accommodation by 9.30 am, they wander the streets and have no safe place to go. Secondly, it is unclear how long it will take the out-of-hours service to arrange temporary accommodation following a request in the evening. Thirdly, navigating the out-of-hours service can be difficult for anyone, not least for those who struggle with English as a second language.

I hear reports of more and more families sleeping in the A&E reception. The reasons vary from them not understanding the system to safety, warmth and, basically, being destitute. One such report comes from Joel, who is nine years old. His family were forced to sleep in the accident and emergency department when they were left street homeless after a local authority refused their request for section 17 support. Joel said:

A child’s immigration status should not be affected by their parents’ immigration status. It is upsetting that because of their parents’ immigration status, a child born in this country can be denied access to benefits, to their wants and needs, and to the comforts they desire. Despite statutory guidance stating that local authorities have a duty to ascertain the wishes and feelings of children and take them into account when planning provision, according to the Children’s Society, in 2015 six in 10 families with no recourse to public funds who applied for section 17 support were not supported by their local council.
“We had to keep going to McDonalds every night and we would also go to A&E. I would have to wear my school clothes and sleep like that. They would say we have to sleep where the people wait but it’s just like lights and there is nothing colourful there. The chairs were hard. You know when you just sleep in the waiting room? I felt sorry for my mum because she had to stay up and my head had to be on her lap. She had to stay awake, her eyes were open like 24/7, all night and all day so she could watch over me. It was hard for her but also hard for me.”

Joel mentioned that he slept in his school uniform. That gives us more context on the plight of these children: despite having no fixed abode, Joel sleeps on his mother’s lap every night in an unsafe A&E reception. He is also expected to get up and concentrate in school.

I thank the Education Minister for being here today. I will not focus much on those young children’s experience in school, but I want to highlight the fact that, because a lot of their parents have no access to public funds, they cannot apply for free school meals and other things that would help their day in school.

Mr Jim Cunningham (Coventry South) (Lab): My hon. Friend is making an important contribution and is outlining the problem. Local authorities have obviously been underfunded in relation to childcare for a very long time, although the Government will not admit it; they keep telling us that they are putting more money in, but they are starting from a low base.

One thing that struck me in what my hon. Friend said—I have come across cases like this—is that kids, whatever their background, are expected to go to school, but they cannot concentrate on their education if they are worried about where they will live when they come home from school, whether they will get a square meal, whether their father and mother are together and whether there has been domestic violence. We can understand why kids sometimes become resentful in those circumstances. Does my hon. Friend agree?

Kate Osamor: I thank my hon. Friend for that contribution. What I take from it is that there is a lot of emotional strain on young children, which we must express and, more importantly, acknowledge.

The “Working together to safeguard children 2018” statutory guidance says that, where urgent needs are identified,

“social workers should not wait until the assessment reaches a conclusion before commissioning services”.

As I have illustrated, homelessness or destitution is clearly an urgent need. A refusal to provide interim support has led to a vulnerable woman and her children in Enfield having to stay with a local stranger they met on the street. When I first heard that story, my sadness turned to frustration at the fact that families are having to risk their safety and, ultimately, their dignity.

Why are families—mainly black families—forced to live like that? Would there be more of a public outcry if the victims of this pernicious policy were white? Would I even be standing here speaking on this matter? The hostile environment has a lot to answer for. The Prime Minister has a lot to explain, because it is her legacy that those innocent families are enduring.

Housing is a chronic issue across the UK, but housing scarcity does not remove local authorities’ obligation to ensure that all children are safe and that their needs are met. Amir, aged eight, described living in shared accommodation for 10 months:

“Where I live now, I’m not comfortable. There’s a lot of noise from people coming up and down the stairs. It’s always dirty. I have no space to do my homework and I don’t feel safe. At 3 am someone broke a door in the house—people were fighting.”

Poor living conditions are commonly reported. Project 17 reported the issues that children raised about the conditions of accommodation provided under section 17. They included living with rats, not having access to cooking facilities, cockroach infestation, antisocial behaviour from other residents in shared accommodation, not having basic furniture such as a table or chair, and not having access to washing facilities.

Civil society groups also report families receiving rates of financial support below the support rate of £37.75, set out in section 95 of the Immigration and Asylum Act 1999. The Home Office says that that is the minimum amount required to avoid a breach of the European convention on human rights. Case law suggests that it would be unlawful for local authorities to expect families in receipt of section 17 support to live on less than that amount. It is unreasonable to expect families to live off less than £37.75 per week, and I am concerned that the Department, and thus local authorities, do not adequately recognise the negative impact of lower levels of support on children’s development and wellbeing.

Even when support is provided, the current provision is insufficient. Interim support is being refused, and poor accommodation and low rates of financial support are being offered.

How are we helping these families and children? While there are process and practice issues that local authorities need to address, civil society groups across the UK have also reported that local authorities are increasingly deliberately putting barriers in place before supporting these families. Embedded Home Office immigration officials are one method by which that is done. While they can be used constructively, there are more consistent reports of their deployment to intimidate. The perceived threat of immigration enforcement action can deter the most vulnerable families from seeking support that they should be able to access. The management of these officers differs considerably between local authorities. Local authorities must take charge of their use.

Unfortunately, it is not just Home Office officials who intimidate parents. Worryingly, there is a trend of excessive scrutiny—of credit checks, minor inconsistencies being used to undermine a family’s case, allegations of fraud, and even threats of removing children without sufficient cause. I am sorry to say that several families in Enfield were simply misinformed by council officers. One family was even told that Enfield does not provide financial support to families.

How can we work together and help the failing authorities? Looking ahead, I would like to offer some solutions. At a local level, councils can take steps to ensure that such hardship is a thing of the past by signing up to a commitment to ensure the health, development and wellbeing of every child in their area. There is already such a pledge in Project 17’s children’s charter, and the Children’s Society has a charter, too. Project 17’s charter sets out a framework for local authorities working with children in need of support.
under section 17. It was derived from the UN convention on the rights of the child, the legal duties defined in the Children Act 1989 and subsequent case law, and what children and young people have told civil society groups about what they want.

I ask the Minister whether the Department will agree to meet Project 17 to discuss its work and its children’s charter. At a strategic level, I ask the Ministry of Housing, Communities and Local Government, if it is listening, to encourage local authorities to sign up to such a charter, and to clarify the procedures that local authorities must follow, and their obligations, regarding their care for every child in their area. In addition, those in the Ministry of Housing, Communities and Local Government can lobby the Prime Minister and their colleagues in the Home Office to end the hostile environment policy, which causes me deep concern. With all due respect, Madam Deputy Speaker, although Brexit is important, it is all we debate in this House, while this important issue only gets an airing in an end-of-day Adjournment debate.

The hostile environment policy builds destitution into the asylum process; destitution is going to happen, and that is wrong. Any attempt to combat destitution will be limited as long as the hostile environment continues. In a sense, people with insecure immigration status being forced to go without money, food or nappies for their children is not a failing in the system; it is the system. Can the Minister really say that he is happy with such a system? If not, will he do everything he can to ensure that the Department looks at the policy and how it affects the most vulnerable?

Ensuring that the needs of children are met should be the utmost priority of local authorities. However, if boroughs are expected to provide this essential support, it is crucial that they be provided with the resources to do so. In an age of austerity, it is imperative that the Government take this matter seriously and open a dialogue with local authorities and other organisations involved, to determine how much annual funding is required.

To put this in context, London boroughs spent £53.7 million in support of an estimated 2,881 households under the no recourse condition in 2016-17, and the estimated average total annual expenditure per borough was nearly £1.7 million, but the case load size in six boroughs led to their having far higher expenditure than the London average—expenditure of £5 million per year. That funding is primarily derived directly from the local authority’s social services budget: if pressures are not uniform across London then funding levels to cope with “no recourse” families should not be uniform, but targeted to ensure effective service delivery.

As I come to a close, let me say that I understand that local authorities are under immense pressure from a population with growing and increasingly more complex needs, from year-after-year reductions in Government funding, from the hostile environment policy and from a host of other problems and concerns. That is why no one expects every council to be able immediately and perfectly to adopt every proposal that I and others have made. However, when the stakes are so high for the children and families involved, I ask local authorities, the Minister and the Government to make concrete steps in the right direction.

6.15 pm

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): Let me begin by congratulating the hon. Member for Edmonton (Kate Osamor) on securing this important debate today. A number of colleagues intervened on her, and I thank them for the points that they made—the hon. Members for Strangford (Jim Shannon), for Rutherglen and Hamilton West (Ged Killen), for Coatbridge, Chryston and Bellshill (Hugh Gaffney), for Glasgow North East (Mr Sweeney), and for Coventry South (Mr Cunningham). The message that I want to convey to local government is that all children should have access to the support that they need to keep them safe regardless of immigration status. Our main interest tonight is the discharge by local authorities of the important responsibilities under section 17 of the Children’s Act 1989, for which I am the Minister responsible. I need first of all to say a word about how the “no recourse to public funds” condition comes into this.

The Project 17 report, which has helped to inspire this debate, concentrates on local authority support for families with no recourse to public funds under section 17 of the 1989 Act. In particular, it focuses on families who are destitute because they cannot claim benefits or access social housing owing to their immigration status. Those families turn to local authorities for support under section 17. They are, though, not the main group to whom the responsibilities under section 17 are applied, and we must not lose sight of the fact that these responsibilities of local authorities involve many more groups, who also have needs.

Some of the questions raised by the hon. Member for Edmonton and other hon. Members are based entirely on immigration status issues. I will ensure that they are brought to the attention of my right hon. Friend the Minister for Immigration, and I have her assurance that she will write to hon. Members in response to questions that were entirely immigration related.

What it is perfectly sensible for me to do this evening is to set out the main points of the Government’s position, as approved by Parliament, when it comes to the “no recourse to public funds” condition. The position is quite simply that those seeking to establish their family life in the UK must do so on a basis that prevents burdens on the taxpayer and that promotes integration. That position has been approved by Parliament in primary legislation and is reflected in the immigration rules. The application of the “no recourse to public funds” condition to those with a temporary immigration status is, therefore, a standard means of pursuing that legitimate objective.

The Project 17 report and hon. Members who have spoken this evening have drawn attention to the fact that, for a certain group of families, the “no recourse to public funds” condition did not use to be automatically applied to their status, and that it is now. That is true. In their changes to the immigration rules in 2012, the Government acted to correct an anomaly whereby some groups were not expected to be self-sufficient. That was entirely necessary to ensure that the Government could fulfil their intention for incoming families to establish themselves here without needing access to our limited public funds.

The Government’s view is that access to public funds should still be available, but not automatically. For those now coming to the UK, therefore, no recourse to
public funds is a standard position. But I must make it clear that there is scope in immigration legislation for family life and private life applicants to request that no recourse to public funds should not be imposed, or that it should be lifted once imposed. Those applications are given very careful consideration in the light of the applicant’s circumstances and the welfare of any children involved. Of course, that does not apply to those who have been refused leave to remain in the UK and whose appeals have been turned down by the courts. These individuals are expected to leave the UK and are not eligible for support from public funds.

Sometimes there are barriers to individuals leaving the UK—for example, the difficulty of obtaining documentation from their own national authorities. Parliament has accepted that, as a result, they may qualify for local authority support where that is necessary to avoid breaches of human rights obligations, and where children are involved. This is the group whose support needs are brought to our attention by the Project 17 report. The Government’s view is that the right framework exists for providing them with support. There will be occasions when the support is provided in order to avoid a breach of the adult’s human rights. There will also be occasions when support is provided under section 17 of the Children Act, because it is the specific needs of the children of the family that call for such supportive intervention. This means that such families are supported by local authorities, even if they have no recourse to public funds. However, these decisions are made locally, according to an individual local authority’s protocol and assessments.

Although the Government’s position is that those seeking to establish their family life in the UK must do so on a basis that prevents burdens on the taxpayer and promotes integration, nothing in any of the legislation prevents the provision of support to those in genuine need, whatever their immigration status and at whatever stage they are in their migration journey. The Government have an impressive track record of ensuring that those who are in genuine need are supported appropriately.

The Home Office provides specific support under section 95 of the Immigration and Asylum Act 1999 to families with children who have come to seek asylum and cannot provide for their own needs. Individuals and families with children may also be granted recourse to public funds even if their leave would otherwise be subject to an NRPF condition, where there are compelling circumstances relating to destitution, the welfare of a child or exceptional financial circumstances. Local authorities may also provide basic safety net support to families with children using their own powers, if it is established that there is a genuine need that triggers an obligation under human rights or children’s legislation.

The hon. Lady mentioned local government funding. I recognise that Enfield and other local authorities are delivering in a challenging environment, and have had to make really tough, difficult choices as they work to meet the needs of the most vulnerable. I welcome the further £410 million in 2019-20 for local authorities to invest in adult and children’s social care services. That is on top of the more than £220 billion until 2020 made available at the 2015 spending review for councils to deliver local services, including children’s services. Of this, Enfield is currently forecast to have core spending power of £236 million for 2019-20—an increase of about 1.7% on the previous year. I would like to assure you, Madam Deputy Speaker, that my Department is continuing to work closely with the sector to build the strongest evidence base for long-term children’s services funding as part of the spending review.

The hon. Lady mentioned free school meals. Let me reiterate—it is important to put this on the record, because many people will be listening to this debate outside this place—that where a child is in need, for example because they are homeless or the parent cannot afford to meet the family’s basic needs, families with the NRPF condition are not prevented from getting additional help from their local authority’s social services department. To establish eligibility for assistance, the local authority must undertake a child in need assessment. It is clear that many local authorities are doing the right thing and delivering free school meals for those children.

Again, I thank the hon. Lady for securing this important debate. We have a shared ambition, I think, to ensure that the most vulnerable children have the safety net and stability that they need to enable them to thrive in their homes and in their families.

Question put and agreed to.

6.26 pm

House adjourned.
The Secretary of State for International Development (Penny Mordaunt): During my time in Bangladesh, I met Ministers to discuss the impact of UK aid across the country and reinforced the UK’s commitment to assisting Bangladesh’s efforts to support both the Rohingya and host communities in Cox’s Bazar.

Penny Mordaunt: I did discuss those things, as my hon. Friend would expect, and we are sceptical about some of the Bangladeshi Government’s ideas. We watched presentations about the island and the investment made there, but that will only take 100,000 people, and there are many more at Cox’s Bazar. We therefore need to consider other options for how to support Bangladesh in managing the protracted crisis.

Carol Monaghan (Glasgow North West) (SNP): The United Nations convention on the rights of the child states that every child has the right to an education, but that is simply not the case for many thousands of Rohingya children in camps in Bangladesh. What conversations has the Secretary of State had with her counterparts to ensure that adequate educational facilities and opportunities are available to Rohingya children?

Penny Mordaunt: I did raise the specifics. Both Bangladesh and the UK are doing a tremendous amount, but we need other donors to lean in and support such initiatives. However, we are pleased that UK aid is making a profound difference, particularly for children with disabilities.

Global Fund

2. Dr Paul Williams (Stockton South) (Lab): What (a) preparations she has made for and (b) plans she has to attend the Global Fund’s sixth replenishment conference in October 2019.

The Minister for the Middle East (Alistair Burt): The Global Fund plays a critical role in the fight against AIDS, tuberculosis and malaria, having helped to save 27 million lives to date. The UK is considering the Global Fund’s investment case ahead of determining our contribution to a successful sixth replenishment, and senior UK attendance will be determined in due course.

Dr Williams: I saw the devastating impact that HIV/AIDS, TB and malaria can have on communities during the four years that I led health services on the Uganda-Democratic Republic of the Congo border. Although the UK’s contribution has saved 2.3 million lives, progress is stalling, and the Global Fund is asking countries to increase their contributions by 15%. Will the Minister meet the all-party parliamentary groups on HIV and AIDS, on malaria and neglected tropical diseases and on global tuberculosis to discuss the UK’s response?

Alistair Burt: First, the House should pay tribute to the hon. Gentleman, who is one of a number of Members who have a background in that sort of work. We are in the hon. Gentleman’s debt for the experience that he has brought to the House’s discussions on the work that needs to be done. We recognise the need to keep the fund at a reasonable level, but we want to do even more, and I will of course meet him and other colleagues to discuss the matter.

Sir Gary Streeter (South West Devon) (Con): If the Minister does go to the replenishment conference in France, will he share with other donors the excellent new UK initiative of an unlimited small charities challenge fund, which is a very real way to tackle some of these preventable and challenging diseases?
Alistair Burt: My right hon. Friend the Secretary of State has done invaluable work in boosting the small charities fund. It will indeed be more accessible for charities around the country that are doing great work in these fields, and we see it as a valuable addition to the work of DFID and the UK’s international contribution.

11. [909924] Bridget Phillipson (Houghton and Sunderland South) (Lab): The UK’s efforts to tackle HIV/AIDS are to be welcomed, yet progress remains slow in turning the tide of infections and deaths from AIDS-related illnesses. What further action will the Government be taking to strengthen public healthcare in developing countries, to improve prevention and access to treatment?

Alistair Burt: The hon. Lady is absolutely right. It is very important that HIV/AIDS is not seen as an issue of yesterday. I was present at the Amsterdam conference last year to make the case that there are still target groups that need more support. Sustaining and ensuring that countries’ local health systems have sustainable methods of dealing with this is a fundamental of DFID’s global health work, and it is essential that this work continues.

Jeremy Lefroy (Stafford) (Con): As chair of the all-party parliamentary group on malaria and neglected tropical diseases, I have seen the excellent work that the Global Fund has supported over the years, but local contributions from endemic countries are incredibly important. Will the Minister enlighten us on whether those contributions have increased over recent years so that they can be put alongside the contributions through the Global Fund?

Alistair Burt: My hon. Friend is correct that national Governments have a significant responsibility regarding their contributions. Those contributions are increasing, but the question of mainstreaming that support so that it comes into their sustainable health systems naturally has to be considered. We will be working with other donors to boost the fund, and national Governments will have an increasing responsibility as time goes on, but they will not be left to deal with this situation alone.

Dan Carden (Liverpool, Walton) (Lab): There is some concern that the figure set out in the investment case by the Global Fund may not represent what is actually needed to get the world back on track, to meet sustainable development goal 3 and to end the epidemics of AIDS, TB and malaria. What avenues are the UK Government exploring ahead of the next replenishment conference to ensure that the global response meets what is actually needed?

Alistair Burt: We are the second largest donor to the current replenishment, and this is having a significant impact. We are conscious of the need to review the investment case carefully, and we are working with other donors to ensure that it does meet the challenges. Given that a number of different replenishments are going on at the same time, we are bringing our thinking together this year to ensure that United Kingdom support is well spent and covers the replenishments appropriately.

Dan Carden: We can all agree on continued UK support for tackling the world’s deadliest diseases, but with so much Brexit uncertainty, the sector is rightly concerned about the future of UK aid and our role as a world leader in global health. I am sure that those in the sector have taken some reassurance from the Secretary of State’s comments on Monday that they should “calm down and chill out”.

With almost weekly attacks on the Secretary of State’s Department from her own colleagues, and the Department losing 170 staff due to Brexit chaos, it is difficult to know what would be a bigger danger to UK aid—a no-deal Brexit or a Tory leadership challenge. Perhaps the Minister can dissociate himself from once and for all, from attempts to water down the 0.7% of UK aid from public funds.

Alistair Burt: Good try, Dan. It was the Conservative party that brought forward the 0.7% commitment, and it is a Conservative Government who have worked it through. I entirely understand the hon. Gentleman’s point; it was a good try. The Government are enormously committed to the delivery of aid, to ensuring that aid is constantly reviewed and does the job, to the 0.7% and to the independence of the Department for International Development, so that it remains a self-standing part of the Government. The hon. Gentleman need have no fears. If we want to avoid the worries of Brexit, perhaps he might vote for the deal.

10. [909923] Stephen Crabb (Preseli Pembrokeshire) (Con): Does my right hon. Friend agree that we are in a position to make ambitious pledges both to the Global Fund and to Gavi, precisely because we kept our promise on the global stage to meet and increase our aid spending, and will he assure the House that the Government have absolutely no intention to water down, dilute or walk away from our promises?

Alistair Burt: My right hon. Friend is absolutely correct—no, there is not. He speaks of the Gavi replenishment, which is again important this year. That refers to global vaccination, which we will of course maintain our support for and position on. I hope that the whole House unites in combating the anti-vaccination campaigns that are taking place in too many parts of the world. As someone who had the benefit of my father’s own polio vaccinations to me as a child, vaccination is very personal to me. We all need to keep it up—and thanks, Dad.

Global Warming

3. Christian Matheson (City of Chester) (Lab): If she will make reducing global warming a strategic priority of her Department.

[909916]

4. Dr Roberta Blackman-Woods (City of Durham) (Lab): If she will make reducing global warming a strategic priority of her Department.

[909917]

15. Jeff Smith (Manchester, Withington) (Lab): If she will make reducing global warming a strategic priority of her Department.

[909926]

The Minister of State, Department for International Development (Harriett Baldwin): Climate change is a major threat to achieving the sustainable development goals, and tackling it is a strategic priority for the Government and for my Department. The Government
are delivering £5.8 billion in international climate finance to help developing countries to reduce emissions and to manage the impact of climate change.

Christian Matheson: Last Friday, thousands of children took to the streets, including in my own constituency, because they know that we have only 12 years left to make a difference on climate change. So why is the Department still spending money through its prosperity fund on expanding the oil and gas sectors in several countries where that fund is active?

Harriett Baldwin: I welcome the opportunity that the interest young people are showing in climate change gives us to highlight the important work that we are doing. I can assure the hon. Gentleman that we do not provide any bilateral assistance for coal-fired power generation, and that CDC, our private sector investment arm, has made no new net investments in coal-fired power since 2012.

Dr Blackman-Woods: Will the Minister update the House on what DFID is doing to follow through on the agreement made at the Commonwealth Heads of Government meeting in 2018 to support urgent action to address climate change and to increase resilience to prevent 100 million more people from being pushed into poverty by 2030?

Harriett Baldwin: The hon. Lady is absolutely right to highlight the importance of commitments that were made last year at the Commonwealth Heads of Government meeting. There is an extensive programme of work to follow through on those commitments, not least the £5.8 billion of international climate finance that we have announced so far, which has already helped 47 million people to increase their resilience to climate change. We will be leading that strand at the United Nations summit in September.

Jeff Smith: The Minister said that there is no net investment from DFID and the CDC. I would be interested to know what she means by that, because we surely need a greater priority on disinvestment in oil and gas extraction. Is she not worried, as I am, about the possibility of stranded assets as a result of investments we have made in the global south?

Harriett Baldwin: We have an important role to play in working with our international bilateral partners to encourage the use of clean growth and clean energy. For example, the week before last, we held an event here in support of sustainable development goal 7 to which we invited African Energy Ministers from developing countries to meet some of the people we have in the UK with expertise on renewable energy.

Michael Fabricant (Lichfield) (Con): Solar energy is a relatively clean way to generate electricity. What steps are we taking in Africa to help not only people who are off-grid but those who are on-grid?

Harriett Baldwin: My hon. Friend is absolutely right that solar energy, particularly in sunny places, is a very good idea. Indeed, there is some very windy coastline where offshore wind energy would also be very helpful. In addition to the event that we held for African Energy Ministers the week before last, we have come up with some remarkable inventions using some of our overseas development assistance—for example, a solar-powered fridge.

Antoinette Sandbach (Eddisbury) (Con): Will the Minister outline the steps the Department is taking to improve biodiversity and habitat enhancement, particularly through the recent investment in the Darwin initiative?

Harriett Baldwin: My hon. Friend will be glad to know that I work closely with my counterparts at the Department for Environment, Food and Rural Affairs and the Department for Business, Energy and Industrial Strategy to join up the work we are doing to tackle biodiversity, specifically the contribution we have made to the global environment fund.

Robert Courts (Witney) (Con): Mangrove forests are one of the most effective habitats at storing carbon dioxide that might otherwise be released. What are the Government doing to help reduce mangrove forest loss?

Harriett Baldwin: We have rebranded them blue forests. We think they are incredibly important, and not only as a way to store carbon: recently it was proven that they also improve resilience to cyclones. They are an important part of the work and have been championed vigorously by the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Suffolk Coastal (Dr Coffey).

Chris Law (Dundee West) (SNP): Last Friday, on the same day that 1.4 million children went on climate strike across the world, more than 1,000 people were killed in Mozambique and Zimbabwe during Cyclone Idai. Does the Minister agree that young people and those living in the developing world are the least responsible yet will bear the brunt of the climate crisis? If so, does she agree that the UK Government must make climate justice a key part of their climate change strategy?

Harriett Baldwin: That is exactly why the UK is proud to be stepping up our work on international climate finance. We have committed £5.8 billion to work with some of the poorer countries in the world, including those affected by this cyclone in Mozambique. There will be an urgent question later, when I will be able to elaborate on the work that the UK has done to help with the situation there.

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): Our thoughts are with all those affected by the devastation of Cyclone Idai across Mozambique, Zimbabwe and Malawi, and I would like to share with the House the thoughts of—[Interruption.]

Mr Speaker: Order. There are a lot of noisy private conversations taking place. It is rather discourteous to the hon. Lady, who is highlighting very grave matters.

Preet Kaur Gill: Our thoughts are with all those affected by the devastation of Cyclone Idai across Mozambique, Zimbabwe and Malawi, and I would like to share with the House the thoughts of Anabela Lemos, a woman at the forefront of the climate justice movement in Mozambique. She says:
The people of Mozambique need emergency response and support right now to survive this crisis. But this is also a harsh reminder that the climate crisis is upon us and developed countries need to urgently reduce their emissions and stop funding fossil fuels.

I welcome the relief package for the region issued by DFID, but it is a tragic irony of climate change that those least responsible are the ones who pay the highest price. A key component of the—

Mr Speaker: Order. This simply is not on. I do not wish to be unkind to the hon. Lady, but I need one sentence with a question mark at the end of it. My apologies for interrupting, but this is far too long.

Preet Kaur Gill: Will the Minister confirm whether the Government have plans to offer any additional climate finance to support vulnerable communities and countries to cope with the consequences of climate change?

Harriett Baldwin: I can confirm that we are already committed to spending £5.8 billion over this spending period, which will involve us being able to increase our finance over the next spending review period. There will be an urgent question later, when we can talk about the specific situation in Mozambique. The report from the Independent Commission for Aid Impact recently said that UK international climate finance is showing a very convincing approach, with some good emerging results in terms of influencing others. We aim to continue with that work.

Topical Questions

T1. [909929] David T. C. Davies (Monmouth) (Con): If she will make a statement on her departmental responsibilities.

The Secretary of State for International Development (Penny Mordaunt): I am sure the whole House will wish to join me in expressing our concern at the loss and devastation following the deadly cyclone in southern Africa. In Mozambique, Malawi and Zimbabwe, hundreds of people have lost their lives and many more their homes. We pre-deployed aid, and the first UK relief flight arrived in Mozambique yesterday, delivering family tents and shelter kits for those forced to flee their homes. In Malawi, we are working with the World Food Programme to enable 140,000 people to access food, and in Zimbabwe, we are working with our partners to provide hygiene kits and essential medicines.

David T. C. Davies: I congratulate my right hon. Friend on the aid that is being sent to Venezuela, whose people are facing horrendous shortages of food, electricity and medical supplies. Does she agree that, as well as sending aid, we need to send a message from both sides of this House that the failed hard-left socialist policies being pursued by that Government will always lead to economic ruin, wherever they are applied?

Penny Mordaunt: This is a tragic situation. It is a man-made crisis, and we are doing everything we can to support the response through the Lima Group. My hon. Friend is right. This is why it is important to remember that keeping economies strong is absolutely vital for human capital and the basics in life, and we must never ever let systems that do not support that take hold—

Mr Speaker: I am sorry, but we have to move on.

T3. [909931] Laura Smith (Crewe and Nantwich) (Lab): On her recent visit to Bangladesh, did the Secretary of State discuss concerns about relocating refugees to Bhasan Char with the authorities?

Penny Mordaunt: Yes, I did. We looked at what the authorities were doing with the island and we expressed concerns about that and about the fact that many more people—the island will take only 100,000—need to be taken care of in this protracted crisis.

The Minister of State, Department for International Development (Alistair Burt): First, I congratulate Ellington Primary School on its work in joining the Department’s mission to help save the world from landmines, and in joining leading UK non-governmental organisations such as the Mines Advisory Group and the HALO Trust, which do fantastic work in this space. We constantly go to those who are not yet signed up to the Ottawa convention to ask them to do so. I hope my hon. Friend will take even further interest in this, and perhaps do some visiting, as I have done in the past.

Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): Ellington Primary School is on a mission to make the world clear of minefields left behind after wars, and I have committed to helping it. I thank Ministers for the written answers they have given me so far. What are the Government doing to persuade the five countries in receipt of UK aid that are not yet signed up to the Ottawa convention to do so?

The Minister of State, Department for International Development (Alistair Burt): If the Secretary of State for International Development (Penny Mordaunt): The Save the Children Fund has identified five things that this Government can do to help end the conflict in Yemen. Will the Government do them?

Alistair Burt: Last week, I held a telephone conference call with Lise Grande, the UN co-ordinator on Yemen, and a number of UN agencies. We are looking at everything we can do. This morning, I met humanitarian workers—women workers—from Yemen themselves. We will of course work even more closely with all our partners there and support UNICEF in all its work.

Scott Mann (North Cornwall) (Con): What is the Department doing to support the people of Zimbabwe, Mozambique and Malawi after the recent cyclone?

The Minister of State, Department for International Development (Harriett Baldwin): My hon. Friend will be aware that yesterday we were able to announce a further £6 million of emergency funding, working with our partners, such as UNICEF, the World Food Programme and others on the ground, and we were also able to pre-position aid. I know that you, Mr Speaker, have kindly allowed an urgent question on this subject following Prime Minister’s questions.
**Penny Mordaunt:** I thank the hon. Lady for that incredibly important question. We have a particular strategy in DFID that is looking at placing the empowerment, especially the economic empowerment, of women at its heart. I pay particular tribute to Lord Bates, who has been considering what more we can do for widows worldwide.

**Zac Goldsmith (Richmond Park) (Con):** The UN Human Rights Council will vote this week on a one-sided motion that minimises Hamas’s role in the violent Gaza border protest last year. Will my right hon. Friend assure me that the UK will continue to oppose one-sided resolutions, particularly given the horrifying scenes this week in Gaza, with brutal beatings of journalists and academics by Hamas?

**Alistair Burt:** The UK made clear some time ago that we would oppose matters under item 7 of the Human Rights Council’s determination, and we expect to do that. On Gaza, the international commission was unable to investigate non-state actors, but there is no doubt that the situation was serious, as Israeli authorities have also determined. The UK will maintain its position in relation to that.

**Mr Adrian Bailey (West Bromwich West) (Lab/Co-op):** In the case of a no-deal Brexit, the Secretary of State has given some limited assurances to NGOs accessing funds from the EU’s humanitarian fund that the Government will underwrite them in future. Are they prepared to do the same for NGOs that access funds for broader humanitarian work?

**Penny Mordaunt:** I thank the hon. Gentleman for raising that important point. Yes, we are looking at widening that support. Our NGOs, whether they are humanitarian or work in other areas, are world class and we want them to continue to work in those settings, so we have issued those guarantees. However, I say to the hon. Gentleman that if he ever gets the opportunity, he knows what he can do to avoid a no-deal scenario.

### PRIME MINISTER

**The Prime Minister was asked—Engagements**

**Q1. [909899] Pete Wishart (Perth and North Perthshire) (SNP):** If she will list her official engagements for Wednesday 20 March.

**The Prime Minister (Mrs Theresa May):** I am sure that the whole House will want to join me in condemning the appalling and cowardly attack in Christchurch on Friday. There can be absolutely no place in our societies for the vile ideology that drives hatred and spreads fear. I spoke to Prime Minister Ardern on Sunday. I told her that we stood with New Zealand at this time and that we would provide whatever assistance was needed.

I would also like to take the opportunity to thank the emergency services for their handling of the terrorist incident in Stanwell on Saturday. I am sure that Members across the House will want to join me in sending our thoughts to the man who was injured.

I would like to send my deepest sympathies to the families of those killed and those injured in Utrecht on Monday. We are in regular contact with the Dutch authorities and are standing by to offer whatever assistance is required.
I am sure that Members will want to join me in expressing deepest shock at the loss and devastation caused by the cyclone in Mozambique, Malawi and Zimbabwe. As I think the Secretary of State made clear in International Development questions, we have made £6 million of UK aid available to help meet the immediate needs of people who have lost everything, and we have deployed a UK team of DFID experts to co-ordinate our response to the disaster.

This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

Pete Wishart: I totally associate myself with everything the Prime Minister has said. We will never allow hate to succeed and we stand in solidarity with the victims of Cyclone Idai.

The Prime Minister’s deal lies in tatters, her Cabinet is in open revolt, she presides over the biggest constitutional crisis this nation has experienced, and where leadership is required, she has once again gravely caved in to her hard Brexiteers and will now only seek a short extension to article 50, contrary to the expressed will of this House. When will she develop a backbone and stand up to those who would take this nation to disaster? As one of her Ministers said this morning, referencing another feeble Prime Minister: “Weak, weak, weak.”

Jeremy Corbyn: I am not sure that there was an answer to my question there. I wanted no-deal taken off the table; the House has taken no-deal off the table; it is time the Prime Minister took no-deal off the table. The CBI said:

“The extension vote is a welcome dose of common sense...Put in place a new process. Drop red lines...Every MP must show leadership through compromise.”

Will the Prime Minister drop the red lines? Is she prepared to compromise to get through this crisis?

Q4. [090092] Colin Clark (Gordon) (Con): Will the Prime Minister welcome Oil & Gas UK’s report today predicting £200 billion of new investment in the sector; supported by this Government’s fiscal policy in direct contrast to the SNP’s failure to stimulate the Scottish economy?

The Prime Minister: I say to my hon. Friend that the Chancellor’s spring statement last week showed that this is indeed a Government who are delivering for Scotland. He mentions the issue of fiscal policy and oil and gas. We have also put in £260 million for the borderlands growth deal, £68 million extra in Barnett consequentials for the Scottish Government, and £79 million for a new national supercomputer at Edinburgh University. While the SNP is obsessed with independence, it is this Conservative Government who are focused on growing Scotland’s economy.
The Prime Minister: The right hon. Gentleman talks about decisions that have been taken by this House. I am sure that it will not have passed you by, Mr Speaker, that of course this House has voted on and rejected a second referendum; it has voted on and rejected no deal; it has voted on and rejected Labour’s deal; it has voted on and rejected a customs union; and it has voted on and supported leaving with a deal. It is time that this Parliament faced the consequences.

Jeremy Corbyn: The last time the Prime Minister tried her meaningful vote, she only managed 242 votes—slightly up on the previous attempt, but nevertheless a decisive rejection. Our plan received 296 votes—rather considerably more. Her Government are in chaos and she has ignored the House, ignored trade unions, ignored businesses and ignored the concerns of communities all around the country. She told the House that the EU would allow an extension of article 50 only if there was a clear purpose. She is travelling to the Brussels summit tomorrow morning to meet EU leaders. What is her clear purpose?

The Prime Minister: If the right hon. Gentleman had listened to the answer that I gave to the first question posed in Prime Minister’s questions, he would have heard that.

Jeremy Corbyn: It was not clear at all, other than that the Prime Minister is going to try again with what we will now term MV3. Surely, after two big rejections by the House, she must have noticed that there is not much support for the deal that she negotiated.

We learned this morning that the Prime Minister will ask only for a short extension, which directly contradicts what the Minister for the Cabinet Office told the House: “In the absence of a deal, seeking such a short and, critically, one-off extension would be downright reckless and completely at odds with the position that this House adopted only last night.”—[Official Report, 14 March 2019; Vol. 656, c. 566.]

Who is “downright reckless” here: the Prime Minister, who are being disrespectful to the British people; it is holding a second referendum. It is not this Government who are being disrespectful to the British people; it is the right hon. Gentleman and his Labour party.

The Prime Minister: The job of Parliament is to hold Government to account, but the Prime Minister does not seem to understand that. When she was first defeated, she promised legally binding changes—I have not seen those legally binding changes; all she is doing is running down the clock after a second heavy defeat. Today marks 1,000 days since the referendum, and the Government have led the country and themselves into crisis, chaos and division. We are still legally due to leave the EU in nine days. Months of running down the clock and a concerted campaign of blackmail, bullying and bribery have failed to convince the House or the country that her deal is anything but a damaging national failure and should be rejected. They have run out of time; they have run out of ideas. People all over the country are anxious and frustrated with the Government’s utter inability to find a way through the crisis. If she cannot get changes to her deal, will she give the people a chance to reject it and change the Government?

The Prime Minister: The outcome of a long extension would be the House spending yet more endless hours contemplating its navel on Europe and failing to address the issues that matter to our constituents, such as schools, hospitals, security and jobs. The House has indulged itself on Europe for too long.—[Interruption.]

Mr Speaker: Order. There is a lot of very noisy barracking.—[Interruption.]

The Prime Minister’s reply will be heard, and colleagues know that I am happy for the exchanges to take place for as long as is necessary to ensure that they are orderly.

The Prime Minister: It is time for the House to determine that it will deliver on Brexit for the British people. That is what the British people deserve. They deserve better than what the House has given them so far.

Jeremy Corbyn: To describe the parliamentary process as one of indulgence does not show much respect for the democratic process that sent us here in the first place. The House has twice rejected the Prime Minister’s deal, and she is trying to come back for another attempt on Monday. Further to your ruling on Monday, Mr Speaker, she has to come up with something a bit different from what she has come up with so far. What significant changes will there be either to the withdrawal agreement or to the political declaration that will even allow her to table it on Monday?

The Prime Minister: The right hon. Gentleman talks about respect for democracy. Respect for democracy means this House delivering the Brexit the British people voted for. He now wants to disrespect democracy by holding a second referendum. It is not this Government who are being disrespectful to the British people; it is the right hon. Gentleman and his Labour party.

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run can be brought back quickly to face justice in this country. No deal will not do that. The deal is good for this country, it delivers Brexit and it should be supported.

Q6. [909904] Peter Aldous (Waveney) (Con): The announcement this week of the closure of Coes of Lowestoft, following on from those of Beales, Argos and Body Shop, highlights the challenges facing the high street in Lowestoft. To address these, Waveney District Council is submitting an expression of interest to the future high streets fund, which I anticipate will be heavily over-subscribed. I acknowledge the various initiatives the Government have put forward, but can the Prime Minister assure me that a co-ordinated, sustained and properly resourced approach, working with councils, will be pursued to revitalise our town centres, which are vital to local communities and economies?

The Prime Minister: My hon. Friend has made an important point about the significance of town centres to our local communities. I thank him for highlighting the work that we are doing and the help that we are providing through the future high streets fund. Of course high streets are changing, but we want to help them in that process, and help them to adapt. That is why the future high streets fund is there, as my hon. Friend said, and £675 million is available for it to support local areas. I can also reassure my hon. Friend that we will be promoting partnership across the public and private sectors, including local businesses, in developing those plans for the future of their high streets.

Ian Blackford (Ross, Skye and Lochaber) (SNP): May I associate myself with the Prime Minister’s remarks about the outrage that we all feel at what happened in Christchurch, New Zealand? We must work collectively to drive hate out of our societies across the globe. Our thoughts are also very much with the people of Mozambique, Zimbabwe and Malawi. We must do all that we can to support those communities.

All our constituents will be looking on at the crisis and chaos that we are in. We need to reflect on the fact that we are a week away from the intended day for leaving the European Union, and on the responsibilities that we all have. Six days ago, the Chancellor of the Duchy of Lancaster said:

“In the absence of a deal, seeking such a short and, critically, one-off extension would be downright reckless” —[Official Report, 14 March 2019; Vol. 656, c. 566.]

Does the Prime Minister agree with her de facto deputy? Does she agree that her actions this morning are “downright reckless”?

The Prime Minister: The hon. Gentleman shouts “Correct!” At least that is a firm position, whereas the Leader of the Opposition has continually moved his position on this issue. I also believe that nearly three years on from the vote for us to deliver Brexit for the British people, it is time for the House to face that fact, face the consequences of its decisions, and deliver Brexit for the British people. [Interruption.]

Mr Speaker: Order. We cannot have people shouting in the middle of the exchanges. [Interruption.] Order. I do not need any help from any Member in dealing with these matters, with which I am very well familiar.

Ian Blackford: We need to reflect on the fact that the Prime Minister’s deal had the biggest defeat in parliamentary history. She brought it back, and it had the fourth biggest defeat in parliamentary history. Her deal has failed, and the House has voted against no deal. Once again, the Prime Minister is acting in her own interest, not the interest of the whole United Kingdom.

The Prime Minister has failed, this place has failed, and Scotland is watching. The only way forward now is to take the decision back to the people. Will the Prime Minister give the people a say in such a referendum? The people of Scotland deserve a choice on the future, and if Westminster fails, Scotland will act.

The Prime Minister: There is an enormous responsibility. It is a huge honour and privilege to sit in this Chamber, to be elected as a Member of Parliament and to represent our constituents, and we all have a responsibility. Parliament gave the decision to the British people in a referendum in 2016, and the result of that referendum was that we should leave the European Union. I believe that if people are to be able to have trust in their politicians and faith in this Parliament, it is imperative that this Parliament delivers the Brexit that people voted for.

Q7. [909905] Mr Peter Bone (Wellingborough) (Con): In June 2016 the country voted to leave the European Union. In February 2017 this House voted by a majority of 384 to trigger article 50. The Prime Minister in this House has said 108 times that we will be leaving the European Union on 29 March. Last week two thirds of her MPs voted against any extension to article 50. Prime Minister, if you continue to apply for an extension to article 50 you will be betraying the British people. [Interruption.] If you don’t, you will be honouring their instruction. Prime Minister, it is entirely down to you; history will judge you at this moment. [Interruption.]

Mr Speaker: Order. I am not having the hon. Gentleman deny the chance and the right to be heard; the hon. Gentleman must and will be heard.

Mr Bone: Prime Minister, which is it to be?

The Prime Minister: My hon. Friend has been consistent in challenging me on the 29 March date in Prime Minister’s questions and in statements, and indeed in debates. I have always wanted us to be able to leave on 29 March, but I believe, as was said during the referendum campaign by those who wanted to leave, that it is better to leave with a negotiated deal with the European Union. That is why I am saying that I think we should look again at being able to leave with a negotiated deal,
but in order to do that we need time for this Parliament to ratify a deal, and in order to do that we need an extension until 30 June. But, as I have said, as Prime Minister I could not consider a delay further beyond 30 June. This is the point at which this House has the decision to take as to what it wants the future to be. That is what is facing this House, and that is a decision I believe we should take honouring the result of the referendum.

Q2. [909900] Dr Roberta Blackman-Woods (City of Durham) (Lab): On Friday I visited a school in my constituency where distressing poverty means that teachers are not only providing food for the children at breakfast and lunch, but are sourcing clothes and buying shoes for them, in addition to raising money for books and equipment. Now that school, the only one in the area, is threatened with closure, so rather than spending money trying to get people to back her Brexit deal, will the Prime Minister please use it to address the acute social need in this country that is bringing families and communities to their knees?

The Prime Minister: The hon. Lady will be well aware that we are putting more money into our schools, we are ensuring that we have a welfare system that encourages people into the workplace, and we have put more money into various other elements of care for people across our communities. But the best solution for people to ensure they are able to provide for themselves and their families is for us to have a strong economy and for people to be helped into work, and that is why it was so pleasing that this week yet again the employment level is at a record high in this country.

Q8. [909906] Vicky Ford (Chelmsford) (Con): To overcome homelessness we need more homes, and in Chelmsford we are building 1,000 new homes every year, but we also need the infrastructure, so this week Essex County Council is putting in bids for housing infrastructure funding, including for the second train station in Chelmsford. Does my right hon. Friend agree that world-class infrastructure is vital for our future, and will she support our 25-year campaign for Chelmsford’s second train station?

The Prime Minister: I welcome the action that Essex County Council has taken in relation to new homes and I welcome its bid to the housing infrastructure fund. We have made that money available in the housing infrastructure fund because we understand the importance of infrastructure for new housing developments. We recognise the need for additional affordable housing in the south-east. Of course the Department for Transport will look very carefully at the bid for the second railway station that my hon. Friend has referred to, but I am pleased to be able to say that we are only able to do this because this is a Government who are putting record levels of money into capital investment in our country.

Q9. [909901] Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): I know that the Prime Minister campaigned to keep section 28, which banned LGBT from being talked about positively in schools and led to millions of young people such as myself growing up in fear of being LGBT. I thought she had seen the error of her ways, but this morning the Leader of the House said on the radio that parents should decide when their children should be exposed to LGBT education. This is Conservative party dog whistle politics. Will the Prime Minister condemn the Leader of the House, and will she condemn bigots who do not want LGBT people to be heard in schools? Will she support Ofsted with good LGBT education in our schools?

The Prime Minister: I am very happy to write to the hon. Gentleman with the details of the guidance that is given to schools on LGBT education and teaching. My right hon. Friend the Minister for Women and Equalities has been at great pains to ensure, working with the Department for Education, that appropriate guidance is given to schools, and I will write to the hon. Gentleman—[Interruption.] I recognise the issue that he has raised, and I will write to him with the details of the guidance, because it is very clear about what is appropriate.

Q11. [909909] Derek Thomas (St Ives) (Con): In Cornwall, we want to be as environmentally friendly as possible. In fact, we want to be carbon free by 2030. For me, this means improving the quality of our homes, making use of all forms of renewable energy and ensuring sustainable food production. Will my right hon. Friend welcome the aspirations of communities such as Cornwall, and will her Government ensure that robust policies are in place to meet our net zero emission commitments more quickly?

The Prime Minister: I am certainly delighted to hear of the aspirations that Cornwall has in relation to being carbon free and the action that is being taken. We are happy to support that, and we have a good record on climate change as a Government, but we are doing more. Our annual support for renewables will be over £10 billion by 2021, and our ambitious clean growth strategy sets out our plan for decarbonising the UK economy through to 2032. We will be putting policies in place that will enable areas such as Cornwall to achieve their commitments in relation to climate change.

Q5. [909903] Alex Norris (Nottingham North) (Lab/Co-op): There were 4,621 words in the Chancellor’s spring statement, but not a single mention of WASPI women. The Prime Minister came into office vowing to tackle burning injustices. Those women worked all their lives for their pension but had it taken from them without their knowledge. Does the Prime Minister really not think that that is a burning injustice?

The Prime Minister: The hon. Gentleman knows full well that, in relation to the WASPI women, this Government did put extra money in. We have been very clear that no one will see their pension age change by more than 18 months relative to the Pensions Act 1995 timetable, and those with the most significant changes did receive at least seven years’ notice. We do want to see the empowerment of women in the workplace and in our economy, and that is why my right hon. Friend the Minister for Women and Equalities will be bringing forward a strategy on that very soon.

Q13. [909911] Bill Grant (Ayr, Carrick and Cumnock) (Con): The United Kingdom’s average unemployment rate is a remarkable 4%, which is a very welcome low.
In Ayr, Carrick and Cumnock, however, it stands at 6.5%. Will my right hon. Friend give an assurance to my constituents that she will continue to work on building employment nationally, and with a particular focus on areas where unemployment is significantly higher than the UK average?

The Prime Minister: My hon. Friend has raised a particularly important issue, but if I may, I will pull him up on just one point. The unemployment rate across the UK is actually 3.9%. Employment in Scotland has risen by 239,000 since the 2010 election, and we saw in the spring statement that the economy is growing every year, borrowing is lower than expected and debt is falling, but I absolutely recognise my hon. Friend’s concerns. That is why we will continue to work as a UK Government to deliver more jobs, healthier finances and an economy that is fit for the future across the whole of the United Kingdom.

Q9. [909907] Seema Malhotra (Feltham and Heston) (Lab/Co-op): Hate crime is on the rise, and our democracy is increasingly based on fear, both in Parliament and in the country. Shocking Home Office figures show that hate crimes doubled from 2011 to more than 100,000 last year. The country looks to politicians to set a high standard, but last week the Prime Minister’s allies were texting fellow hon. Members saying: “I’m going to chloroform you and drag you through the lobbies” to vote for the Prime Minister’s deal. Does she find that behaviour acceptable, or will she be removing the Whip from the offending Member?

The Prime Minister: The hon. Lady is absolutely right that politicians at all levels need to think very carefully about the terms in which we address others and in which we put our arguments. There are many Members across this House who have suffered significant verbal abuse and online abuse of various sorts. This is a matter that we should all be taking seriously, and I will be ensuring that, across this House, we work to ensure that people are not subject to the sort of abuse that, sadly, some Members have been subjected to from outside this House.

Q10. [909908] Catherine West (Hornsey and Wood Green) (Lab): Since the Prime Minister has been on her feet the national crisis appears to have deepened, in that the European Commission has said the extension will be either until 23 May or until the end of 2019. Will she listen to the hundreds of thousands of young people who will march peacefully to Parliament Square to say that they would like a chance to have their say in this debate by putting it back to the people—subject to the Kyle-Wilson amendment, which is basically a compromise in this House?

The Prime Minister: I have answered many questions in recent weeks and months on putting a vote back to the people of this country. I continue to believe it is for this House to recognise that, having asked people their view and having heard that view, we should deliver on that view. That is our responsibility. It is about delivering Brexit.

Mr Kenneth Clarke (Rushcliffe) (Con): As the Prime Minister says, this House has voted clearly to reject leaving with no deal and has voted clearly to seek an extension if her withdrawal agreement cannot get a majority, but this House has not yet had the opportunity to debate and vote on the range of options for long-term arrangements such as a customs union, regulatory alignment and so on. Will she arrange for indicative votes finally to be held next week, so that we can see where the consensus and the majority lie? A short extension of article 50 will be completely useless if the Government go into it with no idea of what they have the authority to negotiate in the long term.

The Prime Minister: As I think my right hon. and learned Friend will have noticed, the House has had many opportunities to put forward motions on those issues. The House has rejected alternatives to the Government’s deal. The House has voted against a customs union. The House has voted against having a second referendum. From a sedentary position, somebody on the Opposition Front Bench says that the Government will not let the House. The House has voted on these issues and has rejected them. We have been clear about our intention to absolutely fulfil the requirement to bring forward an amendable motion under section 13(4) of the European Union (Withdrawal) Act 2018, and we will indeed be doing that.

Q12. [909910] Stephen Gethins (North East Fife) (SNP): My constituents Tasmim, seven, and Hashim, nine, were stuck in wartorn Sana’a, seeing things that no child should ever see. They managed to get out, and the Government asked them to go to Khartoum in Sudan, where they have been asked to wait until their mum can pass an English language test. They have a safe home in Cupar in my constituency, and I have briefed the Prime Minister about this. Will she let all the family go home to safety in my constituency?

The Prime Minister: I thank the hon. Gentleman for writing to me with details of this case and for bringing it to my attention. Obviously, as he will expect, when the Home Office receives applications it looks at them carefully and it looks at exceptional circumstances. I have asked the Home Office to look urgently at this case and asked the relevant Minister to respond to the hon. Gentleman as soon as possible.
Sir Oliver Letwin (West Dorset) (Con): The Prime Minister knows that if she brings her deal again to the House I will again support it, but will she confirm today that the full length of the extension that she is seeking from the EU will be available to the House regardless of whether it supports her measure or seeks another way forward?

The Prime Minister: As I think my right hon. Friend will have heard me say in answer to the very first question posed in Prime Minister’s questions today, the Government intend to bring forward proposals for a third meaningful vote. If that vote is passed, the extension will give the House time to consider the withdrawal agreement Bill, and if it is not, the House will have to decide how to proceed.

Q15. [909913] Ged Killen (Rutherglen and Hamilton West) (Lab/Co-op): More than 50 years since the closure of the J & J White chemical factory in my constituency, the local area is still blighted by carcinogenic hexavalent chromium contamination. To date, Clyde Gateway has received £6 million of EU funds to decontaminate and regenerate land, but tens of millions more will be required to complete the work. Will the Prime Minister give a commitment that, post Brexit, the UK Government will make similar funding available in the long term to complete that work?

The Prime Minister: The hon. Gentleman has raised a very specific case in relation to a certain type of funding. I would be very happy to ask the relevant Minister to respond to him on the specifics of that case in relation to his constituency.

Sir William Cash (Stone) (Con): Will my right hon. Friend rule out introducing the withdrawal and implementation Bill if her withdrawal agreement is voted down yet again by the House next week, and then let the United Kingdom leave the European Union on 29 March, as per the people’s vote in 2016, as Parliament has enacted, and as the law requires?

The Prime Minister: What I have done today in writing to President Tusk is ask for that extension to article 50 until the end of June. I have been clear that, as I have said, I do not believe that Brexit should be delayed beyond that point. That would give us the opportunity to ensure that the House can consider again a deal, and then take forward the withdrawal agreement and implementation Bill in the circumstances that a deal was passed. In the circumstances that a deal was not passed, then it would obviously be necessary, as I have just said to my right hon. Friend the Member for West Dorset (Sir Oliver Letwin), for the House to consider how we should proceed. I would also say to my hon. Friend that, as he will have heard the Secretary of State for Environment, Food and Rural Affairs saying in the debate on no deal last week, there are particular issues, particularly in relation to the governance of Northern Ireland, in relation to leaving the European Union without a deal on 29 March. I continue to hope and continue to believe that the best way for this country to leave the European Union is to do so on the basis of a negotiated deal, and the extension to 30 June would allow us to do that.

Edward Miliband (Doncaster North) (Lab): Further to the question from the Father of the House, does the Prime Minister not realise that in her answer she is the roadblock to this House reaching a majority, not the facilitator of it? It is blindingly obvious—including, I believe, to members of the Cabinet—that what the House now needs to do is to have a series of indicative votes, precisely so that it can express its will about what it is for, not simply what it is against. Why does not the Prime Minister agree to that? She would be doing a service to the country if she did.

The Prime Minister: Obviously, I have made it clear that we will bring forward the motion that is required under the legislation, under section 13(4). May I gently say to the right hon. Gentleman, as I did to my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), that it is not the case that it has not been possible for this House to bring forward votes of the sort that the right hon. Gentleman is talking about? It has been open to this House. In some cases, the House has brought forward such votes and those have been rejected.

Richard Drax (South Dorset) (Con): My right hon. Friend and this House gave their solemn word to the British people that we would leave the EU on 29 March—on Friday week. I say to my right hon. Friend, if this extension happens, what guarantee can you give the British people that at the end of June, if we still do not have a deal, we honour that referendum result and we leave?

The Prime Minister: I made it clear in one of the debates last week or the previous week that if it is the case that there is an extension, that does not actually take no deal off the table; it leaves that as a point at the end of that extension. Now, whether or not we have that extension is not a matter purely for the United Kingdom; it is a matter for the European Union Council. Obviously, I will wait to see what the Council say tomorrow, but up until now they have been very clear that any extension could be granted only if there was a clear purpose for that extension, and that we could not go beyond the date I have suggested without holding European parliamentary elections. I do not believe it is in anybody’s interest to hold European parliamentary elections. I believe it is time that we actually delivered on the vote of the British people in 2016, and that is why, as I said earlier, in response to the first question, as Prime Minister, as far as I am concerned, there will be no delay in delivering Brexit beyond 30 June.

Anna Soubry (Broxtowe) (Ind): As the Prime Minister has told us, she is today seeking a short and one-off extension to article 50. Last Thursday, her deputy Prime Minister told this House at that Dispatch Box that any such application would be “downright reckless and completely at odds with the position that this House adopted only last night”. [Official Report, 14 March 2019; Vol. 656, c. 566.]

The question is, Prime Minister, what changed?

The Prime Minister: I seem to see a certain similarity between the right hon. Lady’s question and a couple of the questions that came from the official Opposition on this issue. As I said to them, I think we should all remember the responsibility we have in this House to ensure that we deliver Brexit, and as I have said, I
believe a short extension, of the type that I have indicated, that I have written to President Tusk about today, is a sensible request to put forward; but I have also been clear, as I have been in response to my hon. Friend the Member for South Dorset (Richard Drax), that I also believe that the British people will not thank this House if we do anything other than deliver Brexit, and in a reasonable timetable, and that is by the end of June.

Nick Boles (Grantham and Stamford) (Con): I thank my right hon. Friend for allowing me to continue to represent the people of Grantham and Stamford from these Conservative Benches.

On 26 February, my right hon. Friend said from the Dispatch Box that “if the House votes for an extension,” the Government will “seek to agree that extension approved by the House with the EU and bring forward the necessary legislation to change the exit date commensurate with that extension.”—[Official Report, 26 February 2019; Vol. 655, c. 167.]

When will she give the House the opportunity to approve her extension request? When will she bring forward the necessary legislation to change the exit date?

The Prime Minister: The suggestion of the extension to the end of June was of course considered by the House last week. The request has gone into the European Union Council, and before it is possible for that request to be confirmed, it is of course necessary for the EU Council to agree that extension, because the treaty is clear that an extension can be applied for by the country that is leaving the European Union but it has to be agreed by all 28 members of the European Union. That will not be possible until the European Council at the end of this week.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Prime Minister still has to ask the EU to agree to something. At the moment, all she is asking for is an extension, and she has raised again the issue of backstop. This second most common chromosomal disorder after Down’s syndrome can lead to avoidable mental health issues if it is not diagnosed and managed from a young age. Will my right hon. Friend join me and the all-party parliamentary group, of which I am chair, in calling for this condition to be added to the newborn blood spot test?

The Prime Minister: First, I commend my hon. Friend and the all-party parliamentary group for the work that they are doing in this area. He has obviously raised a very important issue. I will ask the Department of Health and Social Care for an appropriate Minister to respond to him, and possibly meet and talk to him about this issue.

Ms Angela Eagle (Wallasey) (Lab): The Prime Minister has a very selective view of the decisions that this country has made. She mentions the referendum, but she never mentions the general election that denied her the authority for a hard Brexit. She has mentioned the things that this House has voted against, but failed to mention that her deal has been defeated by large amounts now twice. She seems determined to plough on as if nothing has happened to her deal and cause a huge crisis. Surely now it is time for the Prime Minister to recognise that she has to stop banging her head against the brick wall of her defeated deal and reach out across this House in the interests of stability and our democracy, and come to a deal that actually has the support of a majority of this House, rather than kowtowing to her own Brexiters.

The Prime Minister: The point is that, so far, apart from saying that it would support leaving with a deal with changes to that deal in relation to the backstop, the House has given no positive vote on what it wants to go forward. The hon. Lady talks about the 2017 general election. I remind her that 80% of the votes cast in that general election—[Interruption.] It is no good Labour Members waving their hands. Eighty per cent of the votes cast in that election were cast for parties that stood on a manifesto of honouring the result of the 2016 referendum.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Mr Speaker.

Mr Speaker: If it appertains to matters of which the House has just treated, I am willing to take the point of order now. If it does not, I will not, because there is a proper time for such matters.

Stephen Doughty: My point of order relates to the question asked by my hon. Friend the Member for Brighton, Kemptown (Lloyd Russell-Moyle) regarding the comments made by the Leader of the House on the radio this morning about lesbian, gay, bisexual and transgender education and it relates to forthcoming business later today.

Mr Speaker, you will be aware that an important statutory instrument on sex and relationships education and LGBT inclusive education is due to be debated.
Obviously, we understand that you have granted a number of urgent questions and that there will be an SO24 application. What steps can we take to ensure that that debate is not lost, and that we do have it, so that we can debate the comments made by the Leader of the House and ensure that we have an inclusive education across this country?

**Mr Speaker:** I am grateful to the hon. Gentleman for his point of order. The short answer to him is that, if I understand it correctly—and I believe that I do—the time for that matter is protected. That is to say that, notwithstanding the duration of urgent questions and the possibility of a SO24 debate, the House will get to consider that matter. I hope that that brings a smile to the face of the hon. Gentleman.

**Caroline Flint (Don Valley) (Lab):** On a point of order, Mr Speaker.

**Mr Speaker:** Does it relate to that of which we have just treated?

**Caroline Flint:** I thank you, Mr Speaker, for allowing my point of order. It does relate to the discussions around the extension of article 50 and the agenda this afternoon for the debate. Will you confirm that any extension will require us to take part in the European elections, and that we will have to lay the orders in this House before 11 April, so that local authorities can publish election notices on 12 April for South West England and Gibraltar and 15 April for the rest of the UK? We have a duty to make sure that, if we are extending, we will take part in those European elections and we need to lay the orders.

**Mr Speaker:** I am most grateful to the right hon. Lady and she was as good as her word: her point of order did relate to matters of which the House had just treated. However, notwithstanding her beguiling invitation to me to pronounce on the matter, I genuinely do not think that it is for me to do so. It may very well depend on the length of any extension sought, and it does seem to me that it is a matter that must be pronounced upon by the Government Front-Bench team in the course of upcoming exchanges. If the right hon. Lady wants to be assured that she will have the opportunity to put that proposition directly to a Minister, I think that I can offer her that guarantee, so she will have her chance, but it is not a matter for the Chair. I am grateful to the right hon. Lady and to the hon. Gentleman for their points of order.
Cyclone Idai

12.56 pm

Mr Andrew Mitchell (Sutton Coldfield) (Con) (Urgent Question): To ask the Secretary of State for International Development if she will make a statement on Britain's help for those caught up in the cyclone disaster that is afflicting southern Africa.

The Minister of State, Department for International Development (Harriett Baldwin): I am sure the whole House will join me in expressing shock at the loss and devastation following the deadly cyclone Idai across southern Africa.

Alongside the Met Office, we have been tracking this cyclone and supplies were pre-positioned in Mozambique. We have so far committed £6 million to respond to immediate needs. I am pleased to inform the House that we have so far committed £6 million to respond to immediate needs. I am pleased to inform the House that we have already committed £6 million to respond to immediate needs. We have teams on the ground in each of the three countries affected, including humanitarian and relief experts. We are working with other international partners, including the UN and the Red Cross, to address immediate needs across the three countries.

Mr Mitchell: This massive disaster has swept across southern Africa, affecting in particular three Commonwealth and suspended Commonwealth countries. The United Nations has made it clear that hundreds of thousands of people are affected and that this is heading towards being the worst weather-related disaster to hit the southern hemisphere.

The President of Mozambique says that 1,000 of his citizens have perished, and, as we have seen graphically on our televisions from the reporting by the BBC's Fergal Keane, the important port city of Beira has been flattened, with almost all port structures destroyed and the collapse of bridges and roads.

In Malawi, nearly 900,000 people have been directly affected, with many having lost everything. The dangers confronting those caught up in this disaster include the loss of everything they own; the difficulty of getting food and medicines through to those affected; and the spread of waterborne diseases including cholera owing to the contamination of the water supply. The risk of starvation and famine is very real, with harvests destroyed and livestock drowned.

I am sure the Minister agrees that the UK has an important role to play given our acknowledged international leadership in this area, and she has set out some of what we have already done. The strong support and generosity that we know exist all across the UK for stepping up immediately when these hideous so-called natural disasters take place is worth bearing in mind, and so too is the huge repository of expertise that exists within the Department for International Development and British non-governmental organisations and charities. That expertise, which is respected all around the world, was greatly boosted by the report on Britain's international emergency response so brilliantly undertaken by the late Lord Paddy Ashdown.

Will the Government note that the search and rescue response so far has been much slower than in the crisis in 2000? One of those who is today in Beira who was also there in 2000 says that the response then was 10 times as great for a much lesser disaster. Thousands of families remain stranded. A huge global response is now required and the UK has a key leadership role to discharge in that.

Harriett Baldwin: I congratulate my right hon. Friend on securing this urgent question, which allows me to echo the sentiments that he expressed so eloquently about our solidarity with the people of Mozambique, Malawi and Zimbabwe who have been hit by what the United Nations has described as potentially the worst-ever cyclone in the southern hemisphere. My opening remarks alluded to the role played by the Met Office, which has been helpful in predicting the likelihood of the landfall location, allowing us to pre-position some food supplies, medicine, cholera kits and shelter and to help to secure a response.

My right hon. Friend rightly mentioned the UK’s leadership in the area. We have shown leadership by being one of the first to announce additional funding to address the disaster. He will know that we already have experts deployed on the ground, and he will have heard from his contacts that the Disasters Emergency Committee will shortly announce a further appeal. The UK is playing a crucial role in assisting both our Commonwealth and suspended Commonwealth friends and in providing leadership. I was in Beira only last month and can testify to the strength of not only the bilateral relationship between ourselves and the people of Mozambique, but the link between Beira and the city of Bristol.

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): I begin by echoing the Minister’s feelings. This House is united in our thoughts about the tragic impact of this devastating cyclone, which may be the worst-ever disaster to strike the southern hemisphere.

I welcome the £6 million relief effort from the Department for International Development, and I am delighted to hear that it is now reaching people on the ground. However, unless immediate action is taken to halt catastrophic climate change, extreme weather events such as this will become more frequent, and the poorest people in the global south will suffer the most. This event must be a wake-up call for Governments everywhere to deliver urgently on the Paris agreement target of keeping global warming below 1.5 °C. If we are serious about that, we must start reducing our own global carbon emissions now, so what are the Government doing to ensure that that happens? Another key component of the Paris agreement was a commitment to address the devastation caused to poor nations by climate change through funding for loss and damage. What Government support is being given to fund that strand of the agreement?

Finally, Mr Speaker, Mozambique’s ability to respond and rebuild following this disaster will be seriously impaired by the country’s debt crisis, triggered by $2 billion of secret loans from London-based banks. What action are the Government taking to ensure London banks are held to account for their role in the crisis? Will the Minister work with partners to relieve Mozambique’s debt burden so that the country can rebuild?

Harriett Baldwin: I endorse the hon. Lady’s comments about the UK’s important leadership role on climate change. We have already committed £5.8 billion during
this spending review period to work with international partners on international climate finance. We are also able to show leadership not only through our track record as one of the leading countries for reducing carbon emissions, but by sharing our technical skills, such as those in the offshore wind and solar mini-grid sectors. The week before last, we hosted an event for African Energy Ministers, and a Mozambique Government representative was in attendance. Through the City of London and the green finance initiative, we have been able to provide not only our own contribution, but a further $25 billion of green finance through more than 90 bond issues in seven currencies.

The hon. Lady referred to the role played by City of London institutions in the hidden debt scandal of a few years ago. She will appreciate that I cannot comment publicly on the specific details of the case, but I assure her that the UK will commit to ensuring that there is an investigation.

Sir Henry Bellingham (North West Norfolk) (Con): I start by declaring my interests in the region. I share the sentiments of my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) and his sense of extreme urgency. He mentioned the cyclone in 2000 and the massive damage done to Beira, but lessons were not learned then about the need for permanent sea defences. When it comes to the reconstruction that the Minister promises, will she ensure that emphasis is put on the installation of permanent sea defences along Mozambique’s north-eastern coast?

Harriett Baldwin: It sounds as though my hon. Friend has also visited Beira, so he will be aware that Mozambique’s coastline is over 2,500 km long and is particularly vulnerable, but building sea defences is probably not the No. 1 way of improving the area’s resilience when a cyclone hits. Beira’s port has sustained significant damage, and the airport, where supplies are now arriving, has a reduced ability to accept flights. Indeed, many of the roads surrounding Beira are underwater. Unfortunately, heavy rain is still falling, so there is a combination of water from the sea and water from the sky. There are things that can be done to secure resilience, but building flood defences along Mozambique’s entire coastline is probably not, as my hon. Friend will know as a Norfolk MP, the most compelling option in terms of value for money.

Chris Law (Dundee West) (SNP): The UN has described cyclone Idai as possibly the worst-ever disaster to strike the south hemisphere. I have visited the area and know it quite well, and it does not bear thinking about what it used to look like compared with where it is now. Although the damage and death such cyclones bring with them seem incomprehensible, this is just the beginning of the impact of increasingly extreme weather.

Last year, the International Development Committee heard from Dr Alison Doig, who noted that the UN framework for combating climate change has three pillars for averting such disasters or dealing with their impact: mitigation, adaptation, and loss and damage. Does the Minister agree that loss and damage of property is a huge consequence of climate change? If so, why do the UK Government allocate official development assistance spending only to mitigation and adaptation? We can no longer pretend that such events are freak accidents, because their frequency will only ever increase. Does the Minister therefore agree that we are living through a climate crisis? If so, why has that not been made a much more urgent Government priority?

Finally, on the behalf of the SNP, I express my shock and sympathy with all the families in Mozambique, Malawi and Zimbabwe who have been affected.

Harriett Baldwin: The International Development Committee, on which the hon. Gentleman sits, is doing important work in relation to DFID’s overall approach on climate change, and I look forward to hearing what the Committee has to say. I recently gave evidence to the Committee about the £5.8 billion of international climate finance. He will be aware that that has already helped 47 million people adapt to the impact of climate change.

A lot of the work that we are doing is about ensuring that people can be more resilient to these more extreme weather events, which climate scientists predict will continue to occur. Our work was recently praised in an assessment by the Independent Commission for Aid Impact, which said that we showed good strategic leadership and that our work was effective. I agree that this is an important issue on which we need to focus, and I assure the hon. Gentleman that we continue to play an important leadership role and to spend a significant amount of money in this area.

Sir Roger Gale (North Thanet) (Con): One of the longer-term effects of such disasters is the loss of the livestock upon which people depend for their livelihoods and to feed their families. My hon. Friend mentioned the Disasters Emergency Committee. There is not a single animal welfare organisation represented on the DEC. Will she ensure that that shortcoming is addressed so that when people are able to return to their homes, they can also return to the livestock on which they depend?

Harriett Baldwin: My hon. Friend is right to highlight that, long after the waters have receded, there will be an impact on the local population’s ability to continue to have successful food markets, whether that food is livestock or maize—given that it is a particularly maize growing area. There are early reports that much of the maize crop across the three countries has been damaged. This food is an absolute staple in the region, and any damage to the maize crop and the staple diet will have ongoing knock-on effects for the food resilience of the local population. We will be working with our advisers to understand the impact of that issue, and to see where there is an additional need for programming and international leadership.

Several hon. Members rose—

Mr Speaker: Order. I say for the benefit not just of the House, but of those observing our proceedings beyond it, that two wonderful but competing examples of seniority in the House are seeking to catch the eye of the Chair. The first is the Mother of the House, the right hon. and learned Member for Camberwell and Peckham (Ms Harman), who is immensely senior, very distinguished and has a very busy diary. But on the
other hand, sitting immediately behind her is the Chair of the International Development Committee—a man of great seniority. I therefore have to be the arbiter of competing greats. I call Harriet Harman.

Ms Harriet Harman (Camberwell and Peckham) (Lab): Thank you, Mr Speaker. I thank the former International Development Secretary, the right hon. Member for Sutton Coldfield (Mr Mitchell), for bringing this matter to the House; I absolutely agree with all the points he raised. I also thank you, Mr Speaker, for granting this urgent question.

The commitment of the Minister to this issue is evident, and it is also evident that everyone is dismayed about the scale of the problem. May I ask her about people in this country who will be particularly distraught about the situation—the people who have come here from Zimbabwe, Malawi and Mozambique, who have made their home here, live and work here, bring up their children here, pay their taxes here, and contribute to our commercial and public life, but who are also contributors through their remittances to the countries affected by the cyclone? These people are desperately worried about their friends and family caught up in this situation. Will the Minister tell the House how she will engage with the diaspora communities to ensure that she understands the efforts that they are trying to make, and confirm that she will help in those efforts? Will she also inform those communities of what the Department is doing and listen to them, because they will often know what needs to be done? I pay tribute to the work of all the agencies and the Department in this very difficult situation.

Harriet Harman: I thank you, Mr Speaker, for putting the sorority of Harriets at the forefront in calling Members today.

The right hon. and learned Member for Cambridge (Ms Harman) makes an important point about the links between the UK and people in Mozambique, Malawi and Zimbabwe, to which my right hon. Friend the Member for Sutton Coldfield alluded earlier. The right hon. and learned Lady also makes an important point about the ways in which we can work with the diaspora here. Let me make a commitment to hon. Members; should colleagues find it useful, I will convene a meeting with colleagues so that they have the opportunity to make representations on behalf of their constituents about what we could be doing differently to help and what information can be found about their relatives. I am happy to do that through a face-to-face meeting, on the telephone or through letters of inquiry.

Bob Blackman (Harrow East) (Con): I congratulate my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) on bringing this important issue to the House. At a time of humanitarian crisis, the British public are always incredibly generous. What arrangements is the Minister making to ensure that the British public, who will want to contribute money, food, clothing or other means of assistance, can do so in a constructive way so that we can immediately help the people who are facing this terrible crisis, rather than delaying?

Harriet Harman: May I pay tribute to the generosity of my hon. Friend’s constituents? As I mentioned earlier, there will be a Disasters Emergency Committee campaign launch to raise money for the disaster. As we have noted, there is a need for immediate relief—the UK has been at the forefront of pre-positioning some of that relief—but there will also be an ongoing need to rebuild the communities and help with food access issues. I urge constituents who want to make a contribution to await the imminent launch of the appeal.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): I welcome what the Minister has said today. As she described to the House, the Select Committee is currently looking at climate change. Rightly, today’s focus is on humanitarian relief and the immediate challenges, but of course the long-term development needs of these countries must not be forgotten. What will DFID be doing—working with other donors and the countries concerned—to ensure that Malawi, Mozambique and Zimbabwe can rebuild after this disaster, particularly with regard to necessary health and education investment?

Harriet Harman: The hon. Gentleman is so right to point to the long-term nature of this work. Although we need to put in place a short-term response, there also needs to be a long-term strategic response. Some of the very poorest countries in the world are also some of the most vulnerable to climate change—I think Malawi is estimated to be the third poorest country in the world, and Mozambique the seventh—so those of us paying in through international climate finance have a special responsibility to do whatever we can to encourage countries such as those affected in this instance to bid successfully for those funds. That is why we had the African Energy Ministers event. As part of our new approach to Africa, we are also hiring a further 20 climate specialists across our African network to help deploy some of that finance into these particularly vulnerable countries.

Neil Parish (Tiverton and Honiton) (Con): Our heartfelt sympathy goes out to the people of Mozambique, Malawi and Zimbabwe. As has been said, this is not only about feeding and saving people now; it is also about feeding them into the future, and I am sure that the British farming community can help to get cattle and other things back into the region. One particular point that I want to raise with the Minister is about Zimbabwe, which is naturally suspended from the Commonwealth because of corruption, bad governance and a lack of democracy. It is quite right to suspend the country, but it is not the fault of the Zimbabwean people that they have such a corrupt Government. What more help can we give Zimbabwe, given that the country is very weak due to its lack of good governance and democracy?

Harriet Harman: We have always been a steadfast friend of the people of Zimbabwe. This year alone, we will have put some £84 million-worth of programming through the Department for International Development—none of which money, I must emphasise, goes through the Government of Zimbabwe but is designed to help the most vulnerable people with education, access to healthcare and some of the agricultural resilience work that I have alluded to. My hon. Friend is absolutely right to put on record the steadfast friendship between the people of the UK and the people of Zimbabwe, Malawi and Mozambique.
Ian Murray (Edinburgh South) (Lab): This is another example of the devastating impact of climate change on the very poorest countries in the world—although, as my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg), said, we are debating the humanitarian aspect today. What will the Foreign Office be doing at the UN and other multinational organisations to press the case for not just redoubling our efforts on climate change but re-trebling them so that these incidents do not happen in future?

Harriett Baldwin: The other day, I was able to give evidence to the Foreign Affairs Committee, on which the hon. Gentleman serves, and one of the things I talked about was our new approach to Africa whereby we are putting increased emphasis on adaptation to climate change across, in particular, the poorest and most vulnerable countries there. With regard to the UN specifically, the UK has been asked to lead the work on resilience at September’s UN climate summit, so that is a piece of work that we are taking forward to show real leadership in that area.

Kate Hoey (Vauxhall) (Lab): The Minister will know that eastern Zimbabwe, particularly around Chimanimani, has been completely devastated, with roads closed and nobody really able to get in unless by helicopter—and there are of course the special circumstances of Zimbabwe already mentioned by the hon. Member for Tiverton and Honiton (Neil Parish). Will the Minister add just a little bit more on what our ambassador in Zimbabwe is doing and how we are making sure that we are really going to get the aid to the people who are going to need it most?

Harriett Baldwin: The hon. Lady, who chairs the all-party parliamentary group on Zimbabwe, will want to know that we have been at the forefront of trying to work with our partners to assess the scale of the need. The port of Beira is not just the port for a large part of Mozambique but also the port that is most used by Zimbabwe and Malawi for food imports and exports, so that is, in addition, a particular vulnerability. I understand from the early assessments that reports from eastern Zimbabwe suggest that there has been a severe degradation of the infrastructure as well, and it is very difficult to access all the afflicted populations. We cannot over-emphasise how difficult it is for us to be able to reach people. The pre-deployed kits have reached the airport at Beira, but at the moment many roads out of Beira are closed, and that will also affect eastern Zimbabwe’s response. We are at the forefront of working with partners—for example, UNICEF—in eastern Zimbabwe, and that will need to inform, after the rain has stopped, our ability to respond to some of the lasting damage there.

Patrick Grady (Glasgow North) (SNP): It is World Water Day on Friday, but for people in Malawi, Mozambique and Zimbabwe, there is water everywhere but not a drop to drink. In the all-party parliamentary group on Malawi, which I chair, we have been following the effect of devastating floods that had already been hitting the country before the cyclone. The Minister might be aware that the Scottish Government have already made a donation to provide support for that, and civic society is responding as well. Specifically, what steps will her Department take to improve resilience in these countries? Because of climate change, such extreme weather events are becoming more common, so how can countries be supported before a disaster hits to ensure that there is resilience in the infrastructure?

Harriett Baldwin: This allows me to pay tribute to the Scotland-Malawi partnership, demonstrated by the statistic that 43% of people in Scotland know someone who is, or are themselves, part of links between Scotland and Malawi. I know that civil society across Scotland will be engaging both with these local partnerships but also more widely through the appeal. I thank everyone in Scotland for their generosity towards this cause.

The hon. Gentleman asked specifically about the work that we will be doing on resilience, which is also for the United Nations. Resilience takes many forms, but one of the most important is the crops that are sown, the ways in which they are sown and the way that the land is used. That is an important part of the work that we are doing—helping farmers to make use of the land in a way that gives them the best resilience to these kinds of climate shocks.

Kerry McCarthy (Bristol East) (Lab): As has been mentioned, Bristol’s links with the fellow port city of Beira go back a long way—in fact, back to the days of anti-apartheid campaigning when we were officially twinned. There is already a fundraising effort going on in Bristol to try to support people in Beira, but how can we best work with DFID to make sure that we can constructively share information and get the help to the people who most need it?

Harriett Baldwin: I thank the people of Bristol. When I was in Beira recently, I met its mayor, who personally asked me to thank everyone in Bristol for all that they do through that very strong partnership between two world-class port cities. I mentioned the Disasters Emergency Committee appeal. I also mentioned, in my response to the right hon. and learned Member for Camberwell and Peckham (Ms Harman), that I thought it would be constructive to hold a meeting for colleagues to update them. I will take forward that suggestion and invite the hon. Member for Bristol East (Kerry McCarthy) to join us.

Mike Gapes (Ilford South) (Ind): The port of Beira has a huge role in providing access to the Indian ocean for landlocked countries as well as the three countries that are specifically hit by this appalling disaster. Zambia, for example, has a lot of trade going through that port. What steps are being taken to assess the economic implications for the region as a whole, including other countries, and for the vital humanitarian, medical and other assistance to the countries directly affected?

Harriett Baldwin: I pay tribute to the hon. Gentleman’s extensive knowledge of these issues. He will be aware that I alluded to some of the impacts that are already apparent in terms of access to the port of Beira, and he rightly emphasises how important that port is to neighbouring countries. We are going through a process of assessment in terms of reopening the roads, which the House should be aware, have already been built on quite high causeways, so there has already been account taken of the fact that this is a flood-prone region with
Harriett Baldwin: The hon. Gentleman will be aware of the work that my right hon. Friend the Minister for Energy and Clean Growth is doing in having commissioned work to see how the UK can show leadership on net zero. We await what comes out of that report. He will be aware of the UK’s leadership so far in terms of our ability to have reduced our own carbon emissions very significantly. He will be aware of the programming that is being done through international climate finance, which has already helped to avoid or mitigate some 10.8 million tonnes of emissions in the atmosphere. He will also be aware that we are leading through our international networks. I mentioned the uplift in our new approach to climate change in Africa, but we will be convening the international community at the United Nations to deal with the all-important issue of resilience.

Jo Swinson (East Dunbartonshire) (LD): Our hearts go out to the hundreds of thousands of people across Malawi, Mozambique and Zimbabwe who have been affected by this terrible disaster. It reminds us of the huge need to focus on the fight against climate change. I welcome what the Minister says about how important that is, but the DFID departmental plan used to list climate change as a stand-alone strategic priority, and the current version does not. In this time of climate emergency, is that not a case of getting our priorities wrong? We should be increasing the urgency of the action we take to fight climate change, not downgrading it to a subheading.

Harriett Baldwin: I can reassure the hon. Lady that, since climate change is a major threat to achieving the sustainable development goals, tackling it is a strategic priority for the Department for International Development. We work across the Government on this with the Department for Business, Energy and Industrial Strategy and the Department for Environment, Food and Rural Affairs. I am glad that the independent ICAI report said that UK international climate finance shows a “convincing approach”, with some “good emerging results” in influencing others and making some good strategic choices.

Joan Ryan (Enfield North) (Ind): We hear reports that aid trucks are stuck on impassable roads and that conditions are limiting air operations. Bearing in mind what the right hon. Member for Sutton Coldfield (Mr Mitchell) said about the slowness of this response by comparison with some other disasters, what discussions are taking place to overcome those problems? I hear what the Minister says about the pre-deployment packs, but transport is always a problem, particularly in southern Africa, when there is an environmental or health disaster. What short-term and longer-term measures are the Department and the Government looking at?

Harriett Baldwin: I take issue with the criticism that this response has been slow. In fact, we were pre-positioning what was needed to relieve the situation in advance of the cyclone. The facts are that it continues to rain very heavily, and a lot of the access by air, water and road is severely hampered. That will be difficult to overcome, and it is at the forefront of the work that our teams on the ground are doing to provide logistic support to this operation.

Hannah Bardell (Livingston) (SNP): I welcome what the Minister has said. As she knows, I chair the all-party parliamentary group on deaths abroad and consular services. Of course the focus right now is on humanitarian aid, but can she say a bit about what she can do to support constituents like mine—I have a small Malawian community in my constituency—who have family or friends there and want to travel back, and British nationals who are caught up in this horrendous disaster? What work will be done with local communities? We all have local church groups and community groups who will want to fundraise and support the people of Mozambique, Malawi and Zimbabwe. What will be done to ensure that grassroots community organisations in our constituencies can contribute to support?

Harriett Baldwin: I thank the hon. Lady for her work on the all-party parliamentary group, and I thank everyone in Scotland and the UK for what will no doubt be a very generous response to the emergency that will be declared. I highlight the announcement that the Secretary of State made earlier this week about making it easier for small charities across the UK to access support. There have been a number of requests for a further update when colleagues have had the chance to hear from constituents who have strong links to Mozambique, Malawi and Zimbabwe. I would like to commit to the House to organise an event next Monday for colleagues, once all the casework has come in from their constituencies.
EU Withdrawal Joint Committee: Oversight

1.34 pm

Mr Mark Francois (Rayleigh and Wickford) (Con) (Urgent Question): To ask the Secretary of State for Exiting the European Union if he will outline what checks the House of Commons has over the powers of the “Joint Committee” contained in the proposed EU withdrawal agreement.

The Parliamentary Under-Secretary of State for Exiting the European Union (Kwasi Kwarteng): As is common in international agreements, the withdrawal agreement provides for a Joint Committee comprising representatives of the UK and the EU to govern the implementation and application of the withdrawal agreement. The Joint Committee will have the powers listed in article 164 of the agreement, to ensure that both parties are able to discuss any issues that may arise concerning the management and operation of the withdrawal agreement. As set out in paragraph 3 of article 166, the Joint Committee will make all its decisions and recommendations “by mutual consent” of the parties. In other words, it cannot act if the UK does not agree. This is an important protection for the UK that Members should welcome.

Clearly Parliament will expect to be able to undertake scrutiny of the work of the Joint Committee, as indeed will the European Parliament. Quite how that will operate is something that the Government will discuss with Members of this House and the other place, should this House give its support to the withdrawal agreement. But this House should be in no doubt: the Government’s approach at the Joint Committee will be underpinned by full ministerial accountability to Parliament.

Mr Francois: Thank you, Mr Speaker, for granting this urgent question. The Prime Minister is due to attend the critical European Council tomorrow and Friday. However, despite the imminence of those crucial negotiations, very few Members of Parliament in this House are even aware of the extensive powers of the EU-UK Joint Committee contained within the withdrawal agreement. It is very important that those powers are brought to the attention of the House before the Prime Minister attends the Council tomorrow, hence my request this morning.

The Joint Committee is designed to oversee all aspects of the operation of the agreement and, crucially, managing and supervising the implementation and operation of the future relationship. Its potentially wide-ranging powers are contained in articles 164 to 166 of the withdrawal agreement and its rules of procedure, which are an integral part of the treaty found at annex VIII, almost literally at the back of the 585-page document; there is, in fairness, an annex IX.

The decisions of the Committee have full force in international law, equivalent to the treaty itself, as guaranteed in article 166. The Committee can meet in private. It does not have to publish its agenda, any minutes or even a summary of its minutes and can be chaired by two unelected civil servants, nominated by either side, rather than by Ministers. Under its rules of procedure, the two co-chairmen, acting outside normal meetings, can even make legally binding decisions in its name by an exchange of notes, without any recourse to or consent from Parliament. Rule 9 of the rules and procedures, on decisions and recommendations, clearly states on page 565 of the treaty:

1. In the period between meetings, the Joint Committee may adopt decisions or recommendations by written procedure, if the co-chairs decide to use this procedure. The written procedure shall consist of an exchange of notes between the co-chairs.

2. Where the Joint Committee adopts decisions or recommendations, the words ‘Decision’ or ‘Recommendation’, respectively, shall be inserted in the title of such acts. The Secretariat shall record any decision or recommendation under a serial number and with a reference to the date of its adoption.”

That is almost exactly the same procedure that is used for notifying and recording EU regulations and directives. Despite all of that, this Committee has hardly ever been mentioned in Parliament, and few Ministers have ever referred to it directly throughout the extensive debates we have had during this Session on the whole issue of Brexit. Crucially, the Joint Committee is contained in the treaty, and therefore has the force of international law behind it, but it is outside the backstop, which is perhaps why it has received less attention than other aspects of the withdrawal agreement to date.

I believe that this has been extremely cleverly drafted to hand control of future elements of this country’s destiny deliberately to unelected civil servants, rather than to Ministers—civil servants who are unanswerable to this House of Commons in the way that Ministers are. Those involved have thought of everything, as rule 12 of annex VIII is entitled “Expenses”, and it even lays out how they can reclaim their expenses. At present, Parliament seems blissfully unaware of the ability of the Joint Committee to take legally binding decisions relating to any future aspect of the treaty or the future relationship, in effect, above Parliament’s head.

There are clear issues of accountability to Parliament that, as far as I am aware, have never really been debated in the House at all. I ask the Minister to confirm that everything I have said is true, and if any of it is not true, will he point out what and why? If it is true, which it is, will he explain what checks and balances this House has over the operation of the Joint Committee?

Chris Bryant (Rhondda) (Lab): Take back control!

Mr Francois: Thank you, Bishop.

In summary, the Joint Committee contained in the draft withdrawal agreement has hardly ever been discussed in the House of Commons or the media, despite the fact that it potentially gives two unelected civil servants the power to make decisions that are binding in international law by an exchange of notes, without the knowledge, let alone the consent, of this House. If we are to approve the withdrawal agreement, we will approve this procedure too, which is why it is so important we should know about it. I believe that these facts must be exposed for debate in this House before the Prime Minister departs for the European Council tomorrow. I thank you, Mr Speaker, for granting the urgent question, and I look forward to hearing—I will be intrigued to hear—the Minister’s reply.

Kwasi Kwarteng: My right hon. Friend asked me which bits of what he said I agree with, or which bits I thought were true or not true. Clearly, I agree with some
of the things he said, and I think some of the things he said were slightly off the mark. The assumption underlying his question, as it seems to me, is that the Joint Committee is some subterranean plot with wire pullers attempting somehow to subvert the will of this House or to subvert our democracy.

My right hon. Friend will understand, as will the House, that the structure of the Joint Committee is very common in international agreements. An international agreement with two parties has to have a point of arbitration, and the Joint Committee, comprising representatives of the UK and the EU—[Interruption.] It is true that it is separate from the arbitration panel, but it will decide and govern the implementation and the application of the withdrawal agreement. This is entirely in keeping with what happens in international treaties. I would also suggest—

Mr Francois: Is anything not true?

Kwasi Kwarteng: If my right hon. Friend would not insist on heckling me, I would also suggest the key part of all of this is paragraph 3 of article 166, which refers to “mutual consent”. The Joint Committee simply cannot act if the UK does not agree.

On the point about the UK Government’s relationship with this Parliament, there will be full and ample opportunity, as we have provided in the last four months, to debate the provisions or recommendations of the Joint Committee. In this final part of my answer to my right hon. Friend, I would like to stress that my right hon. Friend the Prime Minister herself has spent no fewer than 20 hours at this Dispatch Box in the last four months. There is a full and ample range of debate and discussion.

Matthew Pennycook (Greenwich and Woolwich) (Lab): Thank you, Mr Speaker, for granting this urgent question. I congratulate the right hon. Member for Rayleigh and Wickford (Mr Francois) on securing it.

The Joint Committee has attracted a significant degree of attention over recent weeks in relation to its role in the operation of the Northern Ireland backstop, but as the right hon. Gentleman made clear, it is important to remember that the Joint Committee and its specialised sub-committees are also responsible for the application and implementation of the entire withdrawal agreement. Under Article 166, paragraph 2, any decisions made by the Joint Committee would have “the same legal effect” as the entire withdrawal agreement. The right hon. Gentleman has done this House a service in providing us with an opportunity to scrutinise more carefully this important part of the agreement and to seek reassurances about the role of Parliament in overseeing its operation.

To that end, may I ask the Minister the following questions relating to the role of this House in scrutinising the work of the Joint Committee, should the deal ever be approved? First, will the Government commit now to making a statement to this House before and after each and every meeting of the Joint Committee, and to make all of its documents available to Members? Secondly, what plans, if any, do the Government have to create a dedicated Committee of the House to oversee the withdrawal agreement, including the Joint Committee? Thirdly, the withdrawal agreement makes it clear that the Joint Committee will be made up of representatives of the United Kingdom and the European Union, so what role do the Government foresee Parliament having in the appointment of the UK representatives? Fourthly, is it the Government’s intention that the UK representatives include individuals from the main political parties, as well as those from the devolved Governments and Assemblies? Finally, specifically in relation to the Northern Ireland protocol, will the Minister confirm that it is the Government’s view that an indefinite application of the backstop would not constitute an unforeseen situation under article 164, paragraph 5(d) in such a way as might provide for amendment of the treaty itself?

Kwasi Kwarteng: On that list of questions, it would be absolutely customary and right for a Government Minister to make a statement when the Joint Committee had opined or made recommendations. That is absolutely in order. With regard to the hon. Gentleman’s request about a Committee, that is a matter for the House. It is not for the Executive to decide which Committees of this House can or cannot be formed.

We have ample and very full discussions with the devolved Administrations. They will of course be involved in aspects of the Joint Committee’s decisions, particular with regard to the question of Ireland and the backstop. There is no way, and this is carefully documented in the withdrawal agreement itself, that the Joint Committee would be making statements or recommendations about the backstop or any other matters relating to Ireland without, on our part, some representation and involvement of the Northern Ireland Government. On that question, I can assure the hon. Gentleman that there will be ample consultation and involvement of the Northern Ireland Assembly.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I congratulate my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) on securing this urgent question, and you, Mr Speaker, on granting it. May I simply ask my hon. Friend on the Front Bench about a particular point that was made by my right hon. Friend and the Opposition spokesman? With regard to “situations unforeseen” when this agreement was signed, who decides what is unforeseen?

Kwasi Kwarteng: On that specific question, the Joint Committee will have a role in suggesting what has not been foreseen. This is a very hypothetical question. What I find so extraordinary in this whole episode is that all of this is contingent on the withdrawal agreement being passed, yet my right hon. Friends who are asking these questions have consistently voted against the agreement. It seems very bizarre to me—[Interruption.] No, the point is that there is no way, as the question from my right hon. Friend the Member for Rayleigh and Wickford suggested or seemed to imply, that this is some sort of mystical plot, as I have said, to undermine the democratic processes of this House. The Joint Committee will not be doing that. The British Government will be in wide consultation with the House, there will be ample room for debate and everything will be done with the utmost transparency.

Peter Grant (Glenrothes) (SNP): I commend the right hon. Member for Rayleigh and Wickford (Mr Francois) for submitting this question. I share some of his concerns,
although after listening to his horror story about all the evils in the way this Joint Committee will operate, I have to say that 90% of it applies to the workings of the British Cabinet and 99% of it applies to the way international trade deals will be negotiated on our behalf without our knowledge or consent in the great new world that he seeks to achieve after Brexit.

On accountability and openness, I appreciate that parts of the agreement would insist on confidentiality in some circumstances, but will the Minister give an assurance that the UK Government will publish and lay before Parliament as much about the workings of the Committee as is permitted under the agreement as soon as possible?

Everyone now knows that it was a mistake to exclude the devolved Administrations and other people with potential skills from the Brexit negotiations. Everyone knows that it was a mistake not to ask for views and support from across the House much earlier in the process. Will the Minister therefore answer the question that he did not answer when the hon. Member for Greenwich and Woolwich (Matthew Pennycook) asked it, and give an undertaking that the UK delegation to this vital and exceptionally powerful Committee will properly reflect the political and social diversity of these nations? Will he also undertake that, particularly when it is looking at items within the devolved competences of Scotland, Wales and Northern Ireland, the Governments of those nations will be properly represented as part of the negotiating team and not simply left in a side meeting to be told what has been decided on our behalf afterwards?

**Kwasi Kwarteng:** I want to clarify that there is no scope within the Joint Committee for some form of delegation or negotiating team. Its sole function is to ensure that the terms of the withdrawal agreement are complied with.

As my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) so ably enunciated, all the workings of the Committee are to be found in annex VIII of the agreement. The annex is some 20 to 25 pages long and very carefully sets out how the Committee will work.

**John Redwood** (Wokingham) (Con): Why do the Government think it acceptable that any legal dispute about European law will be resolved by a decision of the European Court of Justice—a court for one of the two parties to the agreement—given that practically every legal dispute would be about a matter of European law, because both parties would still be under comprehensive European law?

**Kwasi Kwarteng:** There are two stages to the process. Clearly, there is the period after the end of the implementation period when the CJEU will decide matters of EU law. During the implementation period, as my right hon. Friend knows, it will be as if we were a member state—that is what the implementation period means. As my right hon. Friend suggested, within the implementation period, matters of EU law will be decided by the CJEU. After that, its powers will be restricted to matters of EU law, which we would be outside. That is the position as clearly set out in the withdrawal agreement.

**Chris Bryant** (Rhondda) (Lab): I do not know about you, Mr Speaker, but it feels to me that this sorry saga proves that the Conservative party is now entirely run by the European Research Group. It puts me in mind of a limerick, which was much repeated in the 1930s:

There was a young lady of Riga,
Who went for a ride on a tiger.
They came back from the ride
With the lady inside
And a smile on the face of the tiger.

The Prime Minister has tried to ride the ERG tiger for all this time and frankly, she is now inside it, isn’t she?

**Kwasi Kwarteng:** I assure the hon. Gentleman that I have not been consumed by a tiger and I am still smiling. If we get the deal through the House—I look forward to his support in that—we will leave the EU and be able to move forward, I hope, in a progressive and measured way. However, I thank him for his poetic interjection.

**Theresa Villiers** (Chipping Barnet) (Con): I take the Minister’s points about this structure being used in several contexts in international treaties. Many of my constituents would say that it was still unacceptable, and that they would like more transparency. However, even assuming that the structure is acceptable in the context of some international treaties, what is my hon. Friend’s response to the comment that the treaty would be uniquely powerful, were it to be adopted, because it would involve this country and this House being subject to laws made for us by other people, over which we had no say?

**Kwasi Kwarteng:** I do not accept the premise of my right hon. Friend’s question. Clearly, our relationship with the EU over decades was complicated and involved and the withdrawal agreement is a capable way of getting out. Few of its provisions last beyond the end of the implementation period. It is a clear and orderly way of leaving the EU, and I urge hon. Members, including my right hon. Friend, to support it.

**Tom Brake** (Carshalton and Wallington) (LD): Will the Minister explain precisely, for the benefit of Members on both sides of the House, what input Members will have in advance of any meetings of the Joint Committee?

**Kwasi Kwarteng:** As I have said to the House, there will be ample scope for debate and consultation. The Government fully understand that the House has to have an active role in shaping and deciding what our position as a country will be. I stress once again that paragraph 3 of article 166 says that no recommendations or decisions can be made without mutual consent. The mutual consent is between the UK and the EU, but as far as the Government are concerned, part of that mutual consent means engaging fully and transparently with the House.

**Mr Owen Paterson** (North Shropshire) (Con): I congratulate my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) on applying for this urgent question and I thank you, Mr Speaker, for granting it.
Ever since the very first Parliaments in Shropshire, the primary function of this House has been to control the manner in which money is levied from taxpayers and the way in which it is spent. I was astounded when I turned up on day one in the Department for Environment, Food and Rural Affairs, where I had the honour of being Secretary of State, to discover the level of disallowance—that is an EU expression for “fine”. For example, Amyas Morse, the Comptroller and Auditor General, said of the 2016 accounts that “the total value of cumulative disallowance penalties incurred under CAP 2007-13 is £661 million”, which amounts to more than £90 million a year. I therefore view with some horror article 171, which states: “The Joint Committee shall, no later than by the end of the transition period, establish...an arbitration panel.” Article 178 states that the arbitration panel “may impose a lump sum or penalty payment to be paid to the complainant.”

What are the limits on the size of those payments? If the House of Commons objects, what can it do?

**Kwasi Kwarteng**: I am afraid that my right hon. Friend has too little faith in the UK Government. We have repeatedly said—and he knows this as well as anyone—that such payments or penalties would be imposed only by mutual consent. That is the key element. There is no way that the Joint Committee can unilaterally impose fines on us that we have not agreed to.

**Mr Francois**: That is not correct. That is wrong.

**Kwasi Kwarteng**: Thank you. I stress that we have been very successful in restricting payments when we needed to. There is no reason to suppose that the Committee will impose swingeing penalties that we will be forced to pay without our consent.

**Joanna Cherry** (Edinburgh South West) (SNP): As has already been drawn to the Minister’s attention, under article 174, if the arbitration panel above the Joint Committee cannot agree on a matter of law, it has to be referred to the Court of Justice of the European Union. Does not that confirm that the Prime Minister has been prepared to relax at least one of her red lines to try to get us out of the mess that we are currently in?

**Kwasi Kwarteng**: I disagree with the hon. and learned Lady. The terms of the withdrawal agreement relate largely to the implementation period. I remind the House that during the implementation period, we will technically be a member state. **[Interruption.]** During the implementation period, that is the case. After that, the CJEU will have some role in interpreting EU law, but we will be outside its jurisdiction.

**Mr Steve Baker** (Wycombe) (Con): Further to the question asked by my right hon. Friend the Member for North Shropshire (Mr Paterson), and since we are treating of matters that are both controversial and complex, may I invite my hon. Friend to commit today—since he must, if he is going to do it—to lay letters and other papers in the House of Commons Library by the rise of the House tomorrow, setting out what the Government know the Committee shall be able to do and shall not be able to do, and the authority for that statement, so that we can all be perfectly clear on the scope and authority of the Committee, and the Government’s view?

**Kwasi Kwarteng**: The scope, the rules, the jurisdiction, if you like, and the powers of the Joint Committee are very ably set out in the withdrawal agreement. I suggest that my hon. Friend peruses those once again.

**Stephen Gethins** (North East Fife) (SNP): I thank the right hon. Member for Rayleigh and Wickford (Mr Francois) for securing the question and for the concern that he shows for unelected bureaucrats because, of course, we sit in a Parliament where more than half of parliamentarians are unelected bureaucrats. Will the Minister possibly tell us what role the fully elected European Parliament will play in this Committee?

**Kwasi Kwarteng**: It is obviously up to them to decide how they would conduct matters with respect to their delegates in the Joint Committee.

**Sir Bernard Jenkin** (Harwich and North Essex) (Con): May I return to the question raised by my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) to contest my hon. Friend the Minister’s rather doubtful assertion that this is normal for an international treaty? I do not know of any other international treaty where one of the signing parties is submitting to a law-making power by the other. Can he give any examples of an international treaty of this nature where those arrangements exist, and where the laws being made are directly applicable and have direct effect in the domestic law of only one of the states?

**Kwasi Kwarteng**: What I would say to my hon. Friend in respect of his question is that we were in the EU for 46 years. During that time we were absolutely and totally 100% under the jurisdiction of the EU. The withdrawal agreement essentially seeks to get a tunnel, or a pipe, away from that jurisdiction into a situation where we have left the EU absolutely. Now, my own understanding is that this is a wholly unique set of circumstances. In that respect, the withdrawal agreement seeks to be transitional—it is trying to get from state a to state b—so it is understandable that we will not be able to get immediate freedom, if that is how he would put it, but the withdrawal agreement substantially gets us from one state to another. If it is endorsed, I think we will be able to proceed in an orderly way out of the EU.

**Martin Whitfield** (East Lothian) (Lab): The Minister speaks about mutual consent, but where there is mutual consent there are never any problems. The problems come when that consent breaks down. With the Joint Committee, is it not correct that, surely, where mutuality
of consent breaks down the final arbiter will be the European Court of Justice, irrespective of why the arguments arise?

Kwasi Kwarteng: That refers to circumstances that relate to EU law. There will be other points of dispute that do not involve EU law. It is clear that after the end of the implementation period the Court's jurisdiction will be restricted.

Several hon. Members rose—

Mr Speaker: There is nothing disorderly, but I must say that I am saddened to see the hon. Member for North East Somerset (Mr Rees-Mogg) holding, until he just put it away in his pocket, his mobile telephone. I have long been conscious that the hon. Member possesses, and indeed uses, such a mobile phone. However, it does conflict very, very heavily with my image of the hon. Gentleman as the embodiment of tradition and as someone who thinks that the 17th century is indecently recent.

Mr Jacob Rees-Mogg (North East Somerset) (Con): Regrettably, I was explaining why I was delayed for a 2 o’clock appointment—so that I would have the pleasure of being in the Chamber to listen to this important urgent question. My apologies for being unduly modern. I hope, Mr Speaker, you will follow in my footsteps of antiquity as a general rule.

To come to the gist of the question, I wonder whether it is correct that the Joint Committee will be subject to article 4 of the treaty, which means that any rulings it provides are senior law in the United Kingdom and therefore could overwrite statute law—making Henry VIII powers, which have been a matter of some controversy in this House, seem relatively minor?

Kwasi Kwarteng: Obviously, this is a rather circular point. Article 4 is the conduit pipe, if you like, through which the provisions of the withdrawal agreement would come into UK law. The point of the Joint Committee is to look at the implementation of the withdrawal Act. There really should not be a conflict between article 4 and the Joint Committee. As I say, if there is a dispute, that would have to be resolved within the Joint Committee. As far as the British Government are concerned, there will be ample consultation, debate and questions in this House.

Stewart Malcolm McDonald (Glasgow South) (SNP): Scrutiny is always welcome, but I have to say that I believe this urgent question is driven less by urgency and more by a desire on behalf of the right hon. Member for Rayleigh and Wickford (Mr Francois) to continue his deeply unattractive and frankly tin pot tyrant-like attacks on civil servants. Will the Minister deprecate those attacks on civil servants? Will he clarify, in terms of the oversight of the Committee, what the enhanced role for the devolved nations, which the Prime Minister promised at the Dispatch Box just a few weeks ago, looks like?

Kwasi Kwarteng: On the hon. Gentleman’s first point, I would like to put it on the record that we have an extremely fine and professional body of civil servants. I think that is undisputed in this House. On the second point, as I have said on a number of occasions, we hope and expect to have full involvement and engagement with the devolved Administrations.

Mr David Jones (Clwyd West) (Con): Annex VIII of the withdrawal agreement provides that the Joint Committee will be co-chaired by a member of the European Commission and a Minister of the British Government, or, alternately, a “high level official”. Given the hugely important role that this Committee will play in the governance of this country, does not my hon. Friend agree that, as far as the British side is concerned, the chairman or chairwoman should always be a Minister rather than an official, so that he or she is answerable to this House? Is he prepared to give an undertaking to this House today that that will always be the case—if, of course, the withdrawal agreement is ever concluded?

Kwasi Kwarteng: It is absolutely the intention of this Government to have ministerial responsibility, ministerial attendance, at meetings of the Joint Committee. We fully envisage that that will be the case.

Andrew Bridgen (North West Leicestershire) (Con): May I press my hon. Friend further on his earlier answer to my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith)? The Joint Committee will make legal decisions in unforeseen circumstances. [Interruption.] Can he confirm that the Joint Committee will itself decide what circumstances are unforeseen? [Interruption.]

Kwasi Kwarteng: Once again I have to say that I think all my colleagues, all my right hon. and hon. Friends, have very full confidence in our civil service. With regard to my hon. Friend’s question, yes, the Joint Committee will decide, and will have a view on what circumstances are foreseen or unforeseen, but I have to address this point: the Joint Committee’s purpose is not to hoodwink or in any way subvert what we do as a democracy in this House. It is the Government’s full intention to engage extremely attentively to opinion in this House.

Sir Desmond Swayne (Tewkesbury) (Con): The Joint Committee will ensure that the agreement is maintained throughout the transition period.

Kwasi Kwarteng: I admire my right hon. Friend’s brevity and succinctness.

Mr Speaker: I am sure that the right hon. Member for New Forest West (Sir Desmond Swayne) will regard it as the encomium of all encomiums to have tribute paid to him by the junior Minister; he may well feel so uplifted by the tribute that he wishes to have it framed. However, I say gently to the Minister that his tribute suffers from one notable disadvantage: despite its generosity, it offered no answer to the question.

Mr Laurence Robertson (Tewkesbury) (Con): The Minister has referred several times to the devolved Administrations, but he will be aware that the Northern Ireland Assembly has not sat for over two years, so how does he think the Joint Committee will take note of the thoughts coming from the Province on what is, of course, one of the big issues of the whole agreement?
Kwasi Kwarteng: We fully anticipate and hope that the Assembly will be restored, but in the absence of its restoration, we will engage, as we have done, with those of all shades of political opinion across Northern Ireland, to ensure that their representations, their feelings, are reflected in the decisions of the Joint Committee.

Luke Graham (Ochil and South Perthshire) (Con): Can the Minister confirm what he said earlier—that any decision making of the Joint Committee will be subject to ministerial oversight unless it is democratically accountable in this place? Secondly, he mentioned engagement with the devolved nations; can he confirm that that engagement specifically on reserved matters will take place through the MPs who represent those constituencies in this place?

Kwasi Kwarteng: With regard to the Joint Committee, if we assume that the implementation period lasts until the end of 2020, as is set forth in the agreement, there will certainly be ministerial involvement—Ministers will be involved—in, I suspect, every meeting of the Joint Committee. With regard to devolved matters, I know that my hon. Friend, in another capacity, is an extremely active MP who represents the interests of his constituents, and he and other colleagues across the House will be fully engaged in devolved matters, as has already been the case.

Mr Speaker: I call Mr Marcus Fysh.

Mr Marcus Fysh (Yeovil) (Con): Thank you, Mr Speaker, and very well done for granting this urgent question. I have been really concerned about this matter for a long time. I want to talk about the mutual consent provision in article 166. Effectively, in certain circumstances, it gives the EU a hard veto over what the decisions are. The Minister said that no negotiation was planned, but we know that the customs procedure embedded in the plans for a backstop, should we be unable to agree a subsequent agreement, is admitted by the UK Government and the EU to be unworkable in its current form, is non-compliant with the Union customs code and is incomplete with respect to matters such as what happens to VAT at our borders or what happens with the export declarations. The customs procedure itself specifies that unilateral measures can be taken by the EU, should it not be satisfied with that procedure. The whole point is that these matters, and the rectification of these matters, are fundamental to the collection of taxes at our borders. There is no way in the world that we as a House should ever contemplate giving the EU power over how they are changed, as this provision does.

Kwasi Kwarteng: My hon. Friend is quite right to say that the EU may have a veto, but just as the mutual consent provision gives the EU a veto, it also gives us—the UK Government—a veto over such decisions. On VAT and other matters, much of what my hon. Friend said referred, in my understanding, to phase 2 of the negotiations, in which there will be, one hopes, a more comprehensive free trade agreement. That is the ultimate goal to which we are tending.

Henry Smith (Crawley) (Con): For five years from 2010, I was a member of the European Scrutiny Committee, which went through reams of directives from the European Union every week. One of the reasons why many of my constituents said that they voted by a majority to leave the EU was the lack of transparency and accountability of that bloc. To continue on the theme of big cats, which was introduced by the hon. Member for Rhondda (Chris Bryant): a leopard does not change its spots, and I do not think that the EU will either. Will the Minister therefore make a commitment that if the withdrawal agreement goes through and this Joint Committee is constituted, we will have a statement from a Minister at the Dispatch Box after every meeting of that Committee?

Kwasi Kwarteng: My understanding is that the Government’s engagement with this House will be full, and as transparent as possible, in respect of decisions and meetings of the Joint Committee. I look forward to my hon. Friend’s participation in further scrutiny Committees when we have got the agreement through the House and when the Joint Committee sits.

Several hon. Members rose—

Mr Speaker: Order. I am most grateful to the Minister and colleagues. We now move on to an urgent question from Mr John Baron.
No-deal EU Exit Preparations

Mr John Baron (Basildon and Billericay) (Con): Urgent Question: To ask the Prime Minister if she will make a statement on no-deal Brexit preparations.

The Parliamentary Under-Secretary of State for Exiting the European Union (Chris Heaton-Harris): I thank my hon. Friend for his urgent question and congratulate him on securing your approval for it, Mr Speaker.

The Government have always been clear that leaving the European Union without a deal is not an outcome that we want. Last week, Parliament voted against leaving with no deal, signalling a clear majority against such an outcome. However, the legal default is that the UK will leave the EU without a deal unless an alternative is agreed; any agreed extension would not change that. A longer extension would also entail holding European Parliament elections in the UK. As the Prime Minister stated in her letter to Donald Tusk, we “do not believe that it would be in either of our interests”—the UK’s or the EU’s—“for the UK to hold European Parliament elections.”

Sarah Newton (Truro and Falmouth) (Con): Will my hon. Friend give way?

Chris Heaton-Harris: It’s a UQ!

Mr Speaker: Order. I do not wish to be unkind to the hon. Member for Truro and Falmouth (Sarah Newton), for whom I have the highest regard, but this is an urgent question—stop the clock, please.

The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood): It’s been a while.

Mr Speaker: Well, the hon. Lady graced the Front Bench with considerable distinction and it is some time since she has sat on the Back Benches. It is entirely understandable that she did not know the procedure, but there is no scope for intervention when the Minister is delivering his mercifully brief oration.

Chris Heaton-Harris: Thank you, Mr Speaker; I apologise to my hon. Friend.

The Government have undertaken significant action to prepare for a potential no-deal scenario. We have published 450 pieces of no-deal communications since October 2018, including information on reciprocal healthcare arrangements with the EU, on driving in the EU after exit, and even on how to take a pet abroad.

More than 11,000 people are working on EU exit policy and programmes across the Government. We have launched a public information campaign, which includes information on gov.uk, to help citizens and businesses to prepare for leaving the European Union. TV adverts started today and radio, press and outdoor poster advertising are ongoing. Furthermore, the Treasury has provided £4.2 billion for EU exit preparations, including preparations for a no-deal scenario, and £480 million has been allocated to the Home Office to ensure that it is fully prepared.

Getting ready for this scenario depends on action not only from the Government, but from a range of third parties, including businesses, individual citizens and the European Union itself. Despite Government mitigation, the impact of a no-deal scenario is expected to be significant in a number of areas. Leaving the European Union with no deal is the legal default until Parliament passes a deal or agrees on an alternative. We are focused on achieving that, but until it has been achieved, we will continue to prepare for no deal and we advise businesses to do the same.

Mr Baron: I thank the Minister for that response. It is important that the Government recognise the current position. Whatever the possibilities for how Members may vote in this place or how the EU may respond to requests for extensions, he is absolutely right to suggest that the current legal default position is that the United Kingdom will be leaving the European Union on 29 March, with or without a deal. It is important in more than one sense that those on the Front Bench recognise that. The narrative that seems to be emerging from No. 10 is that Parliament has not expressed its view as to what should happen. I would suggest to the Minister that it has. In February 2017, by a majority of 384, the House clearly said that with or without a deal we would leave on 29 March 2019. There was no equivocation about it; it was black and white.

The Government have said they are making adequate preparations. Many of us on the Government Benches—and, indeed, on the Opposition Benches—have questioned the Government about those preparations. We know that billions of pounds have been spent, and we have had assurances from the Government, including from the Dispatch Box and in Committee. On 12 February, I asked the Prime Minister if she could “reassure the House that should we leave on 29 March on no-deal WTO terms, we are sufficiently prepared”. She answered very directly:

“We are indeed. We have ramped up our preparations. We are continuing our preparations for no deal.”—[Official Report, 12 February 2019; Vol. 654, c. 752.]

I applied for this urgent question because media reports, including some emanating from this place, suggesting that a no-deal Brexit would prove a profound economic shock mirror the incorrect warnings before the 2016 referendum and are causing concern across the country. It is easy for Opposition Members to say, “Oh, don’t worry about it”, but for a lot of people sitting in their homes, these dire predictions of economic gloom, which are unfounded, are causing concern.

I remind the Minister that prior to the 2016 EU referendum there were dire predictions of 500,000 extra unemployed people that proved unfounded—so much so that the Bank of England, among others, had to apologise. We have had record low unemployment, record manufacturing output and record inward investment. I suggest that economic reality trumps predictions any
time. In order to reassure and better inform the public, will the Minister detail to Parliament the extensive preparations the Government have made for a no-deal exit? Especially given the proximity to 29 March—just a week away—the Government need to reassure people that they are prepared, having spent two years and billions of pounds on no-deal preparation. I look forward to hearing what he has to say.

**Chris Heaton-Harris:** I found it interesting that my hon. Friend was barracked by Opposition Members for pointing out how strong our country’s economy was. I would have thought they would be proud of that.

I hope that in my opening answer I gave the House a sense of how much preparation the Government have done since August 2016, although preparations have of course been ramped up in the last few months. I will list a handful of points: more than 550 no-deal communications have been sent out since August 2018; we have had 300 stakeholder engagements since February; we have been signing international agreements with our trading partners and rolling over others; 11,000 people are working on EU exit policy and programmes across Government; a number of IT programmes are ready to go should we need to activate them; and we have published the HMRC partnership pack containing more than 100 pages of guidance for businesses on process and procedures at the border in a no-deal scenario. The Government have been preparing assiduously and quietly behind the scenes for no deal, but we want to get a deal over the line; that is the most important thing for us.

**Paul Blomfield** (Sheffield Central) (Lab): I am grateful to you, Mr Speaker, for granting the urgent question.

The hon. Member for Basildon and Billericay (Mr Baron) talked about the wishes of the House, and he was right to do so, but the House has twice ruled out leaving the EU without a deal and twice rejected the Government’s deal by historic margins. It is simply unacceptable that the Prime Minister continues to doggedly press ahead with her Hobson’s choice of her deal or no deal. Resilience is an admirable quality; obstinacy is not. Does the Minister recognise that by their approach the Government risk being considered in contempt of the House yet again?

The Government’s energy at this critical time should be going to find a way forward that can command the support of the House and the country and that is not the Prime Minister’s flawed deal, which the Government themselves have said would shrink the economy by 4%. The situation requires flexibility and the Government reaching out across the House, and that includes flexibility on the length of the extension of article 50. The Chancellor for the Duchy of Lancaster said last Thursday of a 30 June extension:

“In the absence of a deal, seeking such a short and, critically, one-off extension would be downright reckless and completely at odds with the position that this House adopted”—[Official Report, 14 March 2019; Vol. 656, c. 566.]

Does the Minister agree that rather than this focus on no deal, the Prime Minister’s priority should now be to create opportunities for the House to consider all the options available to get the country out of the impasse she has created?

**Chris Heaton-Harris:** I think the hon. Gentleman will find that a lot of hon. Members sitting behind him represent seats that voted to leave the EU in big numbers and would be surprised to hear that Her Majesty’s Opposition are trying to stop that happening. As I said in my opening answer, the legal default is that the UK will leave the EU without a deal unless an alternative is agreed. No agreed extension will change this fact.

**Mr Iain Duncan Smith** (Chingford and Woodford Green) (Con): I welcome my hon. Friend to his place. Has he noticed that in the last few hours Monsieur Barnier has issued an instruction declaring that the EU must now prepare for the no-deal scenario, claiming that only two elements of its work need to be completed? One is short-term visas and the other is the budget for 2019. Does that mean that the EU considers that if we do not reach a deal we will leave on the 29th?

**Chris Heaton-Harris:** I have outlined the legal default position a couple of times already. My Department monitors the European Commission’s no-deal announcements and those of individual member states. The Commission has made no-deal announcements on Erasmus, social security, fishing, air transport, aviation safety, road haulage, trade and exports and dual-use systems, EU funding for the Peace programme, energy efficiency, the Connecting Europe Facility, shipping inspection and a whole host of other areas. The European Commission, like us, would be ready in that circumstance.

**Stephen Gethins** (North East Fife) (SNP): Save for what one Conservative MP referred to as the headbanger wing of the Conservative party, everybody thinks that Brexit is a bad idea—businesses, medical personnel, universities. Parliament voted to rule out no deal because it represents a colossal political failure. The hon. Member for Basildon and Billericay (Mr Baron) talked about what concerns people. I will tell him what concerns people: a decade of Westminster austerity hitting schools, the NHS and other public services. We are spending £4.2 billion on a no deal, including millions for ferries. No one voted to leave on 29 March. No one voted for a no deal. Will the Minister take no deal off the table and invest the money in hard-pressed public services?

**Chris Heaton-Harris:** I think the hon. Gentleman will find that 17.4 million people voted to leave the EU and that a huge number of them, including in Scotland, will find his comments very disappointing. As I have pointed out to my hon. Friend the Member for Basildon and Billericay (Mr Baron) and other hon. Members, the legal default is that the UK will leave the EU without a deal unless an alternative is agreed.

**Mr Owen Paterson** (North Shropshire) (Con): May I pursue the question from my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith)? In a statement issued yesterday, Mr Barnier said, quite correctly, that “voting against ‘no deal’ does not prevent it from happening.” He also said:

“Everyone should now finalise all preparations for a ‘no deal’ scenario.

On the EU side, we are prepared... and are working on the two last measures that still need to be adopted, namely on short-term visas and the EU budget for 2019.”
Will those two issues be resolved in 11 days’ time, and how many issues does the Minister think the UK Government still have outstanding?

Chris Heaton-Harris: Unfortunately, although I was a Member of the European Parliament for 10 years, I cannot honestly comment on how long it would take the European Union to complete its final two measures, although budget rounds are very interesting debates in the European Parliament. There are a number of matters that we are still finishing off in our no-deal preparations, but the vast majority are in a good state.

Chris Bryant (Rhondda) (Lab): May I ask the Minister about national security? One thing that is undoubted is that if we leave without a deal, British police forces will no longer be able to use up-to-date information from all the other police forces in Europe, and we will no longer be able to use the present extradition arrangements in the European Union under the European arrest warrant. What will the Minister put in place to make sure that we are safe?

Chris Heaton-Harris: I thank the hon. Gentleman for his very sensible question. The continued safety and security of both UK and EU citizens remains our top priority. In a no-deal scenario, the UK would lose access to the mechanisms that we currently use to co-operate with EU member states on security and law enforcement. The Home Office is working intensively with operational partners to put no-deal plans into action, and to ensure that the UK is ready to “transition” our co-operation with our European partners and make best use of the alternative channels with EU member states should that be required. We are preparing to move co-operation to alternative non-EU mechanisms should that be required, and our contingency plans are largely tried and tested mechanisms which we already use for co-operating with many non-EU countries, including making more use of Interpol and Council of Europe conventions. They are not like-for-like replacements, but they would not result in a reduction in mutual capability.

Dr Andrew Murrison (South West Wiltshire) (Con): We have been treated to plenty of lurid stories over the past few months about a shortage of the radio isotopes on which a million people in our NHS depend every year. Will the Minister confirm that advanced plans are in place to ensure that in the event of our leaving the European Union with no deal, no one would be disadvantaged?

Chris Heaton-Harris: I can confirm that we have plans for the items to which my hon. Friend has referred. Indeed, a written ministerial statement describing the details of those plans was laid nearly three weeks ago.

Joanna Cherry (Edinburgh South West) (SNP): If Macron, like de Gaulle before him, says “Non” to the Prime Minister’s request for an extension, we will not get one, because there must be unanimity. Does the Minister agree that in those circumstances—as a matter of fact—the only way to avoid no deal would be to revoke article 50, which the House could do, because, contrary to what the Under-Secretary of State for Exiting the European Union, the hon. Member for Spelthorne (Kwasi Kwarteng), suggested yesterday, the House has not as yet voted on a motion to revoke it?

Chris Heaton-Harris: As a matter of fact, the best way to prevent that from happening is to vote for the Prime Minister’s deal.

Mr David Jones (Clwyd West) (Con): My hon. Friend has acknowledged that the default position is that this country will leave the European Union on 29 March without a deal. Can he tell us in what circumstances the Government will conclude that a deal is impossible, and does he not accept the point made by my hon. Friend the Member for Basildon and Billericay (Mr Baron) that the public are entitled to reassurance in that regard?

Chris Heaton-Harris: I should like to think that we are giving some reassurance through the vast array of publicly available information on how we are preparing for no deal, and, indeed, through the ongoing advertising campaign that I described in my statement. In my personal view, leaving without a deal is—I know that some Members do not like this word—suboptimal. The optimal way of leaving is with a deal that takes no deal off the table completely. However, we are as ready as we can be at this point, and the huge amount of information that is in the public domain should give his constituents and mine the reassurance that they deserve.

Mr Speaker: Order. I think that the hon. Gentleman for Huddersfield (Mr Sheerman) is concerned, but the hon. Member for Basildon and Billericay (Mr Baron) is back in the Chamber. I do not think that I need to dwell on the matter. Suffice it to say that there can, in extremis, be a reason why someone has—very, very, very briefly—to leave the Chamber. When the call of nature sounds, that person cannot pretend to be deaf. I do not say that in a pejorative spirit; I simply mean that one cannot pretend not to be aware of the immediate requirement.

Mr Baron: I was relieving myself, Mr Speaker.

Mr Speaker: Very good. Well done.

Catherine West (Hornsey and Wood Green) (Lab): I understand that the cost of Brexit has been estimated to be £500 million per week. Does that include the cost of school meals, hospital meals, and meals in social care settings?

Chris Heaton-Harris: I am afraid that I do not recognise that figure one bit.

Mr Mark Francois (Rayleigh and Wickford) (Con): As the Minister will know, it is now being widely reported on Twitter that President Macron is minded to veto any extension of article 50 at the Council tomorrow. Can he confirm that, should that occur, the Secretary of State for Exiting the European Union will initiate Operation
Yellowhammer—the Government’s no-deal plan—on Monday? If that is so and there is no extension, why do we not just vote down the rancid withdrawal agreement and sprint for the line?

Chris Heaton-Harris: I am sure that my right hon. Friend will not expect me to comment on whether or not the President of France is active on Twitter at this point in time. He and I disagree on one fundamental issue. Having been involved in European negotiations in the past—albeit of a much more minor nature than anything like this—I know that occasionally there are times when one should bank what one has. My right hon. Friend disagrees with me about that, but it is a principled disagreement.

We do have Operation Yellowhammer, which is working to deliver the biggest peacetime project in the history of the civil service. Leaving the European Union with a deal remains the Government’s top priority, but a responsible Government must plan for every eventuality including a no-deal scenario, and these preparations are taking place alongside work to deliver on the Government’s policy priorities.

Tom Brake (Carshalton and Wallington) (LD): It is essential that the largest businesses, and indeed the trade associations that depend on them for information about the progress that is being made on the rollover trade deals, are kept fully informed. Can the Minister explain why the Department for International Trade stopped the roundtables with large businesses?

Chris Heaton-Harris: I have to say that I did not know they had done so, but I do know that there are ongoing engagements throughout the Government with business representatives and organisations, some of which I myself have attended very recently.

Sir Desmond Swayne (New Forest West) (Con): It would be stupid to go out panic buying, would it not?

Chris Heaton-Harris: Yes.

Several hon. Members rose—

Mr Speaker: The hon. Member for Huddersfield (Mr Sheerman) seems gravely perturbed that the fact that he is seated behind the hon. Member for Chesterfield (Toby Perkins) might disadvantage him. What I say to the hon. Member for Huddersfield is that I can almost always see him, and even if I can’t see him I can absolutely certainly hear him, so he has nothing to worry about at all. Mr Barry Sheerman.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): May I tell the Minister that I am usually an optimist but I do not know if he shares with me a feeling a dread and doom today? Here we are in the greatest national crisis for 100 years with the Titanic steaming towards the iceberg. He is a nice man but he is a Parliamentary Under-Secretary being sent to reassure the House that the preparations are all in good order. Even at this late stage we can go to Europe and ask for a longer rather than a shorter extension. We can also listen to the voice of reason behind him, the Father of the House the right hon. and learned Member for Rushcliffe (Mr Clarke), who made a very serious contribution earlier today. Surely at this stage the Minister could actually speak up for the nation and say, “Enough is enough, let us put this on hold and get a sensible relationship with Europe agreed across these Benches.”

Chris Heaton-Harris: I think I can stand up and speak for the nation when I say the only sense of dread and doom I have is when the hon. Gentleman is ready to speak.

Henry Smith (Crawley) (Con): I remind my hon. Friend that we both stood on an election promise that no deal was better than a bad deal, but beyond that can he confirm that aviation agreements are in place so that planes will be flying to and from Gatwick and other UK airports on 30 March?

Chris Heaton-Harris: Yes, I can confirm that we have signed a whole suite of aviation agreements and that is the case.

Dr Sarah Wollaston (Totnes) (Ind): There is a good reason why this House has resoundingly objected to and rejected a no-deal Brexit: because Members here have looked at the evidence of the real-world harms. Just one such area of concern is the position of healthcare for British citizens who are pensioners who have retired to countries across the European Union. The Minister will know that a reciprocal arrangement could not be made with the EU as a whole but would have to be made with 27 individual countries. Can he set out in how many of those 27 countries our fellow citizens who have retired to the EU now have the absolute certainty that in nine days’ time they will have reciprocal healthcare arrangements in place?

Chris Heaton-Harris: Actually, a whole host of countries are now enacting legislation through their processes to do exactly as the hon. Lady says. The hon. Lady is completely correct in the fact that health in general terms is tied up in social security policy in nearly all EU member states. This needs legislation in individual EU member states, and I believe—I will write to the hon. Lady later today to clarify this—that pretty much every member state has started that legislative framework process.

Helen Whately (Faversham and Mid Kent) (Con): Kent MPs have been meeting regularly about preparations for Brexit with the roads Minister my hon. Friend the Member for Hereford and South Herefordshire (Jesse Norman), the Department for Transport, Highways England, Kent Police, the Port of Dover and Eurotunnel. If my hon. Friend the Minister cannot answer this in the Chamber will he write to me with assurances that Her Majesty’s Revenue and Customs, and in particular the customs part of it, is ready for Brexit and for the extra volume of customs procedures that may be needed to make sure we do not have queues in Kent?

Chris Heaton-Harris: My hon. Friend rightly raises concerns for her constituents. Extensive work to prepare for a no-deal scenario has been under way across Government for two years and we are taking steps to ensure that the border continues to operate as effectively
as possible from the day we leave. We have three objectives for the UK border to be delivered on day one and beyond: maintaining security; facilitating the flow of goods and people; and revenue protection. We will prioritise flow at the border, which means any increase in the number of checks will be kept to a minimum by conducting only essential checks, which will help to reduce friction at locations like Kent.

Vernon Coaker (Gedling) (Lab): I know we have got the TV adverts today, but what official advice are the Government giving to families across the country as to what they should do to prepare for or cope with this country exiting the EU without a deal?

Chris Heaton-Harris: It does rather depend on what aspect of people’s lives will be affected, so there is a huge range of information both online and now available in advertising as well, where people will be able to see what will happen in circumstances such as if they were concerned about taking their pets abroad or about their holiday. That is all available online.

Toby Perkins: It is patently obvious that the Government are not remotely prepared for us to leave without a deal, and at the same time we have a Government who are ploughing on with a plan that has been twice rejected, refusing to bring votes and refusing to stick to commitments they have made to this House. If the chief executive of a major FTSE 500 company or a hospital were to run a major project in anything like as shambolic a way as this every single Member of Parliament would be demanding they resign; why doesn’t the Prime Minister resign?

Chris Heaton-Harris: It is the Leader of the Opposition who did not want to prepare for no deal in any circumstance whatsoever and did not want to spend any money on getting this country ready in case we were to leave without a deal. So if the hon. Gentleman should call on anybody to resign, it should be his leader, the Leader of the Opposition.

Tom Pursglove (Corby) (Con): I am afraid that I still see no case to extend, but in the event of an extension, does the Minister envisage there being any further no-deal planning, or is all of that no-deal planning completed and there is nothing further to be done?

Chris Heaton-Harris: I can assure my hon. Friend that in an extension there would be further no-deal planning, and lots of plans would have to be adjusted because they are obviously targeted currently at one particular date and that would be moving.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): From the 10,000 or so constituents I have spoken to since the EU referendum I have heard many different reasons why people voted to leave the EU but none of them included to be poorer. So given that we know that all the credible economic analysis shows that the economy would shrink and there would be an increase in poverty, how is the Minister making preparations for if and when an extension to article 50 can be quickly implemented in this House?

Chris Heaton-Harris: I did not hear the last bit of the hon. Lady’s question, but Treasury analysis published by the Government back in November shows that in every scenario the economy of this country will be growing.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Has the Minister seen the call from the president of the National Farmers’ Union of Scotland today asking the Government to abandon their proposals for applied tariffs in the event of a no-deal Brexit? As he points out: “Without the maintenance of tariff protections, we would be in danger of opening up the UK to imported food which would be illegal to be produced here”.

In the 1970s the Minister’s predecessors in the Conservative Government then regarded our fishermen as expendable; it is beginning to look as if this current Government have taken the same attitude towards our farmers.

Chris Heaton-Harris: I disagree entirely. The tariff schedule which has now been published is designed to look after certain segments of the economy including agriculture. The right hon. Gentleman then went on to talk about standards, and we are not dropping the standards of what we expect in agricultural goods.

Ian Murray (Edinburgh South) (Lab): The Minister has said on numerous occasions already during this urgent question that the default legal position is for the UK to leave the EU on 29 March next week. So can the Minister tell the House what the process is for changing the date in the EU withdrawal Act and what day next week we will get that?

Chris Heaton-Harris: I would assume that a statutory instrument would do that particular piece of work.

Hywel Williams (Arfon) (PC): Government expenditure on no-deal preparations can be expressed as a sum of £63 per person per annum for three years. Wales’s net benefit from the EU budget is £79 per person per year. Which does the Minister consider to represent good value?

Chris Heaton-Harris: I think preparing the country for every eventuality that this Parliament has voted for is good value for money.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): This House has unequivocally excluded the idea of no deal—it has ruled it out, out of hand—so the only ways to avoid no deal would be for the Government to bring forward a meaningful vote again, which you have excluded, Mr Speaker; to prepare to revoke article 50; or to accept crashing out with no deal. So what are the Government going to be doing?

Chris Heaton-Harris: I would never presume to guess what Mr Speaker might do in allowing different things on the Floor of the House. Indeed, every day seems to be a bit of a surprise at the moment. However, the legal default is that the UK will leave the European Union without a deal unless an alternative is agreed. The alternatives are—[ Interruption. ] Well, I would like to think that we are going to vote for the deal.
Angela Smith (Penistone and Stocksbridge) (Ind): There really would be no need for this urgent question if the Government were to accept that no deal had already been ruled out by Parliament and that there were two ways forward from that: the revocation of article 50 or its suspension. May I offer the Minister another alternative, which would be to bring back a very different meaningful vote next week that would have embedded in the approval motion the principle of the ratification of the Prime Minister’s deal by the people, with remain on the ballot paper?

Chris Heaton-Harris: I welcome, as the Prime Minister does, all conversations about how the meaningful vote can be passed by this House. However, last week, the House voted by some big number—more than a majority of the number of MPs in this House—to reject a people’s vote.

Clive Efford (Eltham) (Lab): In answer to my hon. Friend the Member for Hornsey and Wood Green (Catherine West), who said that the cost of Brexit was currently £500 million a week, the Minister said that he did not recognise that figure. The Governor of the Bank of England says that the figure is actually £800 million a week. Which figure does the Minister recognise?

Chris Heaton-Harris: Obviously the Governor of the Bank of England did not recognise that figure either.

Mike Kane (Wythenshawe and Sale East) (Lab): The Minister has rightly said that, in the event of no deal next week, we now have an aviation agreement with the European Union which means that planes will be able to take off and land. What he did not say was that this will mean no route expansion during that time. Manchester airport in my constituency has 30 million passengers annually, with the capacity for 55 million, and 74% of its flights go to other EU destinations. This must surely be a bad agreement for the people of the north of England.

Chris Heaton-Harris: I thank the hon. Gentleman for his question, and I know that he represents his constituents assiduously and understands the need for Manchester airport to work. I will have to come back to him, because I believe that the European Commission has moved on this, but I might be mistaken. I think that it has said that it will allow route expansion in this coming year, but I will come back to him to completely clarify that point if I may.

Wera Hobhouse (Bath) (LD): Can the Minister tell me how many of the 17.4 million people who voted leave in 2016 voted for the Prime Minister’s deal and how many voted for no deal? If he cannot do so, is it not time that he and his Government stopped using the term “the will of the people” unless they are prepared to find out what the will of the people is by putting the deal back to the people with the option to remain?

Chris Heaton-Harris: One thing I know is that 58.9% of voters in my constituency, and 17.4 million people in the country, voted to leave the European Union.

Stewart Malcolm McDonald (Glasgow South) (SNP): This has been a classic display of what over-promotion looks like, in front of the entire House this afternoon—[Interruption.] No, I will not “come on”. This stuff from the Minister has been grimly depressing. Can he confirm that my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) was 100% spot on when she said that if the Council does not grant the extension, and if Parliament does not pass meaningful vote 3—assuming that you would allow it to come back before next Friday, Mr Speaker—revocation is the only way to stop no deal?

Chris Heaton-Harris: I thank the hon. Gentleman for his question and his comment. His kind remark will do me the world of good on my election literature in my middle England constituency next time. The constituency voted to leave and it expects the Government to deliver on its wishes and to deliver on leaving the European Union. The best way to take no deal off the table is to vote for the deal.
Points of Order

2.54 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): On a point of order, Mr Speaker. We live in interesting times, if I can put it that way; we are in a constitutional crisis. We are aware that the Prime Minister is going off to Brussels tomorrow, and out of that we will learn if we are going to have an extension to article 50. We need to reflect on the fact that we are a week away from the intended departure date from the European Union. The threat of no deal from the Government is very real, and we ought to be aware of the consequences. The Government have told us about the threat to the supply of medicines, to food supplies and to public order. These are serious matters, and given that we have very few days left, I have today written to the Prime Minister and demanded that, in the circumstances, this House should convene on Saturday so that we can plot a way ahead. We need to use the opportunities granted to us in these few days that are left, and we might indeed need to use the opportunity to revoke article 50 if the Government are serious about taking us forward on a no-deal scenario. Mr Speaker, I ask your forbearance, and I ask what opportunities you can suggest that are open to us to ensure that, in these times of crisis, we have the opportunities that we had at the time of the Suez crisis—the last disaster visited upon us by this Government—to ensure that we can stand up for our constituents and protect our people from the catastrophe of no deal.

Mr Speaker: I am grateful to the right hon. Gentleman for his point of order. When he seeks my advice, my response to him is to say—as I indicated to the hon. Member for North East Fife (Stephen Gethins) yesterday—that a Saturday sitting, or indeed a Sunday sitting, would be perfectly possible. It would, however, be possible only if there were a resolution of the House to that effect. Indeed, any change to the thus far set out—and therefore by Members anticipated—sittings would require a resolution of the House. If the right hon. Gentleman reflects on the point that I have made, he will be keenly conscious that such a resolution could, potentially, be put to the House either tomorrow or indeed on Friday, as this Friday is a sitting day. I am not seeking to engender an expectation, and I have no indication at all that the Government are thinking in these terms or that they would necessarily be sympathetic to the right hon. Gentleman’s request, but this would be perfectly possible in procedural terms. My advice is that he should await a reply to his letter.

Anna Soubry (Broxtowe) (Ind): Further to that very good point of order from the right hon. Member for Ross, Skye and Lochaber (Ian Blackford), Mr Speaker, would it be in order for us all to be here on Saturday in the circumstances that he has described, given that many hundreds of thousands of people are due to march in London on that day in support of a people’s vote? Many of them will be young people who are demanding a say about their future, given that they will be bearing the burden of Brexit. In those circumstances, would the House be able to rise to go out and greet those hundreds of thousands of people who rightly want a final say on Brexit and a people’s vote?

Mr Speaker: The right hon. Lady’s point of order contains a twin, or at any rate double, hypothesis, and we shall have to wait to see. As I always say, invoking the late Willie Whitelaw, it is best across bridges only when we come to them. Her use, and some would say abuse, of the point of order procedure displays a notable, though not altogether uncharacteristic, cheekiness—a fact of which she is well aware—but she is nothing if not dexterous in her use of available procedures.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Further to that point of order, Mr Speaker. The right hon. Member for Ross, Skye and Lochaber (Ian Blackford) is, of course, right about a resolution of the House being required to sit on a Saturday, but staffing arrangements and much else are needed to run the House. Can I be assured the planning is in place in case of such a resolution?

Mr Speaker: That is a very sensible point. Planning will be under way lest that scenario should arise, and not least out of consideration for the staff who serve us so loyally and so well, it is essential that that is so. They have already in recent times been very gravely inconvenienced as a result of our deliberations. That is the way it is, and they very graciously accept it, but we should not take their loyalty for granted. They must be treated with respect.

Toby Perkins (Chesterfield) (Lab): On a point of order, Mr Speaker. Anyone who heard the urgent question from the right hon. Member for Rayleigh and Wickford (Mr Francois) and all those who responded to it will know how there are many Members who absolutely love and indulge themselves in long discussions about arcane matters of European legislation and its different articles and who spend far less time worrying about the disastrous potential consequences of their actions. Are you aware of whether there are any plans for grief counselling for those Members? In the event that we leave the European Union, those Members would no longer spend many long hours talking about these things and they would have to spend some time concentrating on the poverty in their constituencies.

Mr Speaker: I am not aware of any plans for grief counselling, but my expectation is that the right hon. Member for Rayleigh and Wickford (Mr Francois) would focus his beady eye on a vast range of other important topics.

Mr Mark Francois (Rayleigh and Wickford) (Con) rose—

Mr Speaker: I have no reason to think that the right hon. Gentleman is about to contradict me but, if he really insists, I feel that on the strength of our 35-year acquaintance I must indulge him.

Mr Francois: Further to that point of order, Mr Speaker. To save the House and the country a hangover, if we leave at 11 pm on 29 March—we are at D minus 9—I will have no need or requirement for grief counselling, but I might have a whacking hangover on the morning of 30 March.
Mr Speaker: I am grateful to the right hon. Gentleman. This has been an afternoon in which colleagues have volunteered more personal information than is customary.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): On a point of order, Mr Speaker. Can you inform me of how I might best do my duty? As leader of the Plaid Cymru parliamentary group, I have been invited to No. 10 at 6.15 pm, but I have also been invited to a meeting, at between 6 pm and 7 pm, with the Chancellor of the Duchy of Lancaster and the Secretary of State for Exiting the European Union. The meetings clash, and I seek your advice on how best to proceed.

Mr Francois: Follow the money.

Mr Speaker: Well, it is not for me to endorse or, indeed, to repudiate the right hon. Gentleman’s suggestion. The hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts) is clearly a much sought after individual. I have always regarded her as important, and I know she has a very full diary—no doubt there are many competing claims upon her time and, as I say, her attendance is required by noted celebrities within the Government. My advice to her is very simple: trust your instincts and, very simply, to thine own self be true.

If there are no further points of order, I will in a moment call Keir Starmer to make an application for leave to propose a debate on a specific and important matter that should have urgent consideration under the terms of Standing Order No. 24. The right hon. and learned Gentleman has up to three minutes in which to make such an application.

Article 50 Extension

Application for emergency debate (Standing Order No. 24)

3.4 pm

Keir Starmer (Holborn and St Pancras) (Lab): Thank you, Mr Speaker, for allowing time to hear this application for an emergency debate on the following motion: that this House has considered the matter of the length and purpose of the extension of the article 50 process requested by the Government. I note that the Standing Order No. 24 procedure requires a specific and important matter to be before the House, and I think there can be few more important than this.

Last week, the House passed a motion by a majority of 210 requiring the Government to request an extension to the article 50 process. The Prime Minister voted for that motion. The wording of the motion itself and the speeches from the Government Dispatch Box, including by the Minister for the Cabinet Office, led the House to believe that the Government would seek either a short technical extension, if the Prime Minister’s deal were passed by today, or a longer extension if that were not the case.

Parliament could not have expected the Prime Minister, instead, to pursue a course described at the Dispatch Box by the Minister for the Cabinet Office as “downright reckless”, yet today we learn that is exactly what the Prime Minister intends to do. She has now made a formal request to the President of the European Council for an extension of article 50, but she has not made a statement to this House.

Therefore, the only opportunity for Parliament to debate this issue before the Council meets tomorrow is through this Standing Order No. 24 application. It is vital that the Prime Minister and the Government are held to account on this and that we have an opportunity to scrutinise the Government’s approach, to consider the terms of the extension that is being sought and to ask whether this approach abides by the will expressed by the House last week.

I therefore ask for this emergency debate to be held at the earliest opportunity.

Mr Speaker: The right hon. and learned Gentleman asks leave to propose a debate on a specific and important matter that should have urgent consideration—namely, that this House has considered the matter of the length and purpose of the extension of the article 50 process requested by the Government. I have listened carefully to his application, and I am satisfied that the matter raised is proper to be discussed under Standing Order No. 24.

Has the right hon. and learned Gentleman the leave of the House? [Interruption.] I say as much for the benefit of those observing our proceedings that there is an objection from the hon. Member for Wellingborough (Mr Bone). I heard it very clearly, and he probably wants everyone to know. In those circumstances, it is necessary for at least 40 right hon. and hon. Members to rise in their places to validate the application, and it is entirely obvious that the right hon. and learned Gentleman has indeed obtained the leave of the House.

Application agreed to (not fewer than 40 Members standing in support).
Mr Speaker: It is commonplace for such debates to take place the following day, but it is by no means required that they should do so. I have on a previous occasion, because of the circumstances, ruled that such a debate should take place straightaway. This is such a circumstance. The debate will be held today as the first item of public business—that is to say after the ten-minute rule motion—and it will last for up to three hours, and it will arise on a motion that the House has considered the specified matter set out in the right hon. and learned Gentleman’s application.

BILL PRESENTED

FRACKING (MEASUREMENT AND REGULATION OF IMPACTS) (AIR, WATER AND GREENHOUSE GAS EMISSIONS) BILL

Presentation and First Reading (Standing Order No. 57)

Geraint Davies, supported by Jonathan Edwards, Tulip Siddiq, Neil Coyle, Caroline Lucas, Chris Evans, Dr Rupa Huq and John McNally, presented a Bill to require the Secretary of State to measure and regulate the impact of unconventional gas extraction on air and water quality and on greenhouse gas emissions; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 22 March, and to be printed (Bill 360).

Destitution Domestic Violence Concession (Eligibility)

Motion for leave to bring in a Bill (Standing Order No. 23)

3.9 pm

Kirsty Blackman (Aberdeen North) (SNP): I beg to move, that leave be given to bring in a Bill to require the Secretary of State to report on extending eligibility for the destitution domestic violence concession to European Economic Area nationals and persons other than those granted immigration entry clearance as a partner; and for connected purposes.

This Bill seeks to level the playing field, righting a significant wrong and protecting people at the time they need it most. In 2010, the UK Government introduced the destitution domestic violence concession, which gives those who entered the UK as a dependant on a spousal visa access to social security for three months while they apply for indefinite leave to remain in the UK, providing that their relationship ended due to domestic abuse. This breathing space is vital; without it, many domestic abuse survivors could not access housing benefit and so could not escape their homes. However, the DDVC is not open to everyone. There are increasing numbers of people who have no recourse to public funds yet did not come to the UK on a partner or spousal visa. If someone comes to the UK on a student visa, as a domestic worker or on a visitor visa, or they are here as an EU national but without settled status, they may have no recourse to public funds but will not be eligible to apply for the DDVC.

I am asking the UK Government to report on extending eligibility for the DDVC. As this is a ten-minute rule Bill, I cannot introduce a Bill whose main purpose is to have a charge on the public purse, which is why I am requesting that a report be made by the Government.

The issue first came to my attention because a pregnant European Union national who had no recourse to public funds came to my office. She had expected to be eligible for housing benefit, but because of her husband’s financial control over her she had not worked for long enough to have gained settled status. Financial control is a significant issue in many abusive relationships, meaning that EU nationals in abusive relationships are far less likely than others to have built up a right to reside here. I discussed this with the No Recourse, North East partnership, an organisation set up to advocate on behalf of those with no recourse to public funds in north-east Scotland and to work to ensure that those of us supporting individuals without leave to remain can give the best possible advice and assistance. The partnership confirmed to me that this was not an isolated case but was in fact the tip of an iceberg. Its concern and advocacy on behalf of individuals encouraged me to bring forward this Bill today.

Last year, I wrote to the Home Secretary asking for consideration to be given to extending the DDVC to European economic area nationals. I was genuinely convinced that this was an accidental oversight in the immigration legislation passed at the time, but the reply I received from the Minister for Immigration said:

“Our position is that we expect people who arrive in the UK as the partner of a temporary migrant to return to their home country if their relationship with that person breaks down.”
That is an unrealistic and unreasonable ask; many of those fleeing would be ostracised by their communities or would even be at risk of physical injury. The UK Government must now bring forward a report on extending eligibility for the DDVC. Organisations that support women have been raising this issue for some time. They are faced with the reality of women coming to them and asking for support. They are faced with the reality of women being forced to stay in, or even return to, abusive homes.

I have heard the story of a woman whose partner subjected her to severe emotional, physical and sexual abuse. He forced her into terminating pregnancies. She left with her young child to escape him and stay with family members, but they could not house her for long and she was forced to return to her husband. If she had had access to the DDVC, she would have been able to claim public funds, including housing benefit. Refuges and shelters are under pressure, feeling the squeeze of austerity. They are reliant on the ability to claim housing benefit on behalf of those they give a safe haven to. Without access to social security, many refuges do not have the funding to provide safety for those fleeing. With access to housing benefit this woman would have had breathing space and may have been able to gain safe, permanent housing, instead of having to return to a man who physically, emotionally and sexually abused her—her child is also in this home.

I have read a case study of an EU national woman with a young child who managed to escape an abusive home. She wished to return to her home country, but her partner obtained a court order preventing her from taking their child out of the UK. She is therefore forced to stay here but is refused access to public funds. She has no choices and no options left. She should have been treated with compassion and given support to access public funds and safe housing. Women and men are finding themselves and their children left destitute as a result of a lack of access to public funds. Getting out of an abusive home is difficult enough, but doing so when you do not have the certainty of a roof over your head or of food to feed yourself and your family is even harder. Survivors of domestic abuse should not be forced to rely on charitable organisations to provide the most basic necessities. The UK Government must step up to ensure that people have access to shelter, food, and specialist services that can begin to help healing the long-term damage caused by domestic abuse.

In addition to support from the No Recourse, North East partnership, the following organisations are among those that have been advocating for changes to the DDVC: Scottish Women’s Aid, Grampian Women’s Aid, Southall Black Sisters, Liberty and Refuge. I am indebted to them for their case studies and their work in highlighting the significant hardships and impossible choices many people face as a result of the narrow scope of the DDVC. I would also like to thank JustRight Scotland for its help, and the Public Bill Office for its invaluable assistance in drafting this Bill and getting the procedure right.

On Monday, I attended an event in Parliament chaired by the hon. Member for Birmingham, Yardley (Jess Phillips), and I am pleased to say that she supports this Bill. The event was supported by Southall Black Sisters and a number of other organisations. One of those speaking at the event detailed her experience as a migrant woman subjected to domestic abuse. She said:

“Little by little I was becoming invisible in this country. When I look in the mirror I do not recognise the person I am.”

This is not a comfortable issue to raise. Many of the first-person accounts I have seen and read have been absolutely harrowing. People are being forced into impossible choices; they are facing a choice between continued abuse, destitution, homelessness, further physical and emotional harm and returning to an abusive home, or returning to a country where they have no roots or will be at risk of further harm due to leaving a marriage. We owe it to those who are suffering to take on this issue and to commit to allowing them the chance of a better life. Being safe from physical and emotional abuse is a basic human right. I want to live in a country where we allow survivors of domestic abuse the ability to reach safety, but more than that I want them to have the safety to come forward and report their experiences to the police without fear that their immigration status will be questioned. We need a culture where the first priority is protecting people from harm, no matter what their country of birth, nationality or immigration status.

The current concession is open to women and men, and to those in civil partnerships or same-sex marriages. I would hope that the Government would extend the eligibility on the same basis. I also hope they will consider extending the DDVC from three months to six months, given the length of time involved and high cost that people can face when attempting to apply for leave to remain. This is a particular issue in areas such as mine where people may have to travel to Glasgow in order to submit an application. That is a costly journey and it takes at least three hours—so we are talking about the best part of a day to go both ways. At a time when we are all seeing increasing numbers of people caught in the Home Office’s hostile environment, with no access to public funds, it is vital that the UK Government make this change. Life for these women and men is hostile enough. The UK Government should allow them to access this life-saving concession to allow them to flee abusive homes.

Mr Speaker: Order. I am most grateful to the hon. Lady. Just before I put the question on her ten-minute rule motion, I hope that the whole House will want to join me in offering the warmest possible birthday wishes to her. She obviously knows how to enjoy herself on her birthday, and we are very grateful to her.

Kirsty Blackman I cannot imagine a more important way to spend my birthday, Mr Speaker.

Question put and agreed to.

Ordered.

That Kirsty Blackman, Stuart C. McDonald, Jess Phillips, Dr Sarah Wollaston, Angela Crawley, Liz Saville-Roberts, Caroline Lucas, Stephen Kerr, Danielle Rowley, Gavin Newlands and Jo Swinson.

Kirsty Blackman accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 22 March, and to be printed (Bill 361).
Article 50 Extension

Emergency debate (Standing Order No. 24)
House can get behind, so that we know why we are seeking the extension. That will begin to answer the question of how long an extension should be for.

Mr Jim Cunningham (Coventry South) (Lab): I fully agree with my right hon. and learned Friend's last point. The problem really is that the EU negotiators have said that there would have to be significant changes before they would look at an extension. The problem we have, certainly on the Back Benches and I am sure shared by my right hon. and learned Friend, is that nobody knows what the Prime Minister is going to ask the EU for in relation to that extension. Does he agree that it is disgraceful for the House to be kept in the dark in this way?

Keir Starmer: The problem with the Prime Minister's approach is that last week we voted on a motion that said she would seek a short extension if the deal was passed by today—that was in paragraph (2) of the Prime Minister's motion—and it has not been put before the House today, and that she would seek a longer extension if that was not the case. So, there was an expectation that the Prime Minister would do the opposite of what she has done today. Equally important is that there is a growing expectation that the House needs to have time to decide what happens next. A different Prime Minister might have reflected on what happened last week and come to the House this week to say, “I recognise that my deal is not going to get through as it is and I, the Prime Minister, will provide a process of some sort, or ask the House to help me with a process of some sort, to decide where there is a majority, so that we can move forward.” That is what is being missed in the letter.

Anna Soubry (Broxtowe) (Ind): As ever, the right hon. and learned Gentleman makes a powerful speech. He has given a description of what he would have expected the Prime Minister to do in the circumstances; what explanation does he put forward as to why the Prime Minister has not behaved in that way? Is it because she is stubborn, or is it because she is in the pockets of the European Research Group—the hard Brexiteers who are essentially running this country and this Brexit process? What does he think the explanation is?

Keir Starmer: The immediate concern is that the Prime Minister does not appear to be acting in accordance with her own motion of last week, but the deeper problem, which is what I am most concerned about, is that the Prime Minister still thinks that the failed strategy of the past two years, “My deal or no deal”—a blinkered approach with no changes and no room for Parliament—should be pursued for another three months. In other words, all she will do is use the three months in exactly the same way to bring back the deal over and over again—or as many times as she can without breaching the rules of the House—and try to force it through.

That is the strategy that she has been pursuing throughout these negotiations and it has failed badly. We must not allow another three months to be used up on the same approach.

The letter sent by the Prime Minister this morning makes two requests to the Council—that it approves the documents agreed in Strasbourg on 11 March, and that it allows three months for the Prime Minister to get the same deal through Parliament. If I have read and understood the letter properly, I think the Prime Minister may be planning to bring the deal back on the basis that the documents that were before us last time have now been approved formally at the Council, and that some domestic arrangements have been agreed with possibly other parties, which means that she can then say that the deal can now be put to another vote, notwithstanding the fact that the documents on the table are exactly the same as the ones that we voted on last week. Obviously, that will raise the issue as to whether that is in accordance with the Standing Orders of the House, which will have to be addressed at the time.

The letter continues, “it remains my intention to bring the deal back to the House.” That is not a new deal, but the same deal. That is extraordinary, given how the House voted last week. It does not reflect the motion that was passed. Paragraph (2) of the motion clearly mentioned a short technical extension if the deal was passed by today—that was when the Prime Minister had the intention of bringing the deal back for today—or a longer extension if that was not the case.

Chris Philp (Croydon South) (Con): I thank the right hon. and learned Gentleman for giving way. He said a few moments ago that there was no point in asking for an extension, particularly a long one, in the absence of a clear purpose. I gather from those remarks that he thinks a long extension is appropriate; can he confirm that? If he does think it is appropriate, will he tell the House what his purpose would be?

Keir Starmer: As I said earlier, I will get to purpose a little later in my speech.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): I wonder whether the right hon. and learned Gentleman can clarify something that he appeared to say just now, which was that the Prime Minister was not following her own motion because she had said in the third part of it that she would seek a longer extension. However, after reading the motion, I can say that it does not appear to say that. The first part says that she will seek an extension. The second part says that if the deal went through by today, she would seek a short extension, and the third part merely notes that if the deal did not go through and a longer extension was sought, it would require participation in the European elections. She did not say that she would seek a longer extension. I should be grateful if he could clarify that for the record.

Keir Starmer: I am grateful for that intervention because it allows me to read out what the Minister for the Cabinet Office said on this motion from the Dispatch Box. He was promoting the motion, and he actually voted for it, so perhaps what he said can be taken seriously. He said this at that Dispatch Box last week: “In the absence of a deal”—what he meant by that was a deal going through by today—“seeking such a short and, critically, one-off extension would be downright reckless and completely at odds with the position that this House adopted only last night, making a no-deal scenario far more, rather than less, likely.”—[Official Report, 14 March 2019; Vol. 656, c. 566.]
Those are the words spoken from the Government Benches on the interpretation of the Government’s own motion. In other words, if a deal had not gone through by now, the Minister for the Cabinet Office said that, in those circumstances, simply to go for a short, one-off extension would be “downright reckless” and would make a no-deal scenario more rather than less likely. Members in this House should be concerned about that.

Stephen Timms (East Ham) (Lab): I am very grateful to my right hon. and learned Friend. He is making a powerful case. The motion that the House agreed made it clear that, if there was not a deal by today, the likelihood would be that the European Council would require a longer extension. Is it his view that when the European Council meets tomorrow, they are likely to require that?

Keir Starmer: We will have to wait until tomorrow to see what the Council’s response is. It may simply say that it will consider any request, but it does need to know what the purpose is. This is where the Prime Minister may get into some difficulty. If she says that the only purpose is to allow her to keep putting her deal for the next three months, that may or may not be seen as realistic with regard to what will happen in the next three months. None the less, it is a question that the Prime Minister will have to answer.

Several hon. Members rose—

Keir Starmer: I will give way twice.

Mr Dominic Grieve (Beaconsfield) (Con): I am grateful to the right hon. and learned Gentleman for giving way. Just going back on his point—and he may agree with this—it is apparent that the remarks of the Chancellor of the Duchy of Lancaster were made not just out of the air, but in order to explain and justify the Government’s strategy on such an important issue purely subjective even in that case.

Keir Starmer: I do agree with that. The reputation of the Minister for the Cabinet Office in this House is that he is someone in whom others invest assurance and confidence because of what he says and the way in which he says it. It may also have been some preparation for the meaningful vote to come back this Tuesday with the message, “If you don’t vote for it next Tuesday, then the Government will have to apply for a different extension.” There was at least that dual purpose.

Mark Pritchard (The Wrekin) (Con): The emphasis on the word “short” is subjective, because for many people short people is long and long is short—[Interuption.] It is by definition subjective. Perhaps the right hon. and learned Gentleman is comparing one statement of “short” with another statement of “long”, but the matter is purely subjective even in that case.

Keir Starmer: I suppose that I accept the proposition that one person’s short may be another person’s long, but the words of the Minister for the Cabinet Office did not come in isolation or out of the blue; they came in the middle of a debate, which was quite heated at times, about what the motion meant and how we should interpret it. I do not think that anyone who was in that debate would, in all honesty, doubt what the Minister for the Cabinet Office was saying and what he meant by it, and I took “a short and, critically, one-off extension”—[Official Report, 14 March 2019; Vol. 656, c. 566] to mean an extension for up to three months with a cliff-edge at the end.

Wera Hobhouse (Bath) (LD): Does the right hon. and learned Gentleman not find it extremely regrettable that the Government’s strategy on such an important issue for the nation is to bamboozle everybody, so that nobody knows what was meant or what was said?

Keir Starmer: I certainly agree that this is not the first time that most of the people voting for a motion think it to be pretty clear, only to find that what it meant is disputed within a week.

Mhairi Black (Paisley and Renfrewshire South) (SNP): Is the right hon. and learned Gentleman as confused as I am? Given that we have had assurances from the Prime Minister and other Ministers that they know the will of the people and that the matter has been decided, if they are so sure, why are they so fearful of asking the people again?

Keir Starmer: That is really a question for the Government. My point is that we have to find a way through this impasse, and that requires us to come together as a House to consider and vote on the options and to provide a process for that. It is not helpful to put the deal, which has already been rejected, over and over with differing threats. Having accepted a motion last week to take no deal off the table, the Prime Minister is now trying to put no deal back on the table within a week by just changing the date of no deal, so that she can again ram the deal up against the deadline with the old “my deal or no deal,” response. I have no doubt that the three months will be run down and that we will get close to the June deadline with exactly the same strategy, which is the great cause for concern.

Lilian Greenwood (Nottingham South) (Lab): Does my right hon. and learned Friend agree that it is absolutely outrageous for the Government to bring back the same deal, just a week later, to see whether MPs have changed their minds, but completely refuse, almost three years later, to give the public the opportunity to say that they have changed their mind?

Keir Starmer: That is a powerful point. The argument that we were making last week was that, realistically, the deal had not changed since the first time it was put eight weeks earlier. There was obviously the suggestion that the Government would simply bring it back this week, without even pretending that there had been any changes, and just say, “It’s now a week further on. How would you like a different threat?” to see whether they could get it through. That has to stop.

Tom Brake (Carshalton and Wallington) (LD): I am unsure whether the right hon. and learned Gentleman is aware that today is the International Day of Happiness. Does he agree that one way of making both sides of the
Chamber happy might be to have a people's vote on the Prime Minister's deal that included the option of staying in the European Union? We can then all be happy, including him.

Keir Starmer: I am not sure how another day with me at this Dispatch Box and us here discussing Brexit could be considered a happy day in anybody's book.

Anna Soubry: The right hon. and learned Gentleman is being very generous in giving way. I am sure he is aware, though it may have escaped his note, that the Chancellor of the Duchy of Lancaster made the purpose of the Government's motion very clear in his opening remarks on Thursday 14 March, and that it is recorded in column 562 of that day's Hansard. As the right hon. and learned Gentleman has already told us, the Chancellor of the Duchy of Lancaster made it clear that the motion was to deal with this House approving the withdrawal agreement and a short extension, and he then said:

"If for whatever reason that proves not to be possible, we would be faced with the prospect of choosing only a long extension"—[Official Report, 14 March 2019; Vol. 656, c. 562.]

The Chancellor of the Duchy of Lancaster has said that more than once, and the purpose of the motion was extremely clear to the House.

Keir Starmer: I really do think it was clear to anybody who was in that debate. The Minister for the Cabinet Office also went on at least to hint that if the deal did not go through this week, he at least would be open to some sort of process by which the House could come to a different agreement and move forward; I think he indicated that that would be next week. Of course, on Monday we are due to vote and possibly amend the section 13 motion that the Government have to table as a result of the last meaningful vote failing.

Rachael Maskell (York Central) (Lab/Co-op): Does my right hon. and learned Friend agree that this is about not the length of the extension but its function? The EU will need to see either a change in the process—that is, a vote of the people of this country—or a very different deal. The Prime Minister's deal is clearly dead and cannot come back to life.

Keir Starmer: I agree. Also, it is not very seemly for the United Kingdom to be in a situation in which a deal is simply put and re-put and re-put and re-put. If it eventually got through by just a few votes after many times of trying and with threat levels changing, it would not be a proper basis for the future relationship with the EU because it will have lost all credibility; the meaningfulness is sucked out every time this process is repeated.

Geraint Davies (Swansea West) (Lab/Co-op): Will my right hon. and learned Friend give way?

Keir Starmer: No, I am going to make some progress. I will give way in a moment.

We are now acting in the absence of a deal, with the express will of this House to prevent no deal. One of my biggest concerns is that the Prime Minister's actions make no deal far more likely, not less—and that is the very issue that we were trying to deal with last week. If agreed by the EU, a short extension for the purposes of forcing through this deal would simply push the cliff edge back to 30 June, and we would start down the same track. The Prime Minister is repeating the same flawed strategy that she has been pursuing for two years in order to recreate the binary choice between her deal and no deal that this House rejected last week.

Mr Owen Paterson (North Shropshire) (Con): Will the right hon. and learned Gentleman give way?

Keir Starmer: I am just going to make some progress before I take any more interventions.

After voting as we did in last week's debate, we recognise that an extension to article 50 is now needed, and it is the failure of the Prime Minister's approach that has caused the requirement for an extension. Of course, any extension should be as short as possible, but it has to allow a solution to the mess that the Prime Minister has got the country into—to provide a route to prevent no deal, not to make it more likely. It also has to provide a way for this House to prevent the Prime Minister from forcing the same deal on us over and over again. That is why we believe that the focus in the coming days and weeks should be on finding a majority for a new direction—to allow the House to consider options that can resolve the current crisis.

For Labour, that centres on two basic propositions: a close economic relationship with permanent customs union and single market alignment; and a public vote with credible leave options and a remain option. Those propositions, and possibly others, need to be discussed and tested, and we need to come to a consensus to see whether we can move forward. That is what extension should be about, not about the narrow interests of the Conservative party and trying to keep the Prime Minister in post.

Thank you again, Mr Speaker, for allowing this debate today. I look forward to hearing the Secretary of State explain the Government's approach and how they plan to prevent Parliament from going back to the same place in three months' time.

3.44 pm

The Secretary of State for Exiting the European Union (Stephen Barclay): It is always a pleasure to follow the right hon. and learned Member for Holborn and St Pancras (Keir Starmer). He started his remarks by saying that the Prime Minister should be here to answer his SO24 debate, but then, slightly oddly, went immediately on to note that the Prime Minister had been here for just under an hour answering questions on the extension, in particular. Whether that, taken with two urgent questions to my Department this afternoon, an SO24 debate and much of Prime Minister's questions also being taken up on these matters, constitutes International Day of Happiness, as the right hon. Member for Carshalton and Wallington (Tom Brake) mentioned, I leave it to others to determine.

Joanna Cherry (Edinburgh South West) (SNP): The Secretary of State might be wise to be aware of the fact that the Prime Minister's letter to Donald Tusk was not
released until after Prime Minister’s questions had started, and it was not released to this House but to journalists. Is that not the case?

Stephen Barclay: It is always good to take wisdom from all sources. My understanding is that the letter was placed in the House of Commons Library. On the precise timing of that, given the length of time that Prime Minister’s questions ran, I think it was probably in the Library while she was still answering questions.

Alison McGovern (Wirral South) (Lab): The Secretary of State has been standing here describing how much time this House has spent talking about Brexit, but that is not the problem. The problem is that we are nine days away from leaving and the Government appear to have no policy. Is that not the case?

Stephen Barclay: The hon. Lady is correct that the House has spent a lot of time talking. What the House has not done is spent a lot of time deciding, and what we have seen is what the House is against.

Anna Turley (Redcar) (Lab/Co-op): There is a famous phrase that the definition of insanity is doing the same thing over and over again and expecting a different result. We have kicked the deal out twice and historical precedent in this place says that it cannot come back again. The EU has said that it is not going to accept an extension unless something different comes forward. At what point will we accept that we have got to go back to the people to put an end to this, because we cannot keep going over and over the same thing?

Stephen Barclay: Well, I do wonder whether the hon. Lady is describing her own Front Benchers’ policy, because they have put forward a proposal that the House has rejected and yet seem to be intent on still putting forward the same policy. From speaking to EU leaders, as I know the right hon. and learned Member for Holborn and St Pancras will have done, what consistently comes across from senior figures in the EU is that the proposal put forward by the Leader of the Opposition is simply not credible. For example, the hon. Lady thinks that he can retain control over state aid and that he can have a say on EU trade deals. These are things that are simply not on offer.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Secretary of State seems somehow to be surprised that the House has been asking urgent questions today, has been seeking this debate, and has been subjecting the Prime Minister to scrutiny. This is the greatest crisis that this country has faced since Suez. Countries around the world are looking at us, our international reputation in tatters. Our businesses are losing jobs and investment day by day, and we are peeing millions of pounds down the drain that could have been spent on our public services. And he wonders why this House is asking questions. It is absurd.

Stephen Barclay: With respect to the hon. Gentleman, that was not the point I was making. Of course it is quite right that the House asks questions. Mr Speaker, you have always personally championed the House asking questions—indeed, urgent questions are something in which I think, quite rightly, you take much pride.

But the point that the hon. Gentleman is not addressing is that people around the world also look to this country to respect its democracy. They say that this House gave the people the decision. Indeed, the Government of the day wrote that we would honour that decision, but—[Interruption.] He chuntered from a sedentary position, but what is damaging to our reputation around the world is a sense of our asking the people for a decision and then not acting on it.

Hilary Benn (Leeds Central) (Lab): I am very grateful to the Secretary of State for giving way. Could he give an answer to this simple question? The Prime Minister has revealed today that she has applied for a short one-off extension, and yet her de facto deputy described such an extension as “downright reckless” from the Dispatch Box last week. Could the Secretary of State explain to the House what the Chancellor of the Duchy of Lancaster was thinking of when he made that statement?

Stephen Barclay: First, I refer the right hon. Gentleman to the comments that my right hon. Friend the Prime Minister made on that very issue when she was asked about it more than once at Prime Minister’s questions. It also relates to the point that the right hon. and learned Member for Holborn and St Pancras made in his opening remarks. He referred at length to paragraph (2) of the motion last Thursday. The point about that motion was that it was conditional on a meaningful vote taking place, which has not happened.

The right hon. Member for Leeds Central (Hilary Benn), as so often, raises a very serious point as Chair of the Exiting the European Union Committee, but my right hon. Friend the Chancellor of the Duchy of Lancaster was also talking in the context of what EU leaders would be willing to give. If we look at the public statements of EU leaders, we see that they have said there is very little appetite in Europe for a long extension, particularly when they see the uncertainty that we have had in this House.

Rebecca Pow (Taunton Deane) (Con): I thank the Secretary of State for giving way; he is very generous with his time. It was put to him just now that we have no plan, but the plan is the deal. The only plan that Labour has put to us is closer alignment with the customs union, which is basically staying in the EU, and that is not what the people voted for. The people voted to come out, and all this obfuscating is only delaying that. Does he agree that we have to consider business, and the longer we dispute, discuss and debate and the less we come together, the more difficult it is for the economy and our businesses?

Stephen Barclay: My hon. Friend is right to say that businesses in Taunton Deane and, I am sure, elsewhere have made clear their desire to see this deal backed and to address the uncertainty that we face. People have been saying to my right hon. Friend the Prime Minister that she should compromise. She has compromised—she did not want to have an extension. She has listened and acted on that, but the House has to compromise.

Mark Pritchard: Is not the only way to avoid no deal to vote for the withdrawal agreement, and the only way to vote against a long extension is to vote for the withdrawal agreement? Is there not some intellectual
inconsistency in the Opposition’s argument? They say they want to put a vote back to the people based on a deal, but they are suggesting that the Prime Minister does not really want a deal and wants no deal. That is not consistent.

Stephen Barclay: My hon. Friend is right that not only the Prime Minister but the EU says that the only deal on the table after over two years of negotiation is the deal that she has negotiated.

Norman Lamb (North Norfolk) (LD): The Secretary of State says that the House is not very good at deciding what it wants, but we are crying out for the opportunity to vote for what we want. He said that countries around the world are looking to us to respect democracy. Will he respect democracy in this House and give us the chance to vote on that now?

Stephen Barclay: The right hon. Gentleman talks about respecting votes and whether the House has had an opportunity to vote on issues. His party wants a second referendum—a people’s vote—yet we had a vote on that issue last Thursday. Indeed, the right hon. and learned Member for Holborn and St Pancras did not vote for a people’s vote. If the right hon. Member for North Norfolk (Norman Lamb) is going to practise what he preaches, I say with respect that we had a vote on the people’s vote last Thursday, and the House spoke on that.

Several hon. Members rose—

Stephen Barclay: I will give way one more time and then make some progress.

Rushanara Ali (Bethnal Green and Bow) (Lab): I thank the Secretary of State for giving way. The Prime Minister has proved that she is not prepared to give us the opportunity to consider alternative options in the light of the failure of her deal twice. She is putting us in danger of crashing out by the end of next week, which means a real danger of food shortages, medicine shortages and potentially civil unrest. If that is the case, will the Government commit to revoke article 50?

Stephen Barclay: The hon. Lady is usually one of the most forensic questioners in the House, but on this issue I am afraid that I fundamentally disagree. First, the Government have made it very clear that we will not revoke article 50, because we are committed to delivering on the referendum result. Secondly, it is again a slightly illogical charge for the hon. Lady to say that the Prime Minister is seeking to crash out on 29 March when she has today sought an extension to the end of June.

Wes Streeting (Ilford North) (Lab): Will the Secretary of State give way?

Stephen Barclay: I will give way once more, and then I will make some progress.

Wes Streeting: One of the reasons why we wanted the Prime Minister here this afternoon is that, whatever her shortcomings, we can at least trust that when she stands at the Dispatch Box she believes every word she says. That cannot be said for the Secretary of State, who can make an argument in one breath and then vote in the other Division Lobby in the next. [Interruption.] He should not be laughing this afternoon—by the way, people are laughing at him, not with him—because we are nine days away from crashing out with no deal, there is no sign of a plan from the Government and even the extension letter the Prime Minister has submitted fails the basic test of explaining why an extension is required. Is not the simple reason that there is no plan, and if there is a plan, what is it, Stan?

Stephen Barclay: I think the hon. Gentleman is wilfully misrepresenting the way the amendable motion played last Thursday—the fact that amendments were defeated—and we have given a further commitment to an amendable motion on 25 March. Perhaps his frustration is displaced from his frustration with his own Front Bench, because what we have not had from the Leader of the Opposition is clarity about when a second referendum will be put.

Several hon. Members rose—

Stephen Barclay: Given that it is my right hon. Friend, I will give way.

John Redwood (Wokingham) (Con): Will the Secretary of State give way?

Stephen Barclay: I am conscious that this is a time-limited debate, so I should make some progress.

We have requested an extension under article 50(3) of the treaty on the European Union until 30 June, as it is now not possible to ratify the deal before 29 March. The request to the President of the European Council, delivered today by my right hon. Friend the Prime Minister, gives us a final chance to uphold the democratic responsibility to deliver Brexit in an orderly way. As requested, my right hon. Friend the Prime Minister has set out the intentions of this Government, and the letter has been placed in the Library.

John Redwood: Will my right hon. Friend confirm that we have had plenty of time to consider all the other options? Throughout the proceedings on the EU withdrawal Bill, a lot of options were tabled and vetoed, and again last week, we had a series of indicative votes. I think every option has been looked at, and the truth is that they were voted down.

Stephen Barclay: My right hon. Friend is right in that the suggestion that this House has not had sufficient time—that was one of the points made earlier—self-evidently does not reflect the extensive debates we have held. The idea that the House has not had the opportunity to express its will, when it has done so repeatedly on the issues, including last Thursday, is simply not credible.

Dr Sarah Wollaston (Totnes) (Ind): Will the Secretary of State give way?

Stephen Barclay: I should make some progress, and I am conscious, Mr Speaker, that you will no doubt say I am taking too many interventions, but given it is the hon. Lady, I will give way.
Dr Wollaston: The Secretary of State will know that this House has rejected the Prime Minister’s deal twice by historic margins now—it is neither the will of the House nor the will of the public—and it has also rejected very resoundingly leaving with no deal. However, we have not yet had in Government time an opportunity to do just what he asks, which is for the House to give an indication of what it would support. Will he support bringing forward the opportunity to give an opinion on indicative votes in the next week, preferably on Saturday?

Stephen Barclay: I am not sure that Saturday would be the most popular of responses with colleagues across the House, but we have given a commitment, as the hon. Lady knows, to a meaningful vote on Monday and, following that, there will obviously be opportunities for the House to have its say. Let me make some progress.

Any extension is the means, not the end, but any extension of whatever length does not allow this House to escape its responsibilities to decide where it stands: whether to keep its commitment to deliver on the decision it gave to the British people or to walk away from doing so. Nor should an extension mean that a guerrilla campaign can be run to overturn the result of the referendum and frustrate the will of those who voted to leave.

I disagree with the suggestion of the shadow Chancellor, who is not in his place, that any extension should be open ended. I think he said that it should be “as long as necessary”. Indeed, he was at odds with other Labour Front Benchers. The right hon. Member for Islington South and Finsbury (Emily Thornberry) said only the day before that the Labour party would back an extension just to July because “it would be inappropriate for us to stand for the European Parliament”.

An open-ended delay would be likely to mean no Brexit and disregarding the votes of the 17.4 million people who voted to leave.

We now need to use any additional time to ensure that an orderly Brexit is delivered. The Leader of the Opposition has not said to date how long an extension he seeks. I do not know whether Labour Front Benchers wish to use the opportunity of this emergency debate to put on record exactly how long an extension they support.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): Will the Secretary of State give way?

Stephen Barclay: Will the hon. Lady clarify Labour policy on the length of the extension? I look forward to hearing her date.

Catherine McKinnell: The north-east chamber of commerce has stated that its members do not want a messy and disorderly exit from the EU. They are perplexed by the Government’s allowing a no-deal scenario to be seen as a credible outcome. They have asked for article 50 to be extended for a sufficient time to enable the Government to engage fully with businesses and stakeholders to form a consensus on Brexit. Will the Secretary of State stop ignoring the will of thousands of job creators in the north-east?

Stephen Barclay: What is remarkable about that intervention is that chambers of commerce up and down the country have been saying, “Back the Prime Minister’s deal” because they want the certainty that it offers. I am therefore grateful to the hon. Lady for drawing the House’s attention to the voice of business. It is not a voice that usually gets much of a hearing on the Opposition Benches. I note that the hon. Lady ducked the challenge. I have still not heard anyone on the Opposition Front Bench tell us how long an extension they seek.

Geraint Davies rose—

Stephen Barclay: We have a volunteer! We look forward to hearing the date from the hon. Gentleman.

Geraint Davies: Given that it is clear from the historic votes that we cannot agree the deal in this House, and given that the Government confidently say that they are reflecting what the people voted for, surely they have the confidence to put that back to the people, in which case the extension should be longer than the 22 weeks needed for a public vote—that is five months, of course. I therefore suggest that nine months is an appropriate period to keep all our options open.

Stephen Barclay: The hon. Gentleman has not even persuaded Labour Front Benchers of his position. He says that he wants a nine-month extension, yet we have no clarity from the Labour Front Bench. He also says that he wants time for a second referendum, but I have yet to hear clarity about the question. Would there be two questions or three? Would “remain” and “leave” be on the ballot paper?

Geraint Davies rose—

Mr Kenneth Clarke (Rushcliffe) (Con) rose—

Stephen Barclay: I have given way to the hon. Member for Swansea West (Geraint Davies) once and I think the Father of the House wants to intervene, so I will obviously let my right hon. and learned Friend intervene in a moment. However, even the question for a second referendum, as well as the length of time it would take, is unclear, and the hon. Gentleman cannot persuade Labour Front Benchers of his policy.

Mr Kenneth Clarke: We are sadly wandering around the point of how long and why we are having an extension, with Front Benchers on both sides, with respect, not being altogether clear. Are there not various basic facts? First, if the withdrawal agreement is defeated again, that cannot be the agenda for any further extension. Secondly, useful negotiations in Brussels will be very limited for the next few months because a new Parliament is being elected and a new Commission is being appointed, so we will not be able to get under way till some time in the summer. If we use that time for the British generally—Parliament and Government—to reach some conclusions about what we are pursuing, some time after that will still be needed. I would have thought that until the end of the year is the very minimum time that is needed to sort out this crisis sensibly and constructively from now on. We have not been doing that thus far.

Stephen Barclay: The Father of the House makes a very reasonable and well-made point. Indeed, it is a point I have made to some of my colleagues, who voted leave in the referendum—if they continue to fail to support a meaningful vote then the House may opt for a softer form of Brexit. That is a risk that many who
campaigned to leave need to be mindful of. The equivalent risk, for those who may cling to that life raft as a preferable option, is that it remains unclear whether the House would then ratify that, given the way the withdrawal agreement Bill would need to be passed. It is a major piece of proposed legislation and the sustainability of that coalition would come under question with the subsequent risk of a no-deal outcome.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): The Secretary of State's favourite outcome is the acceptance of the Prime Minister's deal. If that cannot happen, what is his second preference? It does not sound like he is very much in favour of extension. The only two sovereign, independent choices to be made are no deal or revocation of article 50. Which one would he go for: over the cliff or turn back?

Stephen Barclay: I forgive the hon. Gentleman for not necessarily having listened to various media rounds where I answered that question on multiple occasions. If we take it to its absolute extreme—I think I have been very clear on what I think about both outcomes—no Brexit is hugely damaging democratically and a no-deal outcome is very damaging economically. Of the two, I think no Brexit is more fundamentally damaging to our country. I have made my view clear. That is notwithstanding—also being clear—that no deal would be economically disruptive, but I think it would also have difficulties for our Union, not least because the hon. Gentleman would seek to exploit a no deal in terms of a future indie referendum. I think both outcomes are undesirable, but, as the Prime Minister has repeatedly set out at the Dispatch Box, there are only three outcomes. However much Parliament might want to kick the can down the road and delay this, there are only three outcomes that we can have: no Brexit, no deal, or to back the Prime Minister's deal, which the EU itself has made clear is the only option.

Several hon. Members rose—

Stephen Barclay: I will give way once more and then I will wrap up, because I am conscious of time.

Stephen Timms: In his last speech in the House, the Secretary of State commended a Government motion to us and then voted against it. Will he explain to us what on earth he was doing?

Stephen Barclay: Again, I touched on this in various media rounds I did yesterday. The point, looking at the entirety of my speech, is that all of my speech except the final line addressed the substance before the House that day: the amendments, in particular the amendment from the Chair of the Exiting the European Union Committee, the right hon. Member for Leeds Central, which would have taken control of the Order Paper away from the Government. I happen to feel, and the Government felt, that that was not just damaging to Brexit but constitutionally significant. As the right hon. Gentleman will know, the Government won that vote by two votes. There were three votes. What was reported was that the conclusion of the speech was quickly followed by a vote. What actually happened was that the three amendments were defeated and it was only at that point, following a commitment to a further amendable motion on 25 March, that the Chief Whip was in a position to change the Whip. So it was not just my view that changed, but the Chief Whip's and the Government's.

[Interruption.] He chunters a way. He asked a question and he is getting a straight answer.

Several hon. Members rose—

Stephen Barclay: I am conscious that I have taken quite a lot of interventions. Three years after the country voted to leave, Parliament continues—

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): On a point of order, Mr Speaker. Almost surreptitiously, the Secretary of State announced a couple of sentences ago that we were going to have the next meaningful vote on Monday. That has not been announced in this House. I had no knowledge of it. The Father of the House has been making sensible suggestions for how we can, together, progress what we want to get out of the deliberations. Those will be confounded by the fact that the meaningful vote is being brought forward to Monday.

Mr Speaker: My understanding—

Stephen Barclay: It is an amendable motion.

Mr Speaker: Order. We will hear from the Secretary of State in a moment, but my understanding was that he had specified a meaningful vote on Monday. I thought that he used the words “meaningful vote”, but I may be incorrect; if so, he can clarify that. [Interruption.] Order. It is certainly the case that there is due to be a motion, pursuant to earlier resolutions of the House, and that it is due by Monday; I believe that it is listed in the remaining orders. My expectation is that there will be such a motion on Monday. Perhaps the right hon. Gentleman could helpfully clarify to the House precisely what the Government intend for Monday—assuming that they know—and what they do not intend.

Stephen Barclay: I am very happy to clarify: what I was referring to was the amendable motion that the Government have committed to. I refer back to the remarks of the Chancellor of the Duchy of Lancaster, who made that commitment on the record in Hansard.

Three years after the country voted to leave, Parliament continues to debate the manner in which we should leave, while some, having stood on a manifesto to respect the result, work tirelessly to frustrate that decision. The EU has repeatedly made it clear that after two and a half years of negotiation, the Prime Minister’s deal is the only—

Stephen Doughty: On a point of order, Mr Speaker.

Mr Speaker: I am sorry to interrupt, Mr Speaker, but I am afraid that I am not satisfied with what the Secretary of State says. Given its importance in relation to next week’s business, I wonder whether it is possible to check with the Official Reporters of Hansard what the Secretary of State actually said. He has said lots of
different things at the Dispatch Box before and left the House in confusion, and all sorts of rumours are swirling around about what is happening on Monday.

**Mr Speaker:** It would be difficult to get it immediately, although those who take down verbatim what is said in this House work extremely skilfully and conscientiously, so it is reasonable to expect that what was said will wing its way to the Chair before very long. Moreover, if the Secretary of State in any sense misspoke, it is open to him to clarify what he meant.

**Stephen Barclay:** If I did misspeak, of course I will apologise to the House and seek to clarify the record. I think the point being made was about a meaningful vote—sorry, I have just done it again; it was about an amendable motion. That was the point, and I think the shadow Secretary of State accepts it: we were referring to an amendable motion.

**Mr Sheerman rose**—

**Stephen Barclay:** I give way.

**Mr Sheerman:** The Secretary of State is very kind, but I pulled him up on a point of order because I thought I had heard what he said. Will he address the concern that the Father of the House keeps raising? If we rush into this, we will not have time to do exactly what the Father of the House has been proposing: give ourselves some objectives, so that we know that we are going into Europe to say, “In this extra time we have, this is what we think is achievable.” This House could come together and do that, but if we have too early a vote, we will have no chance to get our house in order and do it.

**Stephen Barclay:** The hon. Gentleman’s interventions are always very reasonable. I am grateful for the opportunity to clarify on the record that I was referring to the amendable motion. On the substance of his point, we will come back on Monday and set out at the Dispatch Box exactly how we will honour the commitment that was given by the Chancellor of the Duchy of Lancaster.

**Several hon. Members rose**—

**Stephen Barclay:** I am conscious that I have used a lot of time, so I will conclude.

**Anna McMorris (Cardiff North) (Lab):** Will the Secretary of State give way?

**Stephen Barclay:** Well, once more—go on.

**Anna McMorris:** I am very grateful. A few moments ago, the Secretary advocated no deal over no Brexit. That is wholly irresponsible and will cause huge problems in our communities and for our businesses. This short extension only pushes a no-deal brick wall a few months down the line. Will he confirm that he is not advocating no deal over no Brexit? That is not what we want.

**Stephen Barclay:** What I am advocating is a deal, because I accept that an outcome of either no Brexit or no deal is highly undesirable. Going back on the referendum result and on the hon. Lady’s own manifesto pledge at the last election would be hugely damaging to our democracy and to public trust in this institution.

In seeking a short extension to 30 June, the Government intend to bring the deal back to the House as the best means of ensuring an orderly exit. If, however, the House continues to refuse a deal, and if alternatives through other votes do not provide sufficient numbers for both a deal and ratification, it is clear that the House will need to decide between no deal, a softer Brexit and no Brexit at all. Some Members would prefer a general election to no deal, which is why those of my colleagues counting on a no-deal outcome are set to be frustrated, and others who think that Brexit can be stopped by holding European parliamentary elections and so enabling further long extensions might find that some Members prefer other outcomes. The best way for the House to deliver on the will of the people in the referendum is to support the Prime Minister’s deal. That is the way forward and is how the Government should proceed.

4.15 pm

**Peter Grant** (Glenrothes) (SNP): I am grateful for the chance to speak in this debate, and I commend the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) for having secured it.

Despite the Secretary of State’s protestations—I can understand why, out of loyalty to his Prime Minister, he has to make them—the Prime Minister’s deal is finished. She will not get that deal through next week. She will not get any changes to it this week, this month or even this year. She is now acting like a motorist who brings a car back to the garage week after week and then runs to the press expressing her frustration at the mechanic for refusing to take a decision to give an MOT when it is perfectly obvious that she is driving a clapped-out old banger that should have been consigned to the scrapheap weeks before. An extra coat of paint on this deal will not make it road worthy; it should be scrapped, and if there is to be any attempt at a deal, it has to be a deal reached on the basis of consensus and engagement with the whole House, including the 90% who do not agree with the Prime Minister’s vision.

The options are a significant extension, not just for a few weeks or a couple of months; the complete revocation of article 50, which would give a future Government the option of trying again; and crashing out with no deal. It was very noticeable today at Prime Minister’s questions that the Prime Minister repeatedly went through a litany of options that she was refusing to take forward because the House had voted them down. None were voted down by anything like the same calamitous margin as the option she is now determined to bring back for the third time, in flagrant violation of the traditions of the House, which—remember—was supposed to get sovereignty returned to it by this whole Brexit fiasco. Given that the Prime Minister has failed twice to get her deal through the House, surely it is well past time that she and her Government accepted it is not Parliament that is out of step but the Government.

**Mike Wood** (Dudley South) (Con): The hon. Gentleman is misinformed. Last week, the House voted down a proposal for a second referendum by 249 votes, which was a crushing defeat for the amendment and demonstrated that there was no support for a second referendum in the House.

**Peter Grant:** One of the Prime Minister’s own allies has just argued very eloquently why the Prime Minister’s deal should also be dead.
With 15 days to go to the cliff edge, Parliament voted to ask for an extension. The Prime Minister quite deliberately used 40% of the available time to do absolutely nothing. Having made a statement on Friday saying she would write this urgently needed letter, it still took her five days. What was she doing? Looking for a pen? A stamp? I could have given her either if she had asked.

Angela Crawley (Lanark and Hamilton East) (SNP): We have heard repeatedly from across the Floor that the Government have to follow the democratic will of the people. Does my hon. Friend accept that the 2017 elections to this House and the 2016 elections to the Scottish Parliament also represented the democratic will of the people, that both the Scottish Parliament and SNP Members in this House have repeatedly and resoundingly called for the Government to listen to Scotland and that time and again they have failed to listen to either the Scottish Parliament or this House?

Peter Grant: That is a valid point. It is worth recalling that the only time in 25 years when the Conservatives have had a majority in this place was when they had stood on a manifesto to keep us in the single market and the customs union. As soon as they stood on a manifesto to take us out of the single market and the customs union, their majority vanished like snow off a dyke.

Heidi Allen (South Cambridgeshire) (Ind): I think it worth ensuring that the House is aware that in the last five minutes Donald Tusk has confirmed that a short extension will be made available only if the House approves the withdrawal agreement next week. That is clearly not going to happen. Does the hon. Gentleman agree that there should be no more smirking at the Dispatch Box, no more playing games and no more poker about no deal? The Government are on the edge of bringing this country down. No more! The Prime Minister must bring indicative votes to the House as a matter of urgency and a national imperative, because the risk that is facing us right now, given that the withdrawal agreement will not succeed next week, is that we are looking at no deal.

The House must be allowed to exercise its democratic mandate on behalf of all our constituents. We must have those indicative votes, unwhipped. Let us not play the game of saying that the House has had the opportunity. We all know how the whipping system works. We need free votes to enable us, as Members of Parliament—representatives of the wellbeing of our constituents—to have our say and to stop this madness now.

Peter Grant: I agree with a great deal of what the hon. Lady has said. Perhaps the most telling phrase that she used was “no more playing games”. This is indeed a game to many of these people. Far too often, when we are talking about the most serious threat that these islands have faced during peacetime in recorded history, we see smirks and joking on the Government Front Bench every time an Opposition Member speaks.

I find it incredible that the Secretary of State—perhaps he will now put down his phone—took the best part of half an hour to explain why the Prime Minister was justified in going against the clear will of the House yet again after last Thursday’s vote, and spent about half that time throwing eggs and tomatoes at the Opposition Front Bench. I agree with him to an extent—I do not think that the Labour Opposition’s position has been at all clear, and I do not think that they have been an effective Opposition—but there is no excuse for any Government to say, “We have not caused this disaster by being in government; someone else caused it by not being a good enough Opposition.” If the Government cause a disaster, the Government, and no one else, are responsible for it.

Angus Brendan MacNeil: May I pursue the intervention from the hon. Member for South Cambridgeshire (Heidi Allen)? It seems that there are also rumours on Twitter that the Prime Minister is talking about a general election. Surely it would be the height of irresponsibility to leave the United Kingdom in the furnace of economic meltdown to run a general election without first revoking article 50. If the Prime Minister is calling a general election, she must write a letter to Brussels to get article 50 revoked before she can hold any general election. Anything else would be utterly irresponsible. There is no time: a letter must be written first.

Peter Grant: It might well be irresponsible, reckless and thoroughly irrational, but that does not mean that this Prime Minister will necessarily rule it out.

Within the last three or four days—the right hon. Member for Broxtowe (Anna Soubry) made this point very well earlier—we have received a clear message from the Government. They plainly intended the House to believe that we would be voting for a long extension if the agreement were not accepted.

The Prime Minister has whipped herself to vote against a motion that she herself tabled and presumably supported at the time when she tabled it. The Secretary of State—although he tried to say that this was not what he had done—has commended a motion and later voted against it. As two Members have pointed out, the Chancellor of the Duchy of Lancaster, on behalf of the Government, has said that asking for a short, one-off extension would be reckless, a few days before the Prime Minister, on behalf of the Government, went off and asked for a short, one-off, reckless extension.

The Under-Secretary of State for Exiting the European Union, the hon. Member for Spelthorne (Kwasi Kwarteng), who is present, told us that there had been many votes in the House against Scottish National party amendments for revocation. There have not; there have not been any. He told us that the presidential rules for the Joint Committee under the withdrawal agreement did not provide for delegations. Rule 3 of annex VIII refers explicitly to delegations, so the Minister was wrong again. The same Minister told my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) that during the transition period we would still be in the European Union. That was a clear statement from the Dispatch Box, and it was absolute nonsense.

We have reached a point at which the House can no longer take at face value anything said by Ministers at that Dispatch Box. One of the most ancient and surely most sacred traditions of this House is that when a Minister speaks at the Dispatch Box, their word can be taken as being correct. That no longer applies, not through any ill will on behalf of individual Ministers but because far too often a Minister says something
that was true today and different Ministers say something tomorrow that makes it cease to be true. This is no way to run a Government and no way to run a Parliament.

Anna Soubry: I do not know whether the hon. Gentleman was in the House on, I think, Monday when the Under-Secretary of State for Exiting the European Union, the hon. Member for Spelthorne (Kwasi Kwarteng), who is present now, was answering an urgent question or whatever—there have been so many—stood at the Dispatch Box and said it is “very plain that if we are given the meaningful vote, we will seek a short extension, if we get that through the House, and if we do not, we will seek a longer extension.”—[Official Report, 18 March 2019; Vol. 656, c. 818.]

So that is yet another Minister giving a promise—a commitment—at that Dispatch Box which, with respect, has not been worth the paper it has been printed on in Hansard.

Peter Grant: I thank the right hon. Lady for giving yet another example. It is becoming increasingly clear that when Ministers come to the Dispatch Box to defend their Government’s handling of Brexit, they will say what they think needs to be said, and if it happens to coincide with the truth that is useful, but if it does not, someone has to come back afterwards and correct it. How can we expect European negotiators to have any faith in what British Government representatives are saying when time and again it is abundantly clear that we cannot take at true face value anything Ministers say from the Dispatch Box? We have a system of government and Parliament that depends entirely on being able to trust what Ministers are saying, and Ministers are simply not bothering to check the facts before they declare them in some circumstances.

Wera Hobhouse: Does the hon. Gentleman agree that the real crisis of democracy is not that we are asking the people again, because I can never understand why more democracy can be less democracy, but that this Government ignore democratic votes in this House?

Peter Grant: That is part of the crisis of democracy, but it is certainly not the only part of our democracy that is in crisis.

The Government claim to be working to respect the will of Parliament and the will of the people, although it has been made perfectly clear that the people are not allowed to change their minds. The about-turn from the Chancellor of the Duchy of Lancaster’s speech to the Prime Minister’s actions, both on behalf of the Government, tell us that five days is enough time to allow 100% of the Cabinet to change their minds but almost three years is not enough time to allow 3% of the population of these islands to change their minds, because it only needs 3% of the population to change their minds to get a different result in another referendum. The Government think there has been a significant shift in public opinion; that is why they do not want to allow the public to have another say. If they were confident that leave would win another fair, un cheated referendum they would not be running away from it so quickly.

Wayne David (Caerphilly) (Lab): There is a rumour that the Prime Minister intends to make a statement in No. 10 this afternoon, or this evening possibly. Does the hon. Gentleman agree that it would be far more appropriate—in fact, it would be an insult to this House if this was not the case—for her to come here first before making any such statement?

Peter Grant: I am not sure that what is appropriate and what is an insult to this House is a consideration for the Prime Minister and indeed the rest of the Government; they will do what they think will get their way through Parliament regardless of whether it upholds the traditions of this House. I find it astonishing that I am defending the traditions of this place to a Bench full of Conservative Ministers. When I first got elected, I never thought I would be doing that, but we have a Government who have been held formally to be in contempt of Parliament and I believe a lot of their actions—certainly in the past couple of weeks, and what they intend to do next Monday by all accounts—demonstrate that that contempt of Parliament has only deepened since the House had to pass that shameful resolution against them last year.

Several hon. Members rose—

Peter Grant: I have given way a good number of times and need to make some progress.

When we see the First Ministers of the national Governments of Scotland and Wales being frozen out almost completely and the leader of a non-governmental party effectively being able to pull the strings of half the Conservative party—the leader of a party whose total election vote in 2017 is smaller than the population of Scotland’s second city, not even our biggest city—we have to wonder where the democratic principle in that is.

It became quite clear last weekend that attempts to persuade DUP Members to back the deal were not about persuading them that it was actually better than they had thought, or that the backstop was not as big a threat to them as they had thought; it was about trying to find out how much money could be dug out of the Treasury to buy their support. What kind of an honourable way is that for a Government to work? We know that DUP Members do not agree with the deal, and that they think it will be damaging to their constituents, but the Government are trying to send in money so that their constituents will not notice how damaging it is. In any other context, that practice would be viewed very differently; it would not be considered an honourable practice at all.

Bill Grant (Ayr, Carrick and Cumnock) (Con): The hon. Gentleman mentioned how minorities can lead a majority. Is it not the case that in Scotland, a small group of six, rather than the Government, has inflicted tax rises on the people of Scotland?

Peter Grant: There is an important difference there. The reason that the Scottish Green party was able to have some influence on the Scottish Government’s business is that when it was invited to talks, it accepted the invitation. Other parties with significantly more political clout, and therefore presumably much more opportunity to influence those talks, choose not to accept their invitations. They went away in a huff. They wanted to have something to complain about, but they could not find anything proper to complain about so they invented something. We heard their bogus outrage about a tax
that has actually been legalised and is part of the policy of the hon. Gentleman's own party within this Government. The Conservative party did not take part in discussions with the Government of Scotland because it turned down the invitation to do so. Our party has often not taken part in discussions with the Government of the United Kingdom because we have not even had an invitation, and neither have any of the other parties represented here apart from the DUP—although it has no representatives here today.

The United Kingdom faces a grim choice between two futures. We are now almost hours, rather than days, away from the time when the only option left will be to revoke article 50 or to plunge off the cliff edge without a deal. We are running out of time for anything else. The Prime Minister has taken us 99% of the way from the referendum to cliff edge day, yet she still has no idea how she is going to avoid the cliff edge.

The people of Scotland are facing a choice between two futures as well. It is becoming increasingly and alarmingly clear what our future will be if we remain tied to this failed and dysfunctional Union of so-called equals. Do we want to be part of a Union that treats our country today. We are nine days away from Brexit finishing by returning to the fact that, even if the Government were to get a deal through, it would be a pyrrhic victory that serves no one, including themselves.

This Government have delayed. We are debating the extension today because they have not been prepared to confront the fact that their deal has not been accepted by this House. The reality is that, in doing all this, they have undermined the procedures of this House, which are there to help this democracy and those of us privileged enough to be elected to represent our communities. They have damaged the fabric of this place, because Parliament is meant to work by us coming here to represent our communities with our votes and, on the back of our decisions, the House moves on to the consequences. Instead, on Brexit and on this deal, the Government have refused to allow that to happen.

First, the Government refused to have a vote and wasted precious time this country does not have by simply delaying because they did not want to confront the fact that their deal, which had been unpopular in the summer, was still unpopular at Christmas. We finally had a chance to vote before Christmas—I had made my speech—before the vote was cancelled and the debate was suddenly cut short. The deal was not just narrowly defeated; it was significantly defeated. If ever there was a vote that expressed the House's will, it was that one. If ever there was a time when a Government clearly should have seen the writing on the wall, it was that moment.

The Government could have chosen at that stage to listen to what Members across the House and across parties were saying. Members were representing their communities, and they were not trying to be awkward, which is the impression Ministers have given to Parliament. The simple fact is that very few people were writing to us and to the leaders of parties that in the not-too-distant past have invoked homophobia and bigotry as a way to garner electoral support? Do we want to be part of a Union that treats with the Government of a nation of barely 3 million people to stand shoulder to shoulder with the Government of a nation of barely 3 million people to ensure that those 3 million cannot be bullied by a bigger neighbour? Or will we remain part of a Union that has made it perfectly clear that, even though we are part of that Union?

I want to see a long extension to article 50, because I want the people of the United Kingdom to have a chance to say, “We made a mistake.” I do not need to hope, because I know with absolute certainty that, before very much longer, the people of Scotland will be given the chance to say, “In 2014, we made a mistake.” This time, there can be no doubt whatever what the choice of the people of Scotland will be. I look forward to seeing the people of Scotland taking our place beside our Irish neighbours and cousins as full, independent sovereign members of the equal partnership of the European Union.

4.33 pm

Justine Greening (Putney) (Con): Like many in the House, I find it impossible to overstate my concern for our country today. We are nine days away from Brexit and, as things stand, we have no agreed strategy for the country to follow. Instead, we have a Government who continue to put their head in the sand about a deal that has simply not been accepted by this Parliament. There will be many books written about why we have ended up in this position, but the reality is that this situation was clear months ago. It was clear from the Chequers agreement and the subsequent White Paper that the strategy would not command consensus in this House, and that has proved the case ever since. I will briefly talk about the damage it has done to his place, before...
Those rules are there not only to protect Members but to make sure that this democracy works, and I have seen those rules fundamentally undermined when it comes to Brexit. We are not meant to have three votes on a deal, and the rules are meant to protect Members from being bullied by the Whips. They are meant to protect our democracy from becoming a “pork barrel” democracy in which billion-pound funds are launched purely to get Members on side for the next round of voting. That is not how the UK Parliament is meant to run. It is totally unacceptable.

Mr Sam Gyimah (East Surrey) (Con): My right hon. Friend is making a powerful case for parliamentary sovereignty, which is, after all, what the referendum was about in many ways. Does she agree that in trying to ram through a deal by bullying MPs to vote for it, the Government are not building a sustainable majority, which is needed not just for this deal, but in the months ahead, because so much about the Prime Minister’s deal is open-ended and not settled yet?

Justine Greening: My right hon. Friend is absolutely right on that, and I will come to it shortly in my closing remarks. The extension that we require clearly needs to be for a purpose. There are only so many versions of Brexit. We can do a clean-break, hard Brexit, which I know many MPs want, and I respect that. Indeed, the millions of people who voted to leave had that kind of Brexit as their expectation. Alternatively, we can have this soft Brexit that the Government are proposing, but I see very little support for it in this House or among the public more widely. The last opinion poll I saw on this deal showed just 12% of the public supporting it.

Anna Soubry: My right hon. Friend—she will remain my friend, and she is a great friend of this House, who speaks with great authority and good sense—has, in the past, talked about shabby deals behind doors. Does it concern her to learn, as many of us are learning on Twitter, that the Prime Minister is meeting leaders of the Conservative party? Apparently, at 8 o’clock she will have met all the party leaders, including the Independent Group, in one room at one time—and is then meeting a group of hard Brexiteers, presumably from the Back Benches of the Conservative party? Apparently, at 8 o’clock she is then not coming to this place to make a statement to this Parliament, but making a press announcement of some description in Downing Street. Does my right hon. Friend share my concern that that speaks volumes about the entirely inappropriate and shabby way that this entire process has been conducted from the outset?

Justine Greening: I agree about that.

In a sense, there are two issues here: the substance of the decision we need to take, which I was just talking about; and the manner in which the decision is taken in a way that makes it a sustainable one. The substance is that there are only so many routes forward on Brexit. This House just needs to decide whether it can find a consensus on any of them. If we cannot, we need to confront what that means for finding a decision for the country as a whole.

I have been clear that I felt back in July that it was obvious that this place was gridlocked. I take no pleasure in the fact that that has been proved absolutely correct. It has not served this country well that the Government have sought simply to avoid that fact, putting their head in the sand, and that therefore we are days away from Brexit with no decisions having been taken. There is no point in saying that a referendum will waste time, given that the Government have wasted far more time than a referendum would have ever taken. For this extension debate to have any quality or meaning, we should be debating whether we want to delay until the end of the calendar year, the end of a fiscal year, or beyond that. We should be talking about the rationale for the different strategies on Brexit—there are only so many. I do not think that the way this debate has been approached or how it reflects the broader Brexit process has served our democracy well—it has been hugely counterproductive.

I wish to finish my comments this afternoon by talking about what happens even if the Government win a vote on their deal next week—if they are allowed to have one; I listened to your ruling and felt you were right to make it, Mr Speaker. Even if somehow a third meaningful vote on a motion not substantially different was allowed to be put to the House and it was won, the Government would not have won the argument. Brexit is not a moment and a vote in this House; it is about a process—a journey on which we will take Britain over the coming years—so just cobbled together a majority at one moment does not fix anything. It does not take the decision for those of my colleagues who genuinely feel that this version of Brexit is not what 17 million people voted for; it does not address their concerns. Quite rightly, they are simply not going to accept this version of Brexit when they feel so passionately that the thing for which they have campaigned for so many years is not being delivered. Such a vote will resolve nothing. It will end up feeling like the Government have simply tried to get something over the line for the sake of ticking a box, when this process should have been about so much more than that. It will not work and it will not be sustainable, so it not only serves our democracy badly but serves our country badly. I predict that we will have to revisit these issues anyway.

I know that what I am saying will not be welcome to Ministers’ ears. They have set their face for years—certainly for months—against listening to comments in this Chamber that are contrary to Government policy, but the time has now come when they need to face facts and face reality. It seems the one thing this House cannot do is take decisions per se for the Prime Minister and make her follow them. We need Government Ministers to wake up, smell the coffee and start acting responsibly on behalf of this country. This House rejects the Government’s deal. We want an alternative. We must allow the House to have the debate that can find the alternative, and if we cannot do that, allow it to take a decision about what we need to do as a Parliament. We cannot just steadily get to the 29 March cliff edge and simply ignore the fact that this is a grave crisis for this country that will affect people’s livelihoods and jobs. Having grown up in a place where there was unemployment, I find that totally unacceptable.

4.47 pm

Hilary Benn (Leeds Central) (Lab): It is a genuine privilege and pleasure to follow the right hon. Member for Putney (Justine Greening), who just made an outstanding speech about the state we are in. Let me...
just add that for sheer chaos, the past 24 hours will take some beating when the annals of Brexit finally come to be written. Should we be entirely surprised, as a House? I do not think so, because it is consistent with a pattern of behaviour that dates right back to the first days after the referendum result. We know that the House has had to persuade, cajole and push the Government, at every single stage, to listen to our views and votes as Members of the House of Commons. One consequence of their refusal to do so is that there is a terrible lack of trust in the Government and their intentions and processes. We need trust if we are going to make progress, because at the moment we have absolutely no idea where we are heading.

I wish to say three things about the priorities for the House of Commons and for the country. Priority No. 1 is that we must achieve an extension to article 50, which is why we voted against leaving with no deal on Wednesday last week, and why we voted in favour of requiring the Government to make an application for an extension to article 50 on Thursday last week. If we do not get an extension, we will leave with no deal in nine days. We can move whatever statutory instruments we like in this place, but we prevent a no-deal Brexit only if, on the one hand, we have changed the law in the European Union (Withdrawal) Act 2018, and on the other hand the EU agrees to grant an extension. In other words, the two have to come together at the right moment to guarantee an extension. We will all have paid careful attention to what we have read on our phones about what Donald Tusk had to say about a short extension being dependent on a positive vote on the withdrawal agreement next week. I only hope that what he did not say about an alternative extension being available is in his mind if the House decides that it will not vote for the deal if it comes back.

James Heappey (Wells) (Con): Does the right hon. Gentleman agree that, in the light of what President Tusk has just said, it would be remiss of the House not to consider the deal another time next week, given that he has encouraged us to do so and made it clear that an extension is conditional on our having considered it again?

Hilary Benn: I can only presume that Mr Tusk is trying to encourage Parliament and the country finally to come to a decision. As the hon. Gentleman will be well aware, there is great frustration on the part of the EU. At a recent meeting with members of the Select Committee, Michel Barnier said that what we do not really need now is more time. What we need, he said, were some decisions. I would express that frustration at the Government, because the story of this sorry tale that has brought us to our present condition is one of an unwillingness to take real decisions about the future choices that we face as the fantasies of the leave campaign have collided harshly with the reality of the past two and three quarter years. If the Government had been willing to make those decisions, then perhaps they could have been able to command a majority in the House.

Wera Hobhouse: Does the right hon. Gentleman not find it extraordinary that the Government accuse the House of indulging in not making a decision over Brexit, when actually the blame should be placed clearly at the feet of the Conservative party?

Hilary Benn: I agree with the hon. Lady. It seems to me that the story of indulgence over the past two and three quarter years is the indulgence of one section of the Conservative party that has held the Prime Minister, and therefore the country, to ransom. That is why it was a bit rich of the Prime Minister to accuse Members on the Opposition Benches of indulgence, when she is the one who has been practising it for two and three quarter years.

Mr Gyimah: Does the right hon. Gentleman agree that the whole language of blame and of trying to assign blame is incredibly juvenile, given what is at stake for the country? We should be talking about what is in the national interest. As the Father of the House argued earlier, we are at an impasse. The Prime Minister’s deal has been rejected heavily twice by this House for a reason. If we want to make progress, we need to be able to discuss the alternatives in a structured and coherent way with the Government’s full support. That is what this House is crying out for, and that is what this Government should support if we are to make progress.

Hilary Benn: I completely agree with the hon. Gentleman. I am not terribly interested in blame, but I am interested in analysing how we have come to this point. Some may regard that as apportioning blame; I regard it as a description of what has happened.

The second thing I want to say is that, as a House, we must demonstrate that we intend to use the time, if we get it, for a purpose. We cannot sit here for three months or longer, twiddling our thumbs; the public expect us to try to find a way forward on which we can agree. The Prime Minister has a perfectly fair point with her strictures: we know what we are against, but what are we for? That purpose should be to consider and then vote on a number of different ways forward. I am an advocate of indicative votes. The word “indicative” is used for a really important reason. A sensible place to start is to say to Members, “Look, you can move in the direction of a free trade agreement.” Then Members in the House would argue for that. “You can decide that you want a customs union. You can argue that you want Norway and a customs union, or a customs arrangement. Which of those three would you like us to explore further?” In my case, I would vote for two of those options. I would not vote for the free trade agreement, for the reasons that the Prime Minister has set out as to why it would not work for Northern Ireland; or indeed for friction-free trade, but I would vote for the other two when we got to that moment. That would then give us an indication of where support might lie in the House of Commons.

Monday is our opportunity—I am talking here about the motion that the Secretary of State clarified for us when he said that he was talking about the motion in neutral terms—to start that process, and the House must take it.

Ian Murray (Edinburgh South) (Lab): Once again, my right hon. Friend is making an outstanding speech on this issue. Is he able to surmise what may happen next week if the Government make a statement on
Monday and do not bring a third meaningful vote until perhaps Tuesday or Wednesday? We would be left in a situation where President Tusk has already said that an extension to 30 June would be given only if the deal passed, and we would still have to change primary legislation—the date in the European Union (Withdrawal) Act 2018—by next Friday. What does my right hon. Friend think the Government are trying to do? I suspect that the Prime Minister is trying to bounce us and bribe us into backing her deal.

Hilary Benn: I think that—not quite in fairness to the Prime Minister—her purpose and her method has been obvious for a long time. To Opposition Members, it has been, “My deal or no deal.” In recent months, there has been a variation for others that she hopes to persuade to get on board with her proposal, which has been, “My deal, no deal, delay or no Brexit.” Ultimately, it falls to us as Members of the House of Commons to determine what happens and, courtesy of the important Wightman judgment, if the worst came to the worst next Friday, revocation is the one other option that we have, because it does not require the approval of the other 27 EU member states. I really hope that we do not get to that point, and I cannot see how it can be in the interests of the European Union to force us out with no deal, because it will get all the blame for all the consequences that would flow from that.

After we have been through the process that I described in answer to the intervention by the hon. Member for East Surrey (Mr Gyimah), I urge the Government to listen to what Parliament says. It is no good inviting us to say what we are for if the Government say, “We are not prepared to go in that direction. We are not prepared to change.” If we are going to move, the Government will have to move along with everybody else, but the past two and three quarter years have shown that the Government have been unwilling to move one inch. The Government should then come back with a revised plan, because that is their responsibility. We do not want to seize control of the process for the sake of it, but if the Government are not acting, Parliament will have to act in their stead. The Government should bring a plan back, having listened to what the House said, so that we can debate, amend and vote on it.

Anna Soubry: Does the right hon. Gentleman share the frustration of many of us when more hon. Members voted against no deal—the original Spelman amendment—than voted for the Brady amendment? However, the Prime Minister completely ignored the vote that rejected no deal and, to put it in crude terms, kept banging on about the benefits of Brady.

Hilary Benn: The right hon. Lady makes a powerful point. There is a certain selectiveness in the Government’s reflection on the decisions that we have made. The public expect us to get on and do our job. If we can agree a deal or if we remain deadlocked, I look forward to the moment when we get the chance to vote in favour of the proposal for a confirmatory referendum proposed by my hon. Friends the Members for Sedgefield (Phil Wilson) and for Hove (Peter Kyle), so that the British people can make the final decision.

In conclusion, if it is democratic, as the Government argue, to come back not once but twice and—who knows?—maybe three times to ask us to change our minds on the Government’s deal, why is it undemocratic to ask the British people whether they, on reflection, would like to change theirs?

4.59 pm

Mr Dominic Grieve (Beaconsfield) (Con): I have been in this House for long enough—nearly 22 years—to know that Governments face great difficulties and often have to adjust to circumstance, so one should get used to the fact that occasionally Governments say things in this House that they intend to do and then subsequently are unable to do. But I have to say that the process of Brexit has brought me face to face with the fact that the underlying integrity that one hopes one will continue to see from Government, even in difficult circumstances, now seems to be fast running out. That troubles me very much. I have been a member of the Conservative party for over 40 years and find myself in a state of amity with my colleagues, even though Brexit has introduced a revolutionary upheaval into our affairs which means that we have divergent views on a specific issue, which is causing the party great difficulty. Notwithstanding that, we and the Government we are being asked to support have to try to maintain some sustained integrity through that process.

What, therefore, am I to make of a situation in which only a few days ago, in order to avoid something that the Government did not want, which was the possibility of this House taking control of the Order Paper to debate alternatives outside the control of the Government, Ministers of the Crown standing at the Dispatch Box gave a series of plain assurances to the House on what the Government intend to do if their deal cannot go through regarding how they are going to approach the negotiations with the European Union thereafter and the length of extension they are going to seek? That is what happened; and subsequently, today, these assurances have been entirely reneged upon.

Most extraordinary of all, one might have expected the Secretary of State for the Department for Exiting the European Union, who is no longer in his place, to come along and provide some coherent explanation for why this had happened, but he did not. Indeed, the only explanation he half advanced was a total irrelevance. It was the suggestion that this situation was due, Mr Speaker, to your ruling that the motion could not be brought forward a third time, which is of course nonsense, because the Government know very well that, had they so wished today, they could have brought forward a motion to disapply our conventions and, had they wished to do so, to move on to a meaningful vote on their motion. It is beyond comprehension and rational analysis how a Minister of the Crown standing at the Dispatch Box this afternoon can say that that is the justification for having changed the position and decided that the extension is going to be extremely short, when my right hon. Friend the Chancellor of the Duchy of Lancaster had described such a short extension, on behalf of the Government, as “reckless”.

Now, of course this is part of a wider pattern of the complete disintegration of collective responsibility in Government. We have Ministers coming to the Dispatch Box and saying entirely contradictory things. We have Ministers publicly dissociating themselves from the Government policy and staying in post. We have Ministers who come up to one in the corridors, acknowledge that...
the situation is very serious and that they disagree with what the Government are doing, continuing to serve in a Cabinet with which they apparently fundamentally disagree.

When my right hon. Friend the Prime Minister came to the Dispatch Box today at Prime Minister’s questions, I confess that it was the worst moment I have experienced since I came into the House of Commons. I have never felt more ashamed to be a Member of the Conservative party or to be asked to lend her support. She spent most of her time castigating the House for its misconduct. At no stage did she pause to consider whether it is, in fact, the way that she is leading this Government that might be contributing to this situation. I have great sympathy for her. I have known her for many years and we have a personal friendship beyond and outside of this House, but I have to say that I could have wept—wpt to see her reduced to these straits and wept to see the extent to which she was now simply zig-zagging all over the place, rather than standing up for what the national interest must be.

Now we are told that there is going to be a short extension. We are told that next week we will have an opportunity, perhaps, for a meaningful vote, which I very much think is going to lead to the Government’s deal being rejected, because, for a whole variety of reasons, Members of this House feel very strongly that it is bad for our country. But, if I may say so to my hon. Friends on the Front Bench, that view cannot simply be cast to one side, whether it comes from hon. Members and hon. Friends with whom I disagree or those with whom I agree on the issue of Brexit. It cannot just be lightly dismissed. It comes from their own analysis of what they think the national interest to be.

Of course, that is a huge challenge for the Prime Minister, and I have immense sympathy for her in that regard. But you do not meet that challenge by ducking and diving, and avoiding, and having a galaxy of Ministers appear at the Dispatch Box and say contradictory things; you have got to face up to your responsibility and, rather than coming along and showing contempt for this House, actually try to engage with it and making use of what this House can do pretty well, which is debate issues in a rational way which, in itself, by a process of debate, might lead to a reasonable outcome.

I have come in for quite a lot of flak over the past two years because of my various amendments, but most of them have been designed not to achieve a specific end but to try to facilitate process. Each time I put them up, the Government have tried to prevent them, so my view is bound to be coloured of a Government who seek to close down debate in this irrational fashion.

Next week we are going to face the same challenge again, but in a very concertinaed timeframe. We are in danger of crashing out with no deal. If the rumours are right, we are coming very close to the point where the EU—perfectly reasonably, in my judgment—may well be saying, “We’ve had enough.” Indeed, reading the statement that has recently come out, I think that that is probably what it is saying. What are we going to do next week? What is my right hon. Friend the Prime Minister going to do next week? Are we going to extend across the House and try to reach some level of consensus on a way forward? Are we going to try to bring this sorry saga to an end by, for example, going back to the public, as was suggested by the right hon. Member for Leeds Central (Hilary Benn) as a possibility in putting the options to them and asking them, which I would be perfectly prepared to do—and to support my right hon. Friend the Prime Minister in doing, if that would help? Are we prepared to look at alternatives when it seems so apparent that the deal itself is going to be rejected?

Just browbeating this House is going to serve no purpose at all. It brings us, undoubtedly, into contempt, but the contempt falls much more on the Government who are doing this than on Members who are voicing their individual views and doing the best they can to represent their constituents’ interests. That is the challenge we now face, and we may face a very short timeframe for doing it—something which, on the whole, I rather hoped we might avoid. It is not perfect in itself, but that was the purpose of a longer extension—to enable the process to happen which has been shut down over past weeks and months.

We may now have to do this very quickly. But I have to say this in conclusion: if we do not do it, one has to ask oneself the question, what is the purpose of this Government? What are they doing? How are they furthering the national interest? How are they contributing to the quiet good governance that I think most people in this country want? We really are—I am sorry to say this—at the 11th hour and 59th minute. The Government’s credibility is running out. Trust in them is running out. Unless my right hon. Friend the Prime Minister, by some great exertion of will—and she has plenty of will and plenty of robustness—stands up and starts doing something different, we are going to spiral down into oblivion, and the worst part of it all is that we will deserve it.

Several hon. Members rose—

Ian Murray: On a point of order, Mr Speaker. I will be brief. It has been confirmed in the last few moments that the Prime Minister is to make a statement in Downing Street at 8 pm this evening. Given that this debate can run until just after 6.20 pm, and there are two other items on the Order Paper that could take up to three hours beyond the moment of interruption, does this House have any mechanism to get the Prime Minister to make that statement to the House, rather than to the public via the media in Downing Street?

Mr Speaker: I am grateful to the hon. Gentleman for his point of order, of which I did not have advance notice, about which I do not complain; I am simply signalling that my response to what he has put to me is spontaneous. It would certainly be my expectation, if this debate runs its full length, that the House will be sitting at the time of the announced prime ministerial statement. It would certainly be open to the Prime Minister to come to the House to make the statement here. It is a matter for her to judge whether she wishes to do so. My sense is that that would be well received by the hon. Gentleman and quite possibly, in the light of what has been said, by other people. It is not for the Chair to seek to compel or instruct any Minister, including most certainly the Prime Minister, but I have noted what the hon. Gentleman has said. In so far as he is asking, “Can it happen?” the answer is: yes, it can.

I would like to suggest an advisory and voluntary time limit on Back-Bench speeches of six minutes or thereabouts, but I am not at this stage, particularly as I
5.11 pm

Alison McGovern (Wirral South) (Lab): I will take your advice, Mr Speaker. I have no intention of detaining the House any longer than necessary, particularly because this has possibly been the most frustrating debate that I have sat through in nine years in this House. I find myself very angry, which is not to say that it is not an honour and a pleasure to follow the right hon. and learned Member for Beaconsfield (Mr Grieve). Some people in this House say that lawyers do not make very good politicians. He just proved them wrong. I agree with so much of what he said and his analysis of what the Prime Minister has tried to do to this House.

I saw one of the protesters holding a sign outside this place last week which said, “Parliament versus the people”. Is that not the message that we heard earlier from the Dispatch Box? Is that not what was said? Are we being told that we are frustrating the will of the British people? I say, that way populism lies. If we undermine the ability of Members of this House to deliberate, listen to each other, form a view, vote and take decisions, we open the door to the kind of behaviour that we are seeing right across the developed world, and it is dangerous. We can believe in democracy and letting people have their say at the same time as recognising that this House is entitled to express its view, and when it does so, it should be listened to by the Executive. I will talk more about that later.

Today’s debate has arisen out of frustration because of astounding events overnight. The Government have decided—as they had to, because the House has not supported their proposal for how to deal with Britain’s exiting of the European Union—that now is the time to delay the exit day that they set for us. As Members have said, we received a copy of the Prime Minister’s letter to President Tusk during the House’s proceedings—we find out what is happening from the media, and then we see a copy of the letter during the House’s proceedings.

Joanna Cherry: The hon. Lady will recall that I put that point to the Secretary of State earlier, and he told us that the Prime Minister had put a copy of the letter in the Library at 12.10 pm. However, I have made an inquiry, and it appears that the letter was not published online by the Library until 1.30 pm. Does she agree with me that it is cynical in the extreme to put a copy of the letter in the Library when we are all in here for Prime Minister’s questions, and not to publish it online where we could look at it, until PMQs are over and the Prime Minister has left the House?

Alison McGovern: I do not say this very often, but thank goodness for Twitter. When we were told that a copy of the letter would be in the Library, my very able assistant, Holly Higgins, ran across to the Library to see if she could get a copy. Meanwhile, I observed on Twitter that journalists had it already. Thankfully, we were able to see it none the less, but it is cynical. It is totally cynical, as the hon. and learned Lady points out.

This is cynical behaviour because, as other Members have said very clearly, the Government are trying to bully us. They are trying to exert their will and to force us to vote for their proposal, and we know this because of what the letter says. The Prime Minister says that she intends “to put forward a motion as soon as possible...under the Withdrawal Act...and make the argument for the orderly withdrawal and strong future partnership.”

She says: “If the motion is passed, I am confident that Parliament will proceed to ratify the deal constructively.”

However, other Members have already said at length how convincing the vote against the Prime Minister’s proposal has been.

We know that this House does not want that proposal, and following the amendments and statements put forward by other Members of this House, we know that the House of Commons has voted conclusively no to no deal. We do not want the Government’s deal and we do not want no deal, and the Government accept that. Therefore, by definition, the Government have to change course. They need to come to this House with a different proposal. That is also necessary for the Government’s own stated objective of having a delay, because we know that the European Union does not wish to agree to a delay for no apparent purpose; it wants to see a change of course. It is that simple.

I hear what other Members have said about proposals to allow this House to express its view in some way. No doubt, we will do that, because, Lord knows, if we have demonstrated anything over the past two years, it is that this House is capable of passing amendments if it wishes to. We will express our view, but we are the legislature, not the Executive. Therefore, by simple definition, we do not have Executive power, so we need the Government to commit to changing course. We need them to bring forward proposals for how a different path will be taken. Something else that is true is that the Executive are not the legislature. They cannot tell us what to do, and they cannot force our hand simply by fiat. We have to hear from the Government what their proposals are, and then we have to vote on them—either to accept or to refuse.

In the end, we can make the policies for process, discussion and deliberation as complex as we like, but it is as simple as that. We now need a change of course from the Government that we can deliberate on, vote on and decide on. We all have a responsibility here to make our political system function as it should. If we do not, it will not just be the Government who are complicit in opening the door to populism; it will be all of us. I do not say those words lightly.

We all know the consequences of getting this wrong, so I simply beg the Government to have no more bullying of this House and no more trying to bash us into voting for a deal that we have already voted down absolutely conclusively and convincingly. Let us have no more of that, but let us have a change of course and a policy that we can support. My frustration this afternoon—in having a debate that has been dominated by reams of words on process, and has not been about the central issue of if or how we leave the European Union—is nothing in comparison to the decisions that are having to be made now, as the Secretary of State knows because he is in charge of no-deal preparations.
Our frustration is nothing compared with that of individuals and businesses up and down this country having to make decisions that they do not want to take because the Government are simply unable to plot a course to help our country move on.

People in our country want us to focus on the things that really bother them, be it the desperate growth of food banks or the need for all young people in this country to have a proper chance in life. That is what they want us to focus on. I ask the Government: please change course, make a proposal, let us vote, and then let us move on.

5.21 pm

Mr Owen Paterson (North Shropshire) (Con): I will be brief. I have listened carefully to the debate, at the beginning of which I had no intention of speaking. I am pleased to follow the hon. Member for Wirral South (Alison McGovern), who touched on several points with which I entirely agreed, but I have reached a totally different conclusion.

Three international events are important. First, President Tusk said that we need to vote on the withdrawal agreement again. Given your stricture, Mr Speaker, which I support, that we cannot vote on the same text again, does that count as changed circumstances? I am very interested in your thoughts on that. You might like to address the matter in answer to a point of order later. Secondly, the Le Point magazine website put out a report at 1.6 pm that President Macron had stated that unless there is “a clear project”—that was the translation—France intends to veto any extension. Thirdly, there have been interesting reports from a respected BBC journalist that the letter from the Prime Minister has gone out too late for some Prime Ministers to consult their legislatures so they may not have the chance to make a decision this week. That is yet another muddle in this saga.

The hon. Member for Wirral South made a point about populism. I have said the following goodness knows how many times inside and outside the Chamber. The conundrum we face is that the House had three democratic mandates around the referendum. David Cameron said, “If you vote Conservative in 2015, I will give you an in/out referendum. It will not be advisory—it will be decisive. If I have a majority, the House of Commons will deliver what the people want.”

Peter Grant: Will the right hon. Gentleman give way?

Mr Paterson: Will the right hon. Gentleman give way?

Mr Paterson: Time is short and I would like to press on. Other people want to speak.

David Cameron won the election and then, probably to his horror, he had to deliver the referendum. The then Foreign Secretary made it clear when the referendum Bill was going through the House that MPs were handing back their sovereignty to the people and that the House would honour the people’s decision, whatever it was. The referendum was not advisory, but decisive. It was the biggest vote in British history and 17.4 million people voted for the broad slogan of “take back control”. The immediate question was, “What does that actually mean?” The Conservative party interpreted it as meaning that we would honour leave if people voted for a Conservative Government in the 2017 election. It would mean leaving the single market, the customs union and the remit of the European Court of Justice. The Labour party broadly supported that. So 85% of the votes in 2017 went to the two main parties, which supported that proposition. That means that more than 60% of the seats in this Parliament represent that proposal.

To pick up on the comments made by the hon. Member for Wirral South, I am genuinely worried. This was a huge step by the British people. It was the first time, following a succession of referendums, that they had gone against the wishes of the establishment—the political establishment, the commercial establishment, the media establishment. We had had the 1975 referendum, the Scottish, Welsh and Northern Ireland referendums and the alternative vote referendum. Each time, the people had gone along with what the establishment wanted. What we are now wrestling with this afternoon—the hon. Lady raises the question of populism—is how we deliver that.

My contention—I really mean it—is that I am seriously worried about the long-term damage to the integrity of our institutions. People are writing to me and sending emails. I have been mocked for making one particular comment. A guy came up to me on the tube and gave me his visiting card—the hon. Member for Sheffield, Heeley (Louise Haigh) picked me up on this; she can come to my office and I will give her the visiting card of this guy if she wants to see it—saying, “Please stick to your guns, because we depend on you to see it delivered.” I appeal to Members of both main parties. The position of the Liberal Democrats and the SNP is totally honourable. They have been consistently against leaving the EU and voted against it. Of course, the Liberal Democrats got crushed in the general election as a result, but the two main parties did really well in the general election. The Prime Minister got the second-largest number of votes in history.

Several hon. Members rose—

Mr Paterson: Time is really short. I am just going to finish now.

The two main parties need to think about this. If there is any sort of extension beyond next week, it will be disastrous for candidates in the Conservative cause and, I think, disastrous for candidates in the Labour cause. The first 100 seats the Labour party has to win are 78 for leave, 73 strongly for leave.

This is an issue where the integrity of the idea of voting is absolutely at stake. Given that the Labour party is not going to vote for the withdrawal agreement and people like me are not going to vote for it—handing over the power to make law to 27 countries, a position where there is no manner in which a sovereign independent UK could leave, and a proposal that breaks up the United Kingdom and creates something appalling called UK(NI) is not acceptable to me—the only solution is to leave with no deal, which is the law of the land. As Mr Barnier said in his statement last night, the vote has not changed that.

I know this is not a popular view, looking around the Chamber at those who are present today, but talk from Opposition Members about crashing out is, bluntly, lazy. Ask why. I have been to Dover twice in the past three weeks. We have had discussions with those in Calais, including Mr Puissegour, and they all say that they are prepared. The Under-Secretary of State for
Exiting the European Union, my hon. Friend the Member for Daventry (Chris Heaton-Harris), answering an urgent question earlier, gave some very confident answers. Numerous statutory instruments, many of which I have sat on, have gone through. We have Mr Barnier saying that there are only two more issues, one of which is the budget which is really not going to touch on Brexit, that have to be sorted. So I appeal to Members that hiding behind the mantra of “crashing out” is lazy.

There may be hiccups. There was a lot of preparation for the millennium bug. We had exactly the same thing: virtually every business was prepared; they just thought that other businesses had not prepared. That may well be the case on this occasion. The damage from a bit of disruption is far less than the huge damage and the risk of populism should we thwart the wishes of the 17.4 million people.

Several hon. Members rose—

Mr Speaker: Order. I was reluctant to impose a formal time limit, hoping that we could get by without it, but I am afraid it is necessary because I want to maximise participation. There will be a five-minute limit with immediate effect, of which the hon. Member for Leicester West (Liz Kendall) has been notified and with which she concurred.

5.28 pm

Liz Kendall (Leicester West) (Lab): Several hon. Members have rightly said that the Prime Minister’s letter requesting an extension to article 50 was not what this House was promised or what this House agreed. I want to make a slightly different argument, which is that a short extension will not solve the huge problems that we face in dealing with Brexit. It is clear that the Prime Minister has refused to change course. She simply wants to run down the clock and blackmail MPs into supporting her withdrawal agreement. She says that, just as the article 49 rules have changed, the situation.

She says that, just as the article 49 rules have changed for countries acceding to the EU, the article 50 rules could change for the UK. For example, the mandates of UK MEPs who have already been democratically elected could be extended so that they remain in place for months to come. It is not a foregone conclusion; it is about the political will to find a way forward.

Just as I believe that the Prime Minister should change course, I think that the EU should, too. The EU has insisted that we cannot discuss our future relationship until we have agreed on the withdrawal agreement with respect to money, EU citizens and the border in Northern Ireland, but the truth is that we cannot solve the issue of the border in Northern Ireland unless we know where we are going in the long term. Our very failure to agree how close we will remain to the EU has inevitably led to the requirement for a backstop, so the EU has to change course if we are to solve this.

I conclude by echoing my hon. Friend the Member for Wirral South (Alison McGovern). Let me give a warning to the Prime Minister and others about pitting this Parliament against the public and about criticising and castigating us for not bending to the will of the people—as if there were one single will of the people that is clear and always the same. We are representatives, not delegates; we are here to exercise our judgment. It is our job to question, to scrutinise and to stand up for this Parliament against the public and about criticising and castigating us for not bending to the will of the people—as if there were one single will of the people that is clear and always the same. We are representatives, not delegates; we are here to exercise our judgment.

Liz Kendall: Probably not, because I really want to let others come in. I am so sorry.

Extension has to be for a purpose, so it is about facing up to the choices that Brexit inevitably brings. Either we remain as close to the EU as possible, to protect jobs and prevent a hard border in Northern Ireland, but give up our say over the rules—or we cut all ties, with all the risks and uncertainty that that brings. We have never been straight with the British public about those choices, but doing that will require time. It will take time for this House to agree, if it can, on which option we should look at. It will take time to negotiate any other alternative with the EU, whether that is a customs union, a common market or whatever else. My view is that this must be not simply about what this House decides about our future relationship, but about what the public think. That is the only way to get a sustainable solution.

One reason that many people are concerned about a longer extension is that they are worried that it would mean our having to take part in the European Parliament elections, but I do not think that that is a foregone conclusion. If we have another vote on the agreement, I was conscious of how thoroughly disrespectful the Prime Minister was to every Member of this House. She is just being stubborn, and as she carries on with her vanity project, it is our country that will go down. We are very, very concerned.

Susan Elan Jones (Clwyd South) (Lab): At Prime Minister’s questions today, I was conscious of how thoroughly disrespectful the Prime Minister was to every Member of this House. She is just being stubborn, and as she carries on with her vanity project, it is our country that will go down. We are very, very concerned.

Liz Kendall: I completely agree. I will come back at the end of my speech to the Prime Minister’s way of dealing with Parliament.

Even if the Prime Minister succeeds in getting her withdrawal agreement through next week, Brexit will not be sorted, because the withdrawal agreement will not resolve any of the fundamental choices that we face about our future relationship with the EU. We will be leaving without knowing where we are going, which means that we will simply end up back here, time and again. We will be back here at the end of the transition period, and when that, too, is inevitably extended, we will be back here again, grappling with the same problems.

Matt Rodda (Reading East) (Lab): Will my hon. Friend give way very briefly on that point?
having another emergency debate about Brexit because we have not got exactly the right outcome we all wanted. We are frustrated that the arguments are not advancing. We are frustrated that in the national press this place is being portrayed with increasing vehemence. We are frustrated that the Government are not saying exactly what we want when we want. I share all those frustrations. Today alone on my Twitter feed, I have been called a traitor by Brexiteers and an absolute idiot and a failure by remainers. That is our world right now, and we all want to get out of it—of course we do.

I understand that I am accountable to my electorate back in Somerset and that the decisions I take here will be judged come the next general election. I understand it is my responsibility to weigh up all the options presented to us in this place and to reconcile them with the interests of my constituency, with what my Government and party advise us to do, with the manifesto I stood on and with how my constituency and the country voted. I understand all those things and I am constantly triangulating to do what I believe to be the right thing. It strikes me, however, that what I think is the right thing is changing all the time, because the circumstances are changing all the time. Our decision-making process on Brexit is iterative. Being asked the same question again and again is not a problem, providing we might be inclined to make a different decision, and the evidence so far is that people are.

I would say exactly the same, by the way, about the questions already put in this place on no deal, a second referendum and a customs union. The Library has been digging out the detail for me this afternoon. All those questions have already been put and decided upon, but it is not a problem that we should want to consider them anew if next week we decide against the deal, although I hope we do not, as I continue to believe it is the pragmatic and sensible way forward. That said, surely nobody in the House can say that as circumstances change we should not reconsider. They have changed significantly this afternoon with President Tusk’s statement that a short delay is only an option if the House decides in favour of the withdrawal agreement. That is a seismic change in circumstances that warrants another meaningful vote next week on the deal. Nobody can say, however, that we should reconsider a second referendum, a customs union or any of the other things on which we have already voted, and then say we should not extend the same right to the deal.

The one thing the House is united on—I suspect you included, Mr Speaker, having seen the clip of you being followed across the road by journalists the other day—is that we are all very bored of being asked the same questions and of being on the receiving end of a very frustrated British public. Next week, we have the opportunity to make a decision at last. I hope that the House has an opportunity to vote on the deal and that we vote for it, but surely we have reached the end of the road. Next week, we must finally decide what we are in favour of and then accept a short delay while the deal is enacted.

5.38 pm

Anna Soubry (Broxtowe) (Ind): I will try to keep my comments short because many others want to speak and I have spoken a lot in the last couple of weeks.

As we all know, it feels like groundhog day, but we have had the privilege this afternoon of hearing some outstanding speeches. It is the content, in particular, of some of those speeches that should concern members of the Government and those who sit behind them. I am thinking, for example, of the comments of the right hon. Member for Putney (Justine Greening) and of my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), who did not hold back in describing his sheer despair, as a long-serving Conservative Member, at our situation—a situation that is of the Government’s and, in particular, the Prime Minister’s own making. It does not give anybody any pleasure to say that.

I listened with great care, as I always do, to the wise words of the right hon. Member for Leeds Central (Hilary Benn), who always speaks with dignity, wisdom and experience. In a pragmatic and sensible way, he seeks often to provide the very leadership that has been so desperately lacking in the past three years. He said that he did not like to engage in the blame game, and I agree with him. However, it is absolutely critical, as others have said—including the hon. Member for Wirral South (Alison McGovern), and, indeed, the hon. Member for Leicester East—[HON. MEMBERS: “Wirral West.”] I mean the hon. Member for Leicester West (Liz Kendall), East or west, it is always very good in Leicester—not as good as in Nottingham, but that is by the way.

Let me say this, in all seriousness. Those Members made very important points, as ever, about how the Government are interpreting events and, quite wrongly, trying to set this place up as if it were in opposition to this thing called “the will of the people”. That could not be further from the truth. There are many right hon. and hon. Members who, from the very outset, have spoken without fear or favour on behalf of their constituents, doing the job that we are here to do, which is to represent all our constituents, not just to pander to the members of our political parties.

I would like to think that this was an inaccurate tweeted representation, but what a shameful moment it was when, apparently, one Conservative Member asked another, “Why did you vote in the way that you did?” and received the reply, “Well, it is my association annual general meeting this week.” That is the simple reality—the truth of the situation that we are in.

I have said this before, and others have said it as well. We know of Members, primarily Conservative Members, who regularly vote not in accordance with their consciences or what they believe is in the interests of their constituents, but because they are fearful either of being attacked or assaulted—and as you know, Mr Speaker, that is a very real threat to many—or of being deselected by their Conservative associations. That is a fact. It goes to the very root of democracy, and also, I believe, to the heart of much of what has happened over the past three years: the inability of people to speak with honesty, and to do the right thing by their constituents.

There is a sense of despair in the country, which is reflected in this place. I will not say who it was, but a Member who sits on these Benches, although not in the area where I sit—they know who they are—said to me at about half-past 8 or 9 o’clock this morning, “For goodness sake, will she,” meaning the Prime Minister, “not now listen, and reach out, and try to form some sort of compromise and way forward?” I had to reply, “I am afraid to say, on the basis of my experience, that
Kevin Foster (Torbay) (Con): It is a pleasure to be called to speak in the debate, although again I have a sense of déjà vu. Here we are again, discussing this issue. It is the most important issue that faces us, but I did not seek election to the House to spend my time talking about just one issue.

I think there is a real sense that next week has to be different. Many people may be thinking that when we have another vote on Monday, it will be the same as those that we have had before. Everyone can vote against what they do not like and put up various ideas, some realistic and some not, and the Whips’ Offices will be telephoning over the weekend. I see some of my favourite Whips in the Chamber now, the hon. Member for Scunthorpe (Nic Dakin) and my hon. Friend the Member for Bury St Edmunds (Jo Churchill). There will be a ring-round, we will come back on Monday, and we will all stand on our pedestals, vote for various options and agree on none.

The comments of Donald Tusk today make very clear what the options actually are. Just kicking the can down the road—a further extension—is not a solution in itself. It is a delay, not a decision. It is a question of what we actually want it for, and which of those options we are actually seeking to implement. For me there remain three clear choices. The first is not one I agree with, as I think the referendum itself has ruled it out, but I accept that some Members—those in the Scottish National party, the Liberal Democrats, probably the Independent Group—would go for it: the revocation of article 50. I do not think that would be the right thing to do—I do not think it would be appropriate—but at least that is a coherent choice.

The second—I listened with interest to the speech of my right hon. Friend the Member for North Shropshire (Mr Paterson)—would be that we chose to leave without a deal either next Friday or at the end of another extension, although I think it is becoming clear that the EU’s patience in us just wanting to carry on debating is understandably coming to an end, as is most of the public’s. I do not think leaving without a deal would be the disaster some make out, but the votes last week show the likelihood of this House agreeing that outcome.

That brings us back to the final unilateral option we can choose: to vote for the proposed withdrawal agreement. We have to be clear that that would not be the end of the process. There are various options, from Canada to Norway to any other idea someone might want to come up with—we might almost think every one of us could put our name to a new Brexit idea for all the ones that have been brought out over the last year—but this is the one option that we can actually agree and take forward knowing that the EU will agree to it and that we can convert it into our own law. I am not going to say that it is perfect or the best thing I have ever read, but then again it was never going to be. There are clearly challenging issues; we are unravelling a 45-year relationship with many other economies. We would probably have ended up doing some of the things anyway as a sovereign state but they have become wrapped up as part of our membership of the EU.

Those are the three realistic and fairly stark choices that now face Members as we consider what will happen and what we do next week. Just saying, “I want no to-no-deal” is nonsense. Saying that is a soundbite; it isn’t a solution. We actually have to agree to a solution—to one of the two remaining alternatives. The same applies to just holding out in the hope that we might get no deal, when it is pretty obvious where the votes will go on that. I voted last week against extension; I am happy to have done that as I thought it was the right thing to do, but the way that vote would go again if we had it next week is fairly predictable.

Now is the time for Members; there has been a real and fundamental change with what has been said by the President of the European Council. We need to accept that the idea that there are all sorts of wonderful types of deals that we can do is not there; there are three simple choices available next week. Therefore, Members need to think carefully about which one of them they wish to take, or conversely wish to risk. If people want to revoke article 50, that is a principled position, but it is not one I will be voting for. We could manage no deal, but I do not see it getting through the House. So as I said back in December when I was concluding on why I would be voting for the deal at that time, it is the one way that guarantees that we actually get to Brexit. We can get some of the advantages that people voted for and leave, honour the pledges we made and respect the referendum. That is what I hope this House will do next week.
[Matt Western]

Let us look at the pattern of behaviour from the Government, and particularly at how the Prime Minister acted with her then Brexit Secretary, the right hon. Member for Haltemprice and Howden (Mr Davis), over Chequers. She would not share the documents relating to her outline proposal for Chequers with him, and I understand that it was not until the day before that she gave him access to them. So it goes on.

We realise that this is not a leader in the true sense who has chosen to take us with her on this project. She has acted almost in isolation, alienating us from the process. She has sought to plough her own furrow in order to see through some sort of legacy project for which she knew all along there would be no support. As a result, we have seen a divided Cabinet and a divided Government.

The Prime Minister never sought to engage or involve us at the beginning of the process. She never sought to scope out the implications with partner countries, with trade unions or with the devolved Administrations. We are now in the situation where we do not support her. Mr Speaker, I hope you will forgive my using a sporting metaphor when I say that she has lost the dressing room. She often repeats the phrase, as does the Secretary of State for Exiting the European Union, that we never state what we are for. That is because we have been frustrated by the process and have had no opportunity to say what we would support.

I would like to echo the points made so forcefully and well by the right hon. and learned Member for Beaconsfield (Mr Grieve). We would love to have the opportunity to explore what other options could be considered, and that is what I would call for. I believe that that opportunity should be revisited in this place next week, because it is the only way in which we can begin to reunify not only this place but the country. We must explore the options that a majority can support, and then we must work at somehow resolving the crisis that we and the country are facing. If we are to find unity and strength next week, I urge the House to support such a proposition. I believe that that position is supported across the House, and it is the only way in which we will achieve a way through.

5.52 pm

Vicky Ford (Chelmsford) (Con): At this very point in time, I was meant to be at a reception to thank British MEPs past and present for their contribution to political life. The sad fact is that, during my time in the European Parliament, Labour, Conservative and Lib Dem MEPs from this country would often work together to find common solutions.

This is a very challenging time, but the circumstances were predicted. I recall that, in the winter just after the referendum, the then ambassador to Brussels, Ivan Rogers, came to visit me in my office to talk about what the last stages of the negotiation were likely to be. He wanted to decide what date he should recommend to be put on the article 50 letter. We discussed how intense the situation would be in the run-up to the European elections. We also talked about how, in the European Parliament, the first vote in a series of negotiations would often not get through and the matter would need to come back for a few little manoeuvres, and perhaps some side agreements, before getting through on the second or third attempt. We particularly decided on the March date to ensure that if we needed an extension for a second or third vote, there would be time for that before the European elections. This was all predicted. The only thing that Ivan and I got wrong was that we predicted that the challenge would be to get this through the European Parliament, not to get it through here.

Let us look at what is now the real deadline. The real deadline is the European elections. Colleagues, I have fought a lot of European elections. I fought the one in 2009 in the middle of the expenses scandal. There were 58 Westminster MPs in the area that I campaigned in, and less than a handful were even prepared to show their faces on the streets in their own constituencies. The situation was toxic, but nothing like as toxic as it would be if we were to go back to our constituencies to fight another European election. Just think about who the candidates would be in those elections and what they would face. The hon. Member for South Cambridgeshire (Heidi Allen) is not in her seat, but she has said that she wants a second referendum. She was not even brave enough to attend public meetings in her own constituency during the first referendum—I had to do it. Just think what the next elections would be like.

I do not underestimate how damaging a no deal would be. A no deal is not a good deal. It does not matter as much to people who are not affected by Europe, but for people who have relatives living in Europe, who are married to an EU citizen or who own a business that trades with Europe—like the stallholder at a market in my Essex constituency who told me last Saturday, “Vicky, we need a deal. I will be bust within a week if we do not have a deal”—we must find a deal.

There is only one deal on the table right now, and it is the withdrawal agreement and the future partnership. I have listened over and over again to Labour Members, and the shadow Brexit Secretary has said that, fundamentally, the Opposition do not have a problem with the withdrawal agreement but that they have a problem with the vagueness of the future partnership and the political declaration.

Donald Tusk picked his words carefully in his statement today. He said we can have this extension if we agree the withdrawal agreement. He is not committing us to one route or another on the future partnership. He said we should agree the withdrawal agreement, and we can then take that moment to work out where we need to land for our future relationship, because no deal is not a good place to be. This is too high a risk for our constituents. Even though I would like to have much more clarity on the long-term relationship, I will continue to vote for the withdrawal agreement because I do not condone the damage that crashing out in a no-deal Brexit would do to our country and to our relationship with Europe.

5.57 pm

Tom Brake (Carshalton and Wallington) (LD): At Prime Minister’s questions, the Prime Minister accused the House of navel-gazing on the subject of Europe, which is rich from a party that, for the past 30 years or more, has spent all its time navel-gazing—some might say digging around in its navel—or, indeed, picking the scabs of Europe. That has left us in the current position. It has always been about the Tory interest in relation to Europe and never the interests of the country.
That is best reflected in the fact that it has required a Standing Order No. 24 application to be granted to enable us to debate something that the Prime Minister should have brought to the House, particularly given the de facto deputy Prime Minister's comments, which many hon. Members have repeated, about how reckless it would be to seek a short extension.

I am afraid to say that the Prime Minister's letter immediately fails two basic tests. First, it does not explain the purpose of the extension she seeks. Even worse, as we heard from the right hon. Member for North Shropshire (Mr Paterson), it was not submitted in time. The Government's incompetence is unparalleled. They did not submit their letter seeking an extension in time for it to be considered at this European Council meeting.

I make it clear to the Minister why the Liberal Democrats and, indeed, other Opposition parties are seeking an extension to article 50. First, the extension should be longer than the three months that the Government are apparently seeking, and it should be for a very simple purpose, which is to allow time for a people's vote. If that requires European elections to be fought, we will fight them. We could well be, perhaps for the first time in British history, fighting European elections on the values and principles of the EU. We may have Nigel Farage's Brexit party, funded by who knows whom, from who knows where, fighting that campaign, but the Liberal Democrats, the Scottish National party, the Labour party—one would hope—the Greens and so on may well be fighting the European Parliament elections on the basis of the values of the EU. These are the values that have ensured security and peace, and have ensured that the EU can deal collectively with issues such as climate change in a positive way. If we have those elections, bring them on. We would welcome the opportunity to talk positively about what the EU has done.

There is not very much positive about Brexit, but the one silver lining that I hope Members from nearly all parties—not the Democratic Unionist party but all the other parties in this place—have found is that the issue of Brexit has brought together Members of different parties who often have never worked together before. That has happened in a collegiate way, whereby we are willing to work together. As I understand it, that is how the Danes were able to get themselves out of the hole they had dug for themselves in 1992 with the Maastricht treaty. They resolved that by bringing the parties together and finding a way out of it together. That is not what our Prime Minister has done. Bearing in mind that we are 1,000 days after the vote of 23 June 2016, what she attempted, for a brief flash about 100 days ago, was to organise a series of one-off meetings with party leaders and with other members of those parties. She ticked that box and said, "I have talked to the other parties. It is all dealt with." I am not sure what is happening today, but I am not sure it will add much to the sum total of her connections with the other parties.

Jo Swinson (East Dunbartonshire) (LD): I hear what my right hon. Friend says about the Brexit situation bringing people together from different parties to work together. Does he accept that it has brought people together up and down the country? In this country, we now have one of the largest pro-European movements in Europe, and we will see that on the streets of London this Saturday.

Tom Brake: Absolutely. I thank my hon. Friend for that. We expect that this Saturday, hundreds of thousands of people will be coming into London on the people's march. If we are sitting on Saturday, as the Speaker has indicated might be possible if the Government want us to sit then, I am sure we will able to sit here and listen carefully to those people's chants of, "Stop Brexit." That is something I will welcome greatly.

Mr Speaker: I apologise to colleagues, but it is necessary to reduce the time limit to three minutes in order to maximise participation. I appreciate the understanding of the situation on the part of the hon. Member for Caerphilly (Wayne David).

6.2 pm

Wayne David (Caerphilly) (Lab): Like many people in the country and in my constituency, I am extremely concerned about the situation we are in, but I am also clear that the responsibility for where we are now rests exclusively with one person—the Prime Minister. Brexit was always going to be a challenge and it was always going to be difficult, but she has turned a drama into a crisis—a political crisis and an unprecedented constitutional crisis. My advice to her is simple—you are in a hole; stop digging. We have had two meaningful votes, which have been rejected by this House, by very large majorities. On both occasions they have been absolutely thrown out, with no question about it. As things stand, if a third meaningful vote is allowed by the Speaker, that will be rejected as well. It will be rejected because this House is full of hon. Members who will not be bullied, browbeaten or bribed.

This deal is, in my considered judgment, bad for this country, and on that basis I will not support it. I ask the Prime Minister to listen very carefully, to this House and to the country. The country is divided; on that there is no question, but this House is also divided. What we need is not blind dogma and dogmatism, but an effort by all of us, including, especially, the Prime Minister, to create a consensus for a sensible Brexit—one that puts the people first and does not put the interests of the Conservative party above the national interest.

If that consensus on what might be called a soft Brexit cannot be achieved, we have to go to the people for their vote. There is a lot to be said for a confirmatory referendum, and at this stage and in the very near future, careful consideration must be given to that. On that basis, we could salvage something out of the terrible crisis in which we find ourselves.

6.5 pm

Mr Ben Bradshaw (Exeter) (Lab): I did not think it was possible to feel more outrage at or contempt for the behaviour of this Government and this Prime Minister. The right hon. and learned Member for Beaconsfield (Mr Grieve) said earlier that he had never felt so ashamed to be a Conservative MP; let me reassure him that this is not only about party politics. I feel ashamed that we have a Prime Minister who is prepared to behave in this reckless and arrogant way, with total disregard and contempt for Parliament and the views of the majority of people in this country.

At this moment of maximum peril for the United Kingdom, we have a Prime Minister and a Government who resort to trickery, and who say one thing to Parliament...
and the public one day and do another thing the next. Most Members of this House are prepared to live up to our responsibilities and find a way out of this crisis. If the Government do not allow us to do that, Parliament will have to do it for ourselves.

My message for those Ministers in the Government whom we are told could not under any circumstances contemplate a crash-out no-deal Brexit, some of whom might be prepared to tolerate a less damaging, softer Brexit, or even a public vote, is that the next few days are their chance finally to stand up and be counted and to do what is in the national interest. They have been played. They have been had by this Prime Minister. They have put their trust in her and she has betrayed them. The next few days will be the moment of truth for them: will they finally do what they need to do in the national interest to prevent this kamikaze Prime Minister from driving this country to destruction, for which she and they will never be forgiven?

6.7 pm

Tommy Sheppard (Edinburgh East) (SNP): Without using vocabulary that I think you would find unacceptable, Mr Speaker, I cannot adequately convey the extent of my disgust at how the Prime Minister is treating Parliament. Together, we are the elected representatives of the people of the United Kingdom, yet the Prime Minister has treated us with serial contempt, as have her Executive.

Today’s discussion about the extension of article 50 is the latest in a long line. There can be no doubt that when last Thursday we voted by a big majority to approve the Government’s motion, we were voting to sanction a short extension in circumstances where the withdrawal agreement was approved, and a long extension in circumstances where it was not. There is no ambiguity whatsoever about that point, so for the Prime Minister then to seek a short extension without any approval of the withdrawal agreement is to turn the truth on its head and wilfully misrepresent the opinions of this Parliament. To people who are watching, and in particular to the leaders of the other European countries who will assemble in Brussels tomorrow, I say that when this British Prime Minister speaks tomorrow, she does not do so in our name and she does not represent our views.

We have had a long two and a half years of this Prime Minister refusing to countenance or accept any political view that is not found in the ranks of her own narrow governing party. She has ignored other points of view and tried to appease the unappeasable, and she stands accused of consistently putting her party before her country. By now, any reasonable and rational Prime Minister, having faced the scale of defeat over the length of time that she has, would have concluded either that she should leave the terrain altogether, or that it was time to go back to the drawing board, remove the arbitrary and erroneous red lines that she set at the beginning and reach out and try to build a new political consensus in this Parliament and in this country. The fact that she is unable and unwilling to do so is a matter of considerable regret and the people will judge her for it. It is not too late.

We now need a lengthy extension to this process—for as long as it does indeed take—in order to begin to create that new political consensus. My party stands willing to be part of that discussion, although what we will agree to will be determined by an ability to put whatever finds a route to a majority in this Parliament again before the people of the United Kingdom to allow them the final say. To those who are hiding behind a distant and narrow mandate, I ask: what are they afraid of? If they really believe that this withdrawal deal is what 17 million people voted for, why not put it to them and let them decide?

6.10 pm

Geraint Davies (Swansea West) (Lab/Co-op): We have been given these choices: deal or no deal; and then deal or no Brexit. We now face a situation of chaos. One million people or more will probably be marching over the weekend to ask for the right to have a final say. The Government say that they are implementing the will of the people. If their deal is the will of the people, they should put it to the people to decide. We cannot agree in this place. We voted down this deal by 230 and then by 149, and often for opposite reasons. One set of people say that we are not aligned enough with the EU, and the other that we are too much aligned with the EU. We cannot agree, so the deal should be put to the people. If this deal represents the will of the people, the people should decide.

This debate is about how long the extension should be. I put it to the Government that we should be requesting at least 22 weeks—five months—to allow time for a referendum. We probably could do with nine months if we are to look at the options. However, there is a real risk that the Government will go forward without a purpose, and we will simply be ejected by the EU, which will then force us into a situation where we will have either to take a no deal or to revoke article 50. In those circumstances, I very much hope that the Government choose to revoke article 50, because the people want to carry on with business as usual and not to have to face chaos.

In Swansea, people who voted leave voted in good faith for more money, more control, more trade, and more jobs. They are telling me now that they did not vote leave to leave their jobs. They can see that they will not get the trade and they can see that they will not get the control. They will not get the money, because there is a divorce bill. It is a complete shambles. People are not getting what they want. The Government are not representing the leave voters in Swansea and those voters now want the final say and they deserve that final say. That is what democracy is all about. Democracy is the right to change one’s mind. People are dying for that. Keynes famously said:

“When the facts change, I change my mind. What do you do?”

The facts have changed. When we had that vote, we did not have Donald Trump running around threatening people and undermining trade deals, environmental deals and world security. We did not have the Chinese getting rid of their democracy. We will be smashed between those two powers when we are trying to secure trade deals. We need to be part of Europe and share the values of Europe—of human rights, the rule of law and democracy. We need to work together in an uncertain world. People have woken up to the fact that means staying in the EU. It is all very well having these stupid populist sayings, such as “take back control” and all the rest of it. People may have voted for that, but they now
realise that they are losing control. There are those who say, “Oh, well, people will be angry.” The fact is that people will be absolutely enraged when they lose their jobs.

We are seeing the outbreak of populism, fascism and violence. _The Daily Mail_ reported a case of a woman who was beaten to a pulp by people who said, “You’re from Poland, go home.” This is what is happening as a result of Brexit. It must be stopped. The people demand a final say and it is our duty to deliver it.

6.13 pm

_Sarah Jones_ (Croydon Central) (Lab): It is our job as MPs to speak the truth as we see it and to defend the interests of our country and of our constituents—in my case the people of Croydon. It is very hard to find the words to express the horror, the incredulity and the fear that those of us on these Opposition Benches and many, many on the Government Benches feel at the situation in which we find ourselves. There are nine days until we are due to leave the EU and we have no plan. The Prime Minister’s deal has been voted down in historic proportions twice, and yet she has written today to the European Council setting out her intention to try to get it through for a third time. We know, of course, that the Prime Minister’s deal was rejected because it is deeply flawed. The _Financial Times_ said yesterday that “although Ms. May’s package is often called a deal it is little more than a standstill agreement. She has bought 21 months of armistice in return for an indefinite continuation of the conflict.”

And we know that if her deal did pass, she would be replaced, most likely by an even more hard-line leader who would take us even further into isolation and economic decline.

The Prime Minister’s deal is something that this House could not agree to; it has no legitimacy and it does not have our support. Donald Tusk has confirmed this afternoon that, in his view, a short extension should be conditional on the Prime Minister’s deal passing, so it is clear that the Prime Minister will try to run down the clock, and blackmail, cajole and threaten us into voting for her deal in order to avoid no deal. But it is also clear that this House will not be bullied into voting to make our constituents poorer.

In her short time in this post, the Prime Minister has done irrevocable damage: to the basic principles of democracy, trust and integrity in this place; to our reputation around the world, which was so great when we hosted the Olympics in 2010, but is so trashed now; to our economy, as business shies away from investment, fearful of what she will do next; and to our constituents, who suffer from low pay, a cheap state and the politics of cut and care nothing.

This is very much a live situation, with the Leader of the Opposition in talks with the EU, trying to decide the best course of action, and the Prime Minister apparently ready to make a statement tonight. But we have nine days to avoid no deal, and avoid it we must. The Prime Minister must change course, shift her position and work across the House to find a solution; she must listen to the Father of the House and hold a series of indicative votes; and she must consider the best compromise in town, the Kyle-Wilson amendment. The Prime Minister must put country before party and, at this eleventh hour, do the right thing. If she does, we will all thank her for it.

6.16 pm

_Mr Speaker_: thank you again for granting this debate today. The extension of article 50 is an important issue and this has been an important debate, and it would not have happened but for this Standing Order No. 24 application and debate. I thank everybody who has contributed. There have been some very powerful speeches, and I think that there is a clear theme: a deep concern about the course of action that the Government are pursuing. It is reckless to seek just a short extension for the purposes of putting the same deal back up and to introduce a new cliff edge at the end of the exercise, and it does increase the risk of no deal. That has been the constant theme through so many of the speeches this afternoon. It is not what this House voted for last week, both in terms of the motions that were passed or the spirit of those motions; it is clearly not what this House wants.

I hope that the Government have been listening to the debate, and I hope that they will—even at this eleventh hour—reflect on the course of action and take a different course, which is to recognise that this deal is not fit to be put before the House for a third time, and that the alternative course of providing a process so that the House can come together, find a majority, move forward and break the impasse is needed now more than ever. It is my privilege to close this debate on this important issue.

Question put and agreed to.

_Resolved_.

That this House has considered the matter of the length and purpose of the extension of the Article 50 process requested by the Government.

_Mr Speaker_: I now have to announce the result of today’s deferred Divisions. In respect of the Question relating to consumer protection, the Ayes were 313 and the Noes were 267, so the Question was agreed to. In respect of the Question relating to the annulment of amendments to the Integrated Care Regulations 2019, the Ayes were 216 and the Noes were 317, so the Question was negatived. In respect of the Question relating to organic production and control of imports, the Ayes were 315 and the Noes were 39, so the Question was agreed to. In respect of the Question relating to organic production and control, the Ayes were 315 and the Noes were 38, so the Question was agreed to.

[The Division lists are published at the end of today’s debates.]

RATING AND VALUATION

_Motion made, and Question put_.

That the draft Non-Domestic Rating (Rates Retention and Levy and Safety Net) (Amendment) and (Levy Account: Basis of Distribution) Regulations 2019, which were laid before this House on 21 February, be approved.—[Jeremy Quin.]

_The House proceeded to a Division._

_Madam Deputy Speaker_ (Dame Rosie Winterton): I remind the House that the motion is subject to double-majority voting: of the whole House and of Members representing constituencies in England.

_The House having divided: Ayes 297, Noes 196._

_Votes cast by Members for constituencies in England: Ayes 268, Noes 168._
### Division No. 371

**[6.19 pm]**

**AYES**

| Adams, Nigel | Adams, Bim | Afriyie, Adam | Aldous, Peter | Allan, Lucy | Amess, Sir David | Andrew, Stuart | Arger, Edward | Atkins, Victoria | Bacon, Mr Richard | Badenoch, Mrs Kemi | Baker, Mr Steve | Baldwin, Harriett | Barclay, Stephen | Bebb, Guto | Bellingham, Sir Stephen | Benyon, rh Richard | Beresford, Sir Paul | Berry, Jake | Blackman, Bob | Blunt, Crispin | Boleks, Nick | Bottomley, Sir Peter | Bowe, Andrew | Bradley, Ben | Bradley, rh Karen | Brady, Sir Graham | Breerton, Jack | Bridgen, Andrew | Brine, Steve | Brokenhorne, rh James | Bruce, Fiona | Buckingham, Robert | Burghart, Alex | Burns, Conor | Burt, rh Alistair | Cairns, rh Alun | Cartidge, James | Cash, Sir William | Caulfield, 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 | Coffey, Dr Thérèse | Collins, Damian | Costa, Alberto | Courts, Robert | Cox, rh Mr Geoffrey | Crabbe, rh Stephen | Crouch, Tracey | Davies, Chris | Davies, David T. C. | Davies, Glyn | Davies, Mims | Davis, rh Mr David | Dinenage, Caroline | Djanogly, Mr Jonathan | Docherty, Leo | Dodds, rh Nigel | Donaldson, rh Sir Jeffrey M. | Donelan, Michelle | Dorries, Ms Nadine | Double, Steve | Hunt, rh Mr Jeremy | Hurd, rh Mr Nick | Jack, Mr Alister | James, Margot | 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 Mr Greg | Knight, Julian | Kwarteng, Kwasi | Lamont, John | Lancaster, rh Mark | Latham, Mrs Pauline | Leadsom, rh Andrea | Lefroy, Jeremy | Leigh, rh Sir Edward | Letwin, rh Sir Oliver | Lewer, Andrew | Liddell-Grainger, Mr Ian | Lidington, rh Mr David | Little Pengelly, Emma | Lloyd, Stephen | Lopez, Julia | Lopresti, Jack | Lord, rh Mr Jonathan | Loughton, Tim | Mackinlay, Craig | Maclean, Rachel | Main, Mrs Anne | Mak, Alan | Malthouse, Kit | Mann, Scott | Masterton, Paul | Maynard, Paul | McLaughlin, rh Sir Patrick | McPartland, Stephen | McVey, rh Ms Esther | Menzies, Mark | Mercer, Johnny | Merriman, Huw | Metcalfe, Stephen | Miller, rh Mrs Maria | 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 | Neil, Robert | Newton, Sarah | Nokes, rh Caroline | Norman, Jesse | O’Brien, Neil | 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 | Philp, Chris | Pincher, rh Christopher | Poulter, Dr Dan | Pow, Rebecca | Prents, Victoria | Prisk, Mr Mark | Pritchard, Mark | Purseglove, 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 (Proxy vote cast by Tracey Crouch) | Royeley, Lee | Rudd, rh Amber | Sandbach, Antoinette | Scully, Paul | Seely, Mr Bob | Selous, Andrew | Shannon, Jim | Shapps, rh Grant | Sharma, Alok | Shelbrooke, Alec | Simpson, David | Skidmore, Chris | Smith, Chloe | Smith, Henry | Smith, rh Julian | Smith, Royston | Soames, rh Sir Nicholas | Spelman, rh Dame Caroline | Spencer, Mark | Stephenson, Andrew | Stevenson, John | Stewart, Bob | Stewart, Ian | Stewart, Rory | Stride, rh Mel | Stuart, Graham | Sturdy, Julian | Sunak, Rishi | Swain, rh Sir Desmond | Swire, rh Sir Hugo | Sym, Sir Robert | Thomas, Derek | Thomson, Ross | Throup, Maggie | Tohur, Kelly | Tomlinson, Justin | Tomlinson, Michael | Tracey, Craig | Tredinnick, David | Trelwyen, Anne-Marie | Tugendhat, Tom | Varra, Mr Shailesh | Vickers, Martin | Villiers, rh Theresa |
I am sorry to make a point of order before the start of the next debate, but during the vote, the Leader of the House walked into the Chamber and shouted angrily at me, jabbing her finger, saying that she deserved an apology from me because I, alongside other Members of all parties, had raised concerns about her comments on LGBT education earlier today. Do you think that it is appropriate for the Leader of the House to shout and jab her finger at another Member rather than raising the matter in private in an appropriate way, given that she is responsible for tackling bullying and for conduct not a matter for the Chair, as I suspect he knows, but thank the hon. Gentleman for that point of order. It is not a matter for the Chair, as I suspect he knows, but obviously we wish right hon. and hon. Members to behave with decorum.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Madam Deputy Speaker. I am sorry to make a point of order before the start of the next debate, but during the vote, the Leader of the House walked into the Chamber and shouted angrily at me, jabbing her finger, saying that she deserved an apology from me because I, alongside other Members of all parties, had raised concerns about her comments on LGBT education earlier today. Do you think that it is appropriate for the Leader of the House to shout and jab her finger at another Member rather than raising the matter in private in an appropriate way, given that she is responsible for tackling bullying and for conduct in this House?

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Gentleman for that point of order. It is not a matter for the Chair, as I suspect he knows, but obviously we wish right hon. and hon. Members to behave with decorum.
Education

6.37 pm

The Minister for School Standards (Nick Gibb): I beg to move,

That the draft Relationships Education, Relationships and Sex Education and Health Education (England) Regulations 2019, which were laid before this House on 25 February, be approved.

The regulations represent an historic step that will equip children and young people with the knowledge they need to lead safe, healthy and happy lives.

The world children are growing up in has changed considerably since the sex and relationship guidance for schools was last updated in 2000. Thanks to the internet, children are encountering a more interconnected and interdependent world. That presents opportunities and advantages, but also risks, as children have greater exposure to information, content and people that can and do cause harm. That is why, during the passage of the Children and Social Work Act 2017, thanks to the work of my right hon. Friend the Member for Basingstoke (Mrs Miller), my hon. Friend the Member for Congleton (Fiona Bruce) and other hon. Members, the Government introduced an amendment to that measure requiring the introduction of compulsory relationships education for all primary school pupils and compulsory relationships and sex education for all secondary school pupils.

Having listened to concerns about mental health, the impact of the online world and long-standing risks related to unhealthy lifestyles, we also decided to make health education compulsory in all state-funded schools.

Dr Matthew Offord (Hendon) (Con): Although I accept that the proposal is necessary in this day and age, does the Minister accept that, in politics, we have to have people with us, otherwise it causes a great deal of resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constituents? Many of my constituents do not go along with the proposal and resentment among our constitu

Nick Gibb: I do understand my hon. Friend’s concerns. We worked very hard during and after the consultation process to ensure that we could assemble the widest possible consensus on the new draft guidance. We accept that it contains some very sensitive issues and I understand that some parents have legitimate concerns about their involvement in their child’s education, particularly in primary schools. We have considered that very carefully.

Mr Jim Cunningham (Coventry South) (Lab): I thank the Minister for giving way. I think he knows what I am going to ask him, because he has been very helpful prior to this debate. What can he say to reassure, for example, the Muslim community in relation to these proposals? Can he provide some reassurance to them?

Nick Gibb: I can give the hon. Gentleman, the Muslim community and other communities who share those concerns outside this House the assurance that schools will be required, for example, to consult with parents on their relationships education, and on relationships and sex education policies. One key purpose is to help to minimise any misconception about the subjects and what might be taught, and to enable parents to decide whether to request, for example, that their child is withdrawn from sex education. We encourage schools to engage proactively with parents to set out how and when they plan to cover topics included in relationships education and RSE, so that parents can understand what is going to be taught. This means ensuring that parents know what they can and cannot withdraw their children from, that they can have an input into policies, and have sufficient time and notice to make an informed decision about whether to withdraw their children from sex education.

Sir Edward Leigh (Gainsborough) (Con): Traditionally, Conservative Governments have held the line that parents have an unfettered right to withdraw their children from sex education. Under the proposals, it will for the first time be possible at certain ages for that parental veto to be overridden. What I want from the Minister, if I may ask for this, is a commitment that it will be used very rarely, that the headteacher will have to justify his actions, that it will only be used in certain circumstances where it is definitely in the interests of the child, perhaps because of some behavioural issue, and that it will not be taken as a matter of course that the veto of parents is being overridden.

Nick Gibb: I will come on to that specific point later in my opening remarks, but I can give my right hon. Friend the reassurance that only in exceptional circumstances will the school not respect parents’ request to withdraw their child from sex education in secondary school. There is an absolute right for parents to withdraw their child from sex education in primary school.

Ms Angela Eagle (Wallasey) (Lab): This is always a sensitive subject, but we are talking about giving information to children about the daily reality of some of their contemporaries. Does the Minister not agree that we are talking about doing this in an atmosphere where we have seen what happens when being LGBT is somehow hidden and ashamed? It leads to bullying, high levels of self-hatred and mental health issues, self-harm and sometimes even suicide. Why not just listen to those who wish completely to separate their children from basic human knowledge about the reality for LGBT pupils in schools?

Nick Gibb: That is, of course, one of the purposes of introducing the regulations today and the guidance is very clear about the importance of LGBT issues. However, we also want to make sure that we have a wide consensus on these issues. They are ultimately a matter for teachers in schools to decide. I will come on to that point in a little more detail.

Jim Shannon (Strangford) (DUP): Minister, like others in this Chamber I have a real concern over the rights of parents. I hope the right hon. Gentleman will be able to help me on a specific point relating to the regulations that I know many others cannot understand. Given that RSE is to be taught in secondary school, how will it be possible to withdraw a child from sex education but not relationships education? Logically, a withdrawal from sex education must surely also be a withdrawal from relationships education unless the two subjects are taught separately. What is it to be: teaching RSE as an integrated subject with the right of withdrawal from RSE as a
whole; or splitting the subjects in two, so that one can apply the right of withdrawal to just sex education? It is either one or the other.

Madam Deputy Speaker (Dame Rosie Winterton): Order. Before the Minister replies, I remind the Chamber that a lot of hon. Members wish to speak, so interventions need to be brief.

Nick Gibb: The right is for parents to withdraw their child from the sex education element of relationships and sex education. When it passed the Children and Social Work Act 2017, the House made it very clear that there would be no right for parents to seek their children’s withdrawal from the relationships element of this new compulsory part of the curriculum, either at primary or secondary level.

John Spellar (Warley) (Lab): The Minister will be aware—not only from comments made in this Chamber, but from his mailbag—of the very considerable concerns of many people in the community. He said that teachers will decide; does that not sum up one of the fundamental issues? There seems to be no external reference mechanism able to arbitrate if discussions break down between the parents and the heads and teachers. How will we resolve that? We need to resolve it before we impose the policy on schools, do we not?

Nick Gibb: The purpose of requiring consultation between the school and parental groups is to dispel the myths that build up about the content. If parents have concerns about the content that is being taught, schools should take them very seriously. We worked very carefully on the wording of the draft guidance, to bring as many people as possible on board, and we are giving schools discretion over when to teach some of the more sensitive subjects. The compulsion is to ensure that those issues are covered at some point during the children’s education, but when that happens will be a matter for the schools to decide. Schools also have to take into account the faith backgrounds of the pupils and their parents.

Liam Byrne (Birmingham, Hodge Hill) (Lab) rose—

Nick Gibb: I will give way to the right hon. Gentleman and then make some progress.

Liam Byrne: I am grateful. As the Minister knows, I have worked with his officials every day for the past month on one of the issues in one of my schools. The parents at that school believe that the Equality Act 2010 and every single protected characteristic in it should be taught, but as a result of the breakdown in consultation, the regional schools commissioner, an independent arbitrator appointed by the Department and I have had to come in and spend a month on the matter. Surely that situation cannot be replicated in thousands of primary schools if there is a breakdown of trust, so we need more prescriptive guidance to ensure that there is no retreat from the aims of this proposal.

Nick Gibb: The policy makes it very clear that there should be consultation between the schools and parents; that the schools should publish on their websites the details of what is to be taught; and that parents should be given plenty of notice, so that there is time for their input into the development of that policy. They need to know that if the school takes a different decision, they can, ultimately, withdraw their child from the sex element of RSE in secondary schools.

The new subjects will put in place the building blocks that children need to develop healthy, positive, respectful and safe relationships of all kinds, starting with lessons at primary school about family and friends. At secondary school, what is taught in relationships and sex education will expand to reflect the person as a potential partner and parent; for example, teaching will include the characteristics of healthy and unhealthy intimate relationships, the roles and responsibilities of parents with respect to raising children, and the positive effect that good relationships can have on mental wellbeing. These subjects give us the opportunity to help to protect children and promote personal development and positive character attributes such as honesty, integrity, kindness, resilience and courtesy.

All children will be taught about online relationships and about how behaviour should be the same online as in other contexts. At age-appropriate points, they will be taught about specific online issues, such as who and what to trust, or sharing information. In secondary schools, they will be taught about the dangers and the potential impact of sexually explicit content.

Health education will give us the opportunity to drive up the consistency and quality of pupils’ knowledge about physical and mental health. Physical health and mental wellbeing are interlinked. It is important that pupils understand that good physical health contributes to good mental wellbeing, and this starts with pupils being taught about the benefits of daily exercise, good nutrition and sufficient sleep, and about the positive impact that self-care techniques can have on their health and wellbeing.

Effective teaching will give children the knowledge to recognise and seek help for poor mental and physical health and support them to promote positive mental and physical wellbeing and to thrive both at and beyond school.

Norman Lamb (North Norfolk) (LD): I welcome the inclusion of mental health and wellbeing in the compulsory curriculum, but how it is taught—ensuring that teachers are properly trained and that the training is sufficiently resourced—will be critical. Does the Minister have an expectation of how many staff will be trained to teach mental health and wellbeing in schools?

Nick Gibb: The right hon. Gentleman, a former Health Minister, raises an important point. We want to make sure that the training material is available—we are allocating £6 million in the relevant financial year to prepare and produce essential resources—and that training, both online and face to face, is available so that our teachers are well equipped to teach this subject properly.

Chris Elmore (Ogmore) (Lab): The Minister may be aware that on Monday the all-party group on social media and young people’s mental health and wellbeing, which I co-chair, published its report, “#NewFilters: to manage the impact of social media on young people’s mental health and wellbeing”. The report makes recommendations on improving digital education. Will he consider looking at the report and meeting me and the hon. Member for Hazel Grove (Mr Wragg), the co-chair, to discuss the recommendations and see if
they could be implemented across the English education system? I will be doing the same with Welsh and Scottish Education Ministers.

**Nick Gibb:** Yes, and my right hon. Friend the Secretary of State has just told me that he and I would be keen to meet the hon. Gentleman and the other members of the all-party group to discuss these really important issues. The guidance refers to the importance of teaching children about the importance of rationing time spent online, given that it detracts from other aspects of life, such as sleeping, friends, talking to parents and doing homework.

I acknowledge the significant input we had from external organisations and educational professionals, from the tens of thousands of individuals who contributed to the call for evidence and public consultation, and indeed from right hon. and hon. Members on both sides of the House who contributed constructively.

**Chris Bryant (Rhondda) (Lab):** One reason I support the Government’s move is that all the evidence shows that good sex and relationships education enables youngsters to delay their first experience of sex, make healthier decisions about their sexual relationships and to enter into healthier sexual relationships throughout their whole lives. Does the Minister not find it utterly depressing that the one bit that people seem to object to is that pupils might be “exposed”—not my word, but other people’s—to the fact that there are homosexuals in society, and is that not deeply painful to gay parents, to other family members and to gay teachers?

**Nick Gibb:** One of the key elements of relationships education is ensuring that children are aware, including in primary schools, that loving families can be made up of two mothers, two fathers or one mother and one father. Children are being taught that other family structures are just as loving and caring as their own. There is a consensus on that among all right hon. and hon. Members.

The responses and submissions have helped to finalise the statutory guidance and regulations. It is clear, as was reflected in the Government consultation response, that there are understandable and legitimate areas of contention, but it is also clear that for many people the subjects and their content are important to help equip children and young people to manage the challenges they face. It is important to provide clear and concise guidance for schools. In reviewing responses and determining the final content, we have retained a focus on the core principles for the new subjects that Parliament endorsed through the Children and Social Work Act 2017.

Those principles are that the subjects should help to keep children safe, help to prepare them for the world in which they are growing up, including its laws, and help to foster respect for others and for difference. The content included must be developmentally and age-appropriate, and it must be taught in a sensitive and inclusive way that respects the backgrounds and beliefs of pupils. We believe that in developing the accompanying statutory guidance and required content for these subjects, we have struck the right balance between prescribing the core knowledge that all pupils should be taught and allowing flexibility for schools to design a curriculum that is relevant to their pupils.

Parents and carers are the prime teachers for children, and schools complement and reinforce that role by building on what pupils learn at home. That is why we decided to strengthen the requirement for schools to consult parents on their relationships and relationships and sex education policy by enshrining it in the regulations as well as the guidance.

**Stella Creasy (Walthamstow) (Lab/Co-op):** Will the Minister give way?

**Nick Gibb:** I will not, if the hon. Lady will forgive me. Schools must consult parents on their proposed policy and any subsequent reviews; giving them the time and the opportunity to influence the curriculum and discuss their views on age-appropriate content. We have also retained the long-standing ability for parents to request that their children be withdrawn from sex education. When a primary school chooses to teach sex education, parents will have the right to request that their children be withdrawn, and that must be granted by the headteacher. At secondary schools, in the case of sex education within RSE, the school should respect the parents’ request to withdraw the child, unless there are very exceptional circumstances, up to and until three terms before the child turns 16. At that point, if the child wishes to take part in sex education, the headteacher should ensure that they receive it in one of those terms.

**George Freeman (Mid Norfolk) (Con):** I welcome the intention behind this move. As a parent, I see the pressure to which our children are subjected today and the extraordinary anxiety that is caused by many of the influences that they are under. It must be right to help them, particularly in relation to health. However, may I ask my right hon. Friend a question about parental opt-out? It has always been our party’s view, and the view of the House, that we should tread very gently when we step, as a state, between parent and child. Will he reassure me that there is some protection when it comes to the basis on which the state will decide that there are exceptional circumstances in which a parent can be overruled?

**Nick Gibb:** My hon. Friend should be reassured that they will be very exceptional circumstances. For example, if a child has experienced a sexual incident, perhaps with another child, or inappropriate touching, a headteacher may decide not to grant the request. The key point is, however, that it will be the circumstances of the child and not the views of the headteacher that will lead to that decision.

We could not have retained the right to withdraw as it currently stands, because an absolute parental right up to the point when the child is 18 years old is no longer compatible with English case law and the European convention on human rights. However, we have delivered on our commitment to maintain a right for parents to withdraw their children from sex education that is also compatible with the law.

We are committed to ensuring that every school will have the support that it needs to deliver these subjects to a high and consistent quality. We will therefore be
investing in tools that will improve schools’ practice, such as a supplementary guide to support the delivery of the content set out in the guidance, targeted support on materials and training. As I said to the right hon. Member for North Norfolk (Norman Lamb), we have up to £6 million to invest in the development of those tools this year. We are also encouraging as many schools as possible to start teaching the subjects from September 2019, so that we can learn lessons and share good practice ahead of compulsory teaching.

**Catherine West** (Hornsey and Wood Green) (Lab): Will the Minister give way?

**Nick Gibb**: I will not, because I am about to finish my speech.

We believe that our proposals are a landmark step. They will bring existing guidance into the 21st century, and will introduce new content that will help to equip children and young people with the knowledge that they need to form healthy relationships, lead healthy lives and be happy and safe in the world. I commend them to the House.

**Several hon. Members rose**—

**Madam Deputy Speaker (Dame Rosie Winterton)**: Order. Before I call the shadow Secretary of State, colleagues will I hope be aware that this debate finishes at seven minutes past 8, so after the shadow Secretary of State has spoken, I will impose an immediate five-minute time limit, and it will come down after that. If any colleagues feel that their interventions mean they do not need to make further contributions, I am sure other colleagues would appreciate that, and they can let me know and withdraw their names if they wish to.

7 pm

**Angela Rayner** (Ashton-under-Lyne) (Lab): First, may I thank the Minister for his opening remarks and the tone in which he made them and for the interventions he took and ask Members to be respectful of others who want to contribute to the debate by not intervening too much?

The issue we are speaking about today is a fundamental human right, and it is absolutely right that we discuss it on the Floor of the House. The world that our children face has changed beyond recognition since our own childhoods, and it is already far too long since we last updated the guidance on sex and relationship education. The use and reach of technology has grown at an unprecedented pace and our society has changed, too, in many ways for the better, and I welcome the Minister’s opening remarks in particular around online safety and mental health and wellbeing.

The Equality Act 2010 and equal marriage have both been passed by this House under Governments of different parties, and I hope we have led as well as reflected the changes that have happened in social attitudes. Today, we have the chance to do so again, and I am glad that this has been taken forward over many years on a cross-party basis, reflecting a consensus that cannot simply be thrown away when Governments change.

I am grateful to my hon. Friend the Member for South Shields (Mrs Lewell-Buck) who I was sad to lose from our Front Bench and who made a positive impact not least on shaping the Children and Social Work Act 2017, which legislated for universal SRE. There are many Government Members, too, who have made these reforms possible. In particular, let me acknowledge the roles played by the right hon. Member for Basingstoke (Mrs Miller) as Chair of the Women and Equalities Committee and the former Secretary of State the right hon. Member for Putney (Justine Greening), who was instrumental in bringing these changes forward.

Reform is necessary and I hope that the cross-party agreement will be reflected by all Members of this House, because it is clear this week that we must send an unequivocal message. There is a moral obligation on us to show political leadership in updating these regulations. We must ensure that every child in England today learns about healthy relationships when growing up, but it is absolutely essential that they learn about their own identities. On this point, I hope that the Minister will explain what the guidance means when it says that it “expects” all children to be taught about LGBT issues.

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): My hon. Friend is making a very strong speech, and she rightly mentioned mental health and the wellbeing of young people. Does she agree that all the more reason why we need LGBT+ inclusive education and SRE is because the mental health particularly of young LGBT people and especially trans young people is often at great risk?

**Angela Rayner**: My hon. Friend is right, and the statistics lay bare the devastating lifelong impacts if we cannot ensure every child is celebrated for who they are, which I am sure is what we all want across the House.

**Thelma Walker** (Colne Valley) (Lab): One of the most moving days of my life was when my youngest son George told me, his father and his brother that he was gay. I will never forget the look of relief on George’s face when he told us, and we had a family hug. Today, I would like us to think about all those LGBT children and young people out there who do not have a family to hug them. So I ask that there is a guaranteed requirement that every child will be taught about LGBT issues—or is there a risk that some LGBT children in particular, like my George, will miss out on this part of their education?

**Angela Rayner**: I welcome my hon. Friend’s powerful intervention, which shows the whole House that there is an obligation on us all to ensure that support is available. I also pay tribute to the Government for bringing forward these regulations. There is no opt-out from the Equality Act 2010, and we have to ensure that all schools understand the obligations and that we work with society and do not push back from the gains that we have made over the years and decades. We must support society and our young people, who actually lead the way a lot of the time on these issues. We must listen to them and show them that we love and respect them for who they are and that we will help them to grow.

**Lloyd Russell-Moyle** (Brighton, Kemptown) (Lab/Co-op): Does my hon. Friend agree that it is often not the wider society but young people who lead the way and that this
House can help to frame the discussion that will take place in the wider communities? These regulations are really important in ensuring that we frame the debate in a positive way rather than in a negative one, which is in danger of happening in some corners of this country.

Angela Rayner: I absolutely agree with my hon. Friend. Far be it from me to say that this House can sometimes be prehistoric when it comes to moving forward, but I do believe that young people challenge us, as we saw with the recent climate change strikes. We have to listen to young people, as they often show us that we can be a more tolerant, more equal, more loving and more respectful society.

LGBT issues are not something that can be detached from the society in which our young people are growing up and to which they are exposed. LGBT people will be their friends, their families, their teachers and of course some of the children being taught. They must know that, throughout their education, they will get the support that they need. Teaching LGBT awareness does not make someone any more or less LGBT, but it does teach people the facts and dispel the myths, to ensure that our young people feel loved and valued for who they are. For all the positive social change that has been achieved, nearly half of all LGBT young people are bullied in school for their sexuality, and half of them do not tell anyone about it. More than three in five lesbian, gay and bisexual young people have self-harmed, and the figure rises to more than four in five among trans students. Perhaps most devastating of all is the fact that one in five lesbian, gay and bisexual students have tried to take their own lives, as have more than two in five trans people.

We agree on the need for these reforms, but we must ensure that they are properly implemented. The Minister has said that there will be a £6 million budget for school support, training and resources, but if that were to be spread across all of England’s 23,000-plus schools, it would amount to about £254 per school. Does he really believe that schools will have the resources they need to deliver this curriculum? Perhaps he will tell us later how this funding will be distributed, and how many schools can expect to get it in the first year. Also, will every teacher who requests training in the new subject be able to access it? If not, how many does he believe will have received such training by September 2019 and 2020? Does he believe that this funding is enough to ensure that the new curriculum is available to all pupils, including those with special educational needs and disabilities, in all mainstream and special schools?

Will the Minister tell the House what steps he will be taking to monitor the implementation of the new curriculum, and in particular, how he will ensure that every child gets the education that they are entitled to? Will he also tell us what support will be given to the teachers who are delivering it? We have already seen the challenges now facing some schools in delivering similar subjects. What action will he take to monitor how the new curriculum is being implemented? What action will be taken if schools are not delivering it?

Stella Creasy: I am a member of the generation that had to deal with section 28, and we do not want to go back to that. What words of reassurance does my hon. Friend think we need to hear from the Government tonight for those parents who are concerned about sending their child to school and finding that their child and their family relationship, because they have two mums or two dads, is suddenly being judged or excluded from the curriculum?

Angela Rayner: My hon. Friend makes an important point but, without putting words in his mouth, some of the Minister’s opening remarks were absolutely right. Most people would support relationships education when they understand what it is about. We have made great progress, and I honestly think this is a tolerant, supportive and loving society. Some would not accept it, but we cannot row back from the advances we have collectively made together. I hope that the whole House will send that message across all our communities and say that this is what we want: healthy, resilient young people who will be happy into adulthood.

The regulations require the Secretary of State to review the guidance from time to time, but I am sure the Minister agrees that, with the pace of change in modern society, we will need to do so regularly. Will he confirm that he will look again at the guidance at least every few years? The option for young people to opt back in to SRE is an important one, and it is right that the guidance acknowledges the voice of young people in such decisions about their education, but can the Minister explain why the opt-in begins only from three terms before turning 16? As it stands, even in secondary schools, children will not have the right to opt in. Given that the curriculum will always be age appropriate, does he believe this age cut-off and the opt-out are genuinely necessary? Will he look again at these issues once the new guidance has bedded in?

The guidance has specific provisions requiring schools to take the religious background of all their pupils into account in teaching SRE. This flexibility can be useful, although we must be clear that there can be no opting out of the Equality Act 2010 and that all schools must teach the law on these issues so their pupils understand it. I hope that the Minister will echo that point.

As the Minister said, schools, particularly faith schools, remain able to teach distinctive faith perspectives on these issues. However, I know there are still concerns in some faith communities and, of course, we want to ensure our education system is inclusive in the widest possible sense. For example, I recently met representatives of the orthodox Jewish community, which has particular concerns not just about the curriculum but about Ofsted that I hope can be addressed.

For this to succeed, we must take parents from all our communities and all backgrounds with us. As the Minister stated, concerns that arise are often based on misunderstandings of what is being taught, and good parental engagement can avoid that. I hope that the Government will support schools on that, but I also hope that the Government are prepared to investigate and intervene, where necessary, to ensure that schools are following the Equality Act and that the Minister will come back to update the House.

We are concerned that the Government’s structural reforms to the school system have made it more difficult for parents to have their concerns heard at a school level. The shift to academies and the removal of parent governors can lead to the perception that decisions are
made by managers in academy trusts that are remote from local schools and communities. That damages the relationship between parents and schools, and it works against early and effective engagement.

The new guidance requires schools to discuss the new curriculum with parents, and it suggests an open dialogue on this subject. I believe that it is best left to schools to work in their own communities, but there must be support from the Government. If this House passes the guidance today, as I hope it will, we are asking teachers and schools to deliver that curriculum. We must give them political leadership and support in doing so. I hope that the message will be made loud and clear, not just by the Minister today, but by the Secretary of State as well.

It is rare, at a time when we are so divided, to see those on this side of the House in agreement with the Government, but that is the case today. I hope that we can agree this measure without dissent and make it clear to the whole country that it represents the will of the whole House. Of course, as shadow Education Secretary, I believe that there is room to improve the guidance and that a Labour Government will do so, but we can take a giant step forward today by passing these regulations. They are badly needed to ensure that every child grows up safe and happy. It is our absolute duty as Members of this House to make that happen. This may be the only time that I say this from this Despatch Box, but I, too, commend this motion to the House.

7.15 pm

Fiona Bruce (Con): I, too, rise to support these regulations and guidance, and I thank Ministers for the constructive engagement with Members from across the House that they have exhibited in preparation for these regulations. Through engaging, they have struck a right but difficult balance, so I am pleased to broadly support these regulations, particularly given their emphasis on teaching about relationships; the sex element is compulsory only in secondary schools.

Young people are being taught to develop healthy relationships, both physical and mental, and about maintaining relationships so that their relationships can endure, which is what they aspire to. They are being taught about the nature of marriage, and its importance for family life and the bringing up of children. The fact that schools can choose the resources they use to teach RSE is very important, particularly for faith schools, which will be able to have regard to the religious background of pupils, as is the fact that materials should be age appropriate.

I know that some colleagues have reservations about the qualified right of parental withdrawal, but I am pleased that the Schools Minister has said that this will be used in very exceptional circumstances. I ask him to reflect on the following words of the then Minister for Vulnerable Children and Families during the passage of the Children and Social Work Act 2017:

“We have committed to retain a right to withdraw from sex education in RSE, because parents should have the right, if they wish, to teach sex education themselves in a way that is consistent with their values.”—[Official Report, 7 March 2017; Vol. 622, c. 705.]

In other words, where a parent withdraws their child from sex education for reasons of religious belief up to the age of 15, that right of withdrawal should normally be respected. The exceptional circumstances we are speaking of would be there to deal with exceptional safeguarding issues, such as those involving children with special educational needs or other vulnerable needs. I would be grateful if the Minister could clarify that. He has referred to the anticipated supplemental guidance about the implementation of this curriculum, and it would be helpful if further information could be given about the right of withdrawal. Could the Minister clarify that the focus of these exceptional circumstances is to be safeguarding issues?

On working with parents and the wider community, I very much welcome paragraphs 40 to 44 of the guidance, which set out that schools should work closely with parents when planning and delivering the subjects. Good engagement is essential, but it does not always happen enough between schools and parents, and between children and parents. Anything Ministers can do to encourage this would be welcome. For example, parental involvement could be enhanced if some of the curriculum is digital and online. Some very good materials are available on the digital platform provided by OnePlusOne, such as those on how to communicate better with a partner, on conflict resolution and on how to see the best in one’s partner. It would be very helpful if parents could be given access to such modules, in order to learn what their children will be taught and, if necessary, then to be able to communicate with the school.

The other key issue has been touched on already: how the new curriculum requirements will be applied by Ofsted when the inspector calls. I raised this issue in the Westminster Hall debate in February, and it is crucial to the implementation of these regulations. The draft inspection framework for Ofsted inspectors is out for consultation until 5 April, for a roll-out in September, ahead of the implementation of the RSE and health education curriculum requirements we are discussing today. Will the Minister assure me that the new guidance and regulations, and good practice, that we are discussing today will be embedded in the new Ofsted framework? I say that because my reading of that framework is that the primary legislative requirement for the new curriculum to have regard both to age appropriateness and pupils’ religious background is not reflected in the inspection framework. We very much welcome the fact that that is reflected in the guidance. I welcome in particular paragraphs 19 to 22 of the guidance, and particularly the confirmation that schools can “reflect on faith teachings about certain topics”, but it would be helpful if the Ofsted inspection framework also referred to the new curriculum and how it will apply to inspectors’ judgments. As we have heard, concerns have been expressed, and I have received concerns from parents of children at Jewish schools who feel that Ofsted inspectors’ questions were not age-appropriate and did not reflect the religious principles regarding their relationships.

7.20 pm

Shabana Mahmood (Birmingham, Ladywood) (Lab): I spoke about RSE and the issues relating to it most recently in a Westminster Hall debate. It is fair to say that that speech gained quite a social media reaction, and the past couple of weeks have been a difficult and challenging experience: difficult because I have been forced to confront head-on the appalling reality that my
comments and, in a number of instances, the reporting on my comments has led some to think me a homophobe, and challenging because I have felt that my intentions, which were to get a fair hearing for everyone and give voice to people who have felt excluded from a process, have been both lost and misunderstood.

Let me be clear: I think RSE should be taught in schools; that the curriculum should be inclusive of all, and that includes the LGBT community; and that all of it should be taught at the right age and in the right way. I continue to call out in the strongest terms the homophobic banners, chanting and hostile protests at Parkfield School in Birmingham, because they are wrong and feed the very prejudices that I want to help to eradicate. I am happy to discuss, debate and listen to all communities, but I have been a little taken aback by some of the comments made about my position, some of which have been quite simply untrue.

My involvement first came about when a large number of parents turned up at my weekly advice surgery in January. They had come to share with me their concerns about a lack of proper engagement ahead of changes to RSE at the schools their kids attend and the delivery of education under the purview of the Equality Act. They were measured and respectful, but also genuinely angry and frustrated. Why? Because there had been a breakdown of trust between the school leadership and the parent body. It was, and is, my hope to restore that bond of trust, but we must all reflect on and learn from how it came to pass. It is not a breakdown born of bigotry or hate; it is one born, for the most part, of a failure of process, policy and oversight.

Under the new guidelines, schools will make choices about what they think the best approach is; indeed, a variety of approaches will be developed, all achieving the same end but in different ways. It is imperative that there is honesty and trust between schools and parents. If a school leadership team oversells and overstates, or undersells and understates, what is required, in order to duck challenging conversations about the choices and discretion that the law allows them, we will have conflict where there need be none.

We need to bottom-out what good consultation looks like, because in my part of Birmingham there are many examples of bad consultation. I have been heartbroken to see the contempt with which some parents in my constituency have been treated. Some deeply troubling and discriminatory assumptions—that because these people look a certain way, they will think a certain way—and the fact that the LGBT community have been treated. Some deeply troubling examples of bad consultation. I have been heartbroken to see the contempt with which some parents in my constituency have been treated. Some deeply troubling and discriminatory assumptions—that because these people look a certain way, they will think a certain way—and the fact that the LGBT community have been treated.

It is a matter of profound regret to me that the clash between rights and the role of the state, and the issue of whether all our protected characteristics are protected equally, have found themselves played out in our classrooms. The question of what happens when there is a clash remains. If others, like me, happen to think it is not possible to Twitter-storm out of existence everyone with a view different from their own, a different approach is required—one that is focused on dispute resolution, negotiation, compromise and reconciliation.

It is terrible to see communities pitted against one another. We cannot allow hard-won advances for the LGBT community to be quietly rolled back, but nor can we allow faith to be re-badged as bigotry or shout down those with sincere questions or concerns. Hard conversations cannot be avoided forever. This very institution must ultimately be the one that reconciles the competing rights and needs of different groups, which is what the guidance clearly seeks to achieve. My fear, though, is that without more, it will fall short.

Several hon. Members rose—

Madam Deputy Speaker (Dame Rosie Winterton): Order. I will now impose a four-minute time limit, and I have informed the right hon. Member for Basingstoke (Mrs Miller) of that.

7.25 pm

Mrs Maria Miller (Basingstoke) (Con): I rise to speak in support of the statutory instrument before us today, and to congratulate my right hon. Friend the Member for Basingstoke (Mrs Miller) of that.
that they all wanted to make a changed followed research from Barnardo’s that showed that seven out of 10 secondary school children wanted relationships and sex education to be compulsory. It also followed an important report of the Women and Equalities Committee that exposed the scale of sexual harassment and sexual violence in our schools. Our new clause was supported by Barnardo’s, the National Children’s Bureau, Plan International UK, the Terrence Higgins Trust, the Children’s Society, Girlguiding—the list goes on.

I think it was putting those party political differences aside on this issue that enabled Ministers to act; otherwise, we would not be here today. Credit goes to those individuals—they know who they are—who made it happen. On 1 March 2017, the Government tabled their own amendment to make RSE compulsory for all children. That is the power of Members working together; we should not forget it.

David Burrowes and I were united in the need for change because of the way in which the internet was changing our own children’s lives: the fact that children now routinely see pornography at the age of eight; the fact that pornography is now the way that most children learn about sex; the impact on children of websites showing self-harm; and the never-ending bullying through social media websites. As somebody said to me yesterday—it might have been the hon. Member for Birmingham, Yardley—the internet does not know the religion of the children who watch it. It does not know whether they are Christian or Muslim or have no faith at all. There is no filter. All our children need to know how to use the internet safely.

Those of us who came together can be proud of what is happening today, but only if schools take seriously the important role that they now have. They must make sure that parents do not see this as an opportunity to opt out of the system. Instead, schools must see it as an opportunity to explain to parents why it is more important than ever that their children get the sort of education that they are now obliged to give them in terms of relationships and sex education.

7.29 pm

Wes Streeting (Ilford North) (Lab): This instrument is a modest measure. If anything, it does not go far enough, but I warmly support the Government’s proposals. The regulations ensure that every child receives inclusive and age-appropriate relationships education, including on the full diversity of family life—from the same-sex parents dropping their children off at school, to the lesbian teacher at the front of the class, through to the young people understanding and reconciling themselves to their own identity as lesbian, gay, bisexual or trans.

Under the regulations, parents retain the option to withdraw their children from sex education—in my view, at considerable risk. If I may say so, too much of this debate is focused on LGBT education. What about safeguarding children from abuse and harm, which more often than not takes place in the home? It is vital that children are taught about what is and is not acceptable by trained professionals in a safe environment. In the context of child sexual exploitation up and down the country, we lose sight of that at our peril.

I want to focus on the opposition to this modest measure, because it speaks directly to the country that we are and demands an answer as to the kind of country that we want to be. Much of the opposition that has found its way into my inbox has been motivated by religious objections. As a Christian, I understand theological debates about human sexuality. But I should also say, particularly to those who have stood at school gates with homophobic placards and leaflets, and those who have bombarded my inbox warning about LGBT lobbies, clearly not knowing their audience: you should know better. When schools are talking about the importance of having no outsiders, and celebrating diversity and difference, who do you think they are talking about? It is not just the gay child at the front of the classroom. It is the Muslim children in the classroom, the Christians who are still persecuted—in north Africa, across the middle east and sometimes in this country—and the Jewish people who are subjected to a rising tide of antisemitism. Those of us who are different know exactly what it feels like to be an outsider. How dare people, in defence of their own difference, seek to stifle the freedoms and equality of others? If someone has a problem with gay people, bisexual people or lesbian people existing. I suggest they take it up not with their Member of Parliament but with God, because we are all created in God’s image.

It has been said, quite rightly, that we need to take people with us, and I warmly welcome the advice and encouragement of the Catholic Education Service, the Church of England and the Office of the Chief Rabbi. Religious leaders understand the kind of society we are and the kind of society we want to live in. They understand that the central tenet at the heart of so many faiths—in fact, all faiths—is to love your neighbour as yourself. Ultimately we will face judgment from one, and it will not be us.

In conclusion, I want to say to LGBT children up and down the country: in the light of the kind of world we live in—the kind of direction that we see in this country and across democracies—I cannot promise you that the world will be a better place than the one we have now. But I can promise you that I and other people in this place have got your back, and we will fight for the kind of a world that genuinely values equality, freedom and human rights. To my Muslim, Christian and Jewish constituents and friends who have written to me: I’ve got your back too. Anyone who is coming for you, your religious freedom and your place in the community will have to come through me first. I just ask—for the sake of our country, the democracy we live in and the kind of society that we want to build—that you have my back too. If we build that kind of society, whatever our background and wherever we come from, we will all live in harmony together. That is the kind of society we need to build.

7.33 pm

Huw Merriman (Bexhill and Battle) (Con): Although I have some reservations, which I will discuss, I warmly welcome the new guidance for the introduction of compulsory health, sex and relationships education. Of course, many schools already deliver the full suite of guidance to their pupils. These regulations will ensure that all do so.

Growing up is hard. The internet and social media can make it a cruel place. In my time at school, bullying was rife and the home was a place of refuge. With the online and social media world, there is no escape.
We have to reinforce to young people that online activity can be a weapon. Knives cause physical violence; cyber-abuse causes mental violence. The results can be equally devastating. Lives are destroyed, and lives have been lost. We must ensure that our schools are getting the message across. I therefore welcome the focus on mental health and wellbeing, relationships and sex education, and the need to think of the feelings and sensitivities of others. I welcome the coverage afforded to issues such as discrimination, forced marriage, domestic and sexual violence, and addictions, and the emphasis on the need to have respect for oneself and every other person in class and celebrate differences.

There are a few areas on which I seek reassurance from the Front Bench. First, I disagree that parents of secondary school age children should be able to take pupils out of sex education classes. Quite frankly, young people who fall into that category probably need even more attention, because they are unlikely to be discussing these issues at home. I am pleased that the new curriculum will give a 15-year-old the right to opt in, thus taking the matter from the parent, but it concerns me that by this time there may not be time to get sufficient sex education classes, particularly with GCSEs being taken. I would like some reassurance that the entire sex education component will be covered in that shortened window.

Secondly, teacher workloads are increasing. When speaking on this matter before, I called for room to be found for a sex education and relationships curriculum, in preference to adding to existing workloads. I would like an assurance from the Minister as to how this education will occur. If the answer is that a large amount of time will not be taken, that in itself would be of concern to me, because I believe that the wellbeing of our young people requires that investment in time.

Thirdly, I understand the need to allow schools themselves to develop content, and I believe that it is often best when teachers use their own authentic approach and style to communicate these messages. However, I am concerned that schools will be put under pressure from parents to tone down the content or eradicate parts altogether. We have witnessed scenes where some in the Muslim community have put pressure on schools. Parkfield Community School has been the scene of weekly protests over lessons covering LGBT issues. The school is rated “outstanding” by Ofsted, which praises its record of promoting tolerance, acceptance and mutual respect. The school has now said that it will cease to have respect for oneself and every other person in class and celebrate differences.

That is absolutely appalling.

Liam Byrne: Will the hon. Gentleman give way?

Huw Merriman: No, I will not.

The resolution should have been a public spaces order ban on the protesters and fines for the parents who withdrew their children from school.

Liam Byrne: I am the local Member.

Huw Merriman: I will give way on that basis. I beg the right hon. Gentleman’s pardon.

Liam Byrne: That is not what Parkfield School has done. It has agreed to go into dialogue with parents to ensure that the Equality Act is taught. That is the fact of the position.

Huw Merriman: I am happy to take that correction, but as I looked through the reports, I saw that the content on that specific area had been taken down, and I felt that that was absolutely appalling. I will correct that if it turns out not to be the case, but the reality is that we have seen those weekly protests of people carrying—
meant to know that the uncle abusing them is acting inappropriately and they have a right to say something about that? Education, not ignorance, is the only way that children will be able to recognise abusive behaviour and know how to seek help.

The scale of this problem is enormous. One in 20 children are sexually abused, one in eight experiences inappropriate sexual behaviour towards them, and one in three has never told an adult. Sexual abuse can happen to any child.

My concern is that, in this vacuum, a generation of children have gone unprotected—a generation who most recently have gone to online pornography, which is a very gendered form of violence, to find out about sex and relationships. The Government’s age verification measure is welcome, but it does not cover social media, and the main place that children, or anyone, access porn on social media is Twitter. Will the Minister liaise with colleagues to see whether that massive gap in protection can be covered?

In the absence of teaching, we have seen the LGBT community, and particularly young people, suffer enormously. Nearly half of LGBT children have been bullied at school. One in five lesbian, gay and bisexual children and two in five trans children have attempted suicide. That is shocking. I hope the Minister will ensure that that gap is bridged. It concerns me that the guidance says that schools are “expected” to have taught about LGBT relationships by the time children leave school. Can the Minister confirm whether that is a requirement or a recommendation? Will there be sanctions if it is not carried out?

Like others, I have been lobbied about the rights of parents. It is not an either/or situation. We need to recognise that 90% of child abuse is carried out within the extended family or by a family friend. Teachers know their stuff. We need to give them the resources and support to provide this education in a sensitive way. Some 80% of parents want teachers to be properly resourced, so I ask the Minister to focus on why he is allocating £250 per school. Our children deserve better.

7.41 pm

Stephen Timms (East Ham) (Lab): These are laudable regulations, and strong arguments have been set out in support of them, but as we have been reminded by a number of speakers, there are concerns among faith groups. I want to touch on those and to pick up in particular the point that my hon. Friend the Member for Ashton-under-Lyne (Angela Rayner) made about concerns in the orthodox Jewish community.

For 70 years, state-funded Jewish schools have helped to make Britain safe and welcoming for the Jewish community. I understand that over the last eight or nine months, 10 orthodox Jewish schools that were previously rated good or outstanding have been downgraded to “requires improvement” or “inadequate”—a downgrading that threatens their survival—because Ofsted is unhappy with them in the area covered by this guidance. Voices in the community say that if this continues, orthodox Jewish families will either home-school en masse, which they are fully entitled to do, or conclude that the UK is no longer a country where they are welcome. Haredi schools—the fastest growing—will not break deeply held religious convictions, and they should not have to, because religion or belief is a protected characteristic under the Equality Act 2010.

With rising antisemitism, which we all know about, state schools where the Jewish faith is observed are more important than ever. Nobody wants orthodox Jewish families to feel that they have to leave the country, but something has to give. I chair the all-party parliamentary group on faith and society, and we want to have a meeting on this issue after Easter. Will the Minister commit to his Department and Ofsted being represented at that?

7.43 pm

James Frith (Bury North) (Lab): It feels good to be here agreeing on such an important issue. Thousands of children from all backgrounds and faiths walk into schools across the country every day who already know that they are lesbian, gay, bisexual or trans or just feel different but do not know it yet. They will get into school and face homophobic or transphobic bullying from other pupils—45% of primary school teachers have observed such bullying, and nearly half of all LGBT pupils are bullied for being LGBT in our secondary schools.

The Government risk undermining their efforts with the opt-outs. What are the Government saying to these children when they say that schools are not required to teach about LGBT inclusivity and diversity—that learning about heterosexual relationships is age-appropriate, but learning about LGBT families requires a PG rating? The introduction of statutory RSE was the chance to right this wrong, but the Government’s guidance must be beefed up.

New statutory relationships education at primary level is a unique chance to ensure that all young people develop inclusive attitudes to LGBT people from a young age. Inclusion from primary can prevent the development of prejudice and wipe out the bullying that leads to so many of our young people developing higher rates of mental health problems and that leads more LGBT young people to attempt suicide. Teaching about LGBT families as part of teaching about different families at primary age is vital to ensure that young people with LGBT parents see their families reflected in teaching.

I was disappointed to see the Education Secretary say in a piece for The Times today that it will be up to primary schools to decide whether or not to teach in an LGBT inclusive way. This felt too much like a disclaimer, and too much like a trailer for the guidance by way of assuring those objecting to it. Along with 58 of my colleagues from the Opposition, we wrote to the Education Secretary this week to ask that he take a look at the guidance and ensure that LGBT inclusivity in RSE teaching is a requirement, not just a recommendation with opt-outs. This has my full support, but I do think we need to go further.

At this point, I want to highlight that there are many gay men and women with deeply held religious views as well; they are not exclusive of each other. We need to concentrate far more on examples that highlight the cause and prove the argument on which we are joining together in unison this evening.

7.46 pm

Melanie Onn (Great Grimsby) (Lab): I rise to speak as the ambassador for youth drug charity Mentor UK. One of the most important steps we have not talked
about so far today is the regulations that will make drugs education mandatory in all primary and secondary schools.

Drug usage permeates society, and it can have a devastating effect on our communities and young people. Children can be exposed to parents’ drug usage, be exploited by criminal gangs through county lines and, ultimately, end up developing life-ruining habits. It is critical that young people know the effects of drugs so that they can rationalise and understand abnormal behaviours related to drug usage and be aware of all the risks, such as addiction and long-term health effects, before they end up taking drugs themselves. Unfortunately, the effect of cuts has been to limit our schools’ ability to train teachers to deliver comprehensive drugs education, and to drive them away from these added-value lessons in favour of core performance-targeted subjects, so there has been a lack of the frequent, high-quality, early drugs education that is sorely needed.

According to charities such as VolteFace, there are a few steps the Government could take to improve the guidance further and make drugs education better across the whole country. Schools should start to build and develop drug programmes—with pupils, parents and local partners such as the police, substance misuse services and youth community hubs—that take local and personal vulnerabilities into account. These sessions should not be one-offs, but the guidance does not stipulate how often these lessons should be delivered, which means that schools could still provide basic lessons as long as they tick the boxes relating to what children should be taught by the end of primary and secondary school. This should be clarified in the guidance to mandate for yearly comprehensive drugs education, with an expansion of what is expected of this education. For example, the current guidance does not stipulate the need to teach awareness of child criminal exploitation, which could be vital in preventing children from falling into extremely dangerous situations.

7.48 pm

Anna Turley (Redcar) (Lab/Co-op): I also rise to welcome today’s regulations, and I want to speak specifically on the issue of age-appropriate relationship education. I have been very alarmed by the debate we have seen outside this House, and to see that some schools are considering dropping LGBT lessons in the light of a backlash from parents. I find this deeply worrying and astonishing, because our schools have a vital role to play in preparing our young people for their life. That is why I want every child in our country to have age-appropriate, healthy sex and relationships education.

As for that British value of the rule of law, I am very proud of the law of this land, which so many have fought for so valiantly over many years. I am proud of the law of this land that recognises equal marriage and I am proud of the law of this land that does not allow discrimination against LGBT people under the Equality Act 2010, including discrimination against pupils who are LGBT, pupils who are perceived to be LGBT and pupils with LGBT parents and family members. This must be upheld, and children are never too young to learn about the values behind those laws.

It is right that, at primary level, relationships education includes the full diversity of family life that exists in Britain. That includes families with different-sex parents, same-sex parents, single parents, adoptive parents and surrogate parents. Doing that ensures that all children are aware of those families and that they are included in the teaching. There are 18,000 same-sex parents in the UK—a figure that is rising and that we should welcome.

Early education can ensure that young people develop inclusive attitudes to LGBT people from an early age, helping to prepare them for their life in 21st-century Britain. We have already heard today the troubling statistics that 45% of primary teachers observe homophobic bullying in their schools and that one in five lesbian, gay and bi students have attempted to take their own life. Those statistics are deeply concerning.

At a time when the far right is rising across the world and intolerance and hatred are on the march, when people take up arms against communities for their faith, their race and their sexuality, as we saw in Orlando where 49 people were gunned down in a gay nightclub, we need more tolerance and love, not less. Children are never too young to learn about love, kindness, tolerance, difference, compassion and empathy.

I wholeheartedly support the regulations and pledge my solidarity with and support for the LGBT community today.

7.50 pm

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I am proud to back the regulations today. I am also proud to be gay. I say that not to fly a flag but because I was not always proud to be gay. When I was growing up, I felt dirty and alone. I felt that people like me did not exist because I did not see them and I was not told about them. We were hidden away. People in this place at that time made rules that made people like me hidden. They failed to give the support and recognition we needed and failed to value the place of LGBT people in our society. That is why I want every child in our country to have age-appropriate, healthy sex and relationships education.

Love is love. Different families all love the same. That is a message that we should be proud to send out. Our young people—gay, straight, lesbian, trans or bi—all deserve to know that they are valued and loved. We need not only LGBT education, but LGBT materials in our schools. I want “And Tango Makes Three”—a beautiful book about two gay penguins who adopt a baby penguin—to be in our schools. Such books help show our young people that it is not just an occasional lesson that we say that being LGBT is part of our community and valued, but in the libraries and everyday conversations. That matters.
I am Plymouth’s first gay MP. That matters to me because I know that there are little versions of me, be they straight, gay, bi—[An Hon. Member: “Mini Lukes!”] Those mini Lukes—and mini Lucy’s—are in every school in my city and in this country and they deserve to know that they are not alone, and that they are valued and loved. They deserve to know what they can do with their bodies, why it matters, what those feelings are, what is appropriate and what is not. If we can do that, we show every one of those people that, whether they are straight, gay or bi, they can stand up proudly and say, “This is me. This is who I am.” That will make this a place that we can all be proud of.

Jess Phillips (Birmingham, Yardley) (Lab): On my hand today, it says, “Call Sam”. Sam is a woman in my constituency who has just had to be rehoused again because of domestic abuse. I write “Call Sam” on my hand because I have promised to ring her every day, because I want to try to make sure she gets to the next day. If we do not talk about those issues—about how toxic relationships end up and how certain people and power structures should be challenged—we will always have to have “Call Sam” written on the back of our hands.

Cross-party, we have tried to do this brilliant thing, which I hope will be passed today without question, because there is an epidemic in our country of violence against women, children and LGBT people and a rising tide of racial hatred. Our children are already talking about it. For those who seek opt-outs and exceptions, and worry that people will not be able to be taken out, it is my experience that children who are taken out of these subjects or whose families might not want to talk about these things, may very well have a desperate need for someone to talk to them at school, and to feel that they have somewhere to go when they feel they are in a safe place with their teachers. We should trust our teachers. No one spoke to Sam about it at school. Maybe she would not have avoided the situation she is in, but maybe we could at least have given her hope that there would be somewhere to turn.

On the subject of the conversations about Birmingham that have now become whole-House-worthy, I recently went to Joseph Chamberlain College, which is on the border of three constituencies represented by Members sitting in this room. A young African woman wearing a niqab stood in front of the classroom and said, “I’ve invited Jess Phillips because I want to prove that anyone”—I could take this as an insult—“can become a Member of Parliament.” [Laughter] She went on to say, “As a gay African Muslim, it is really important that we make sure people can see that anyone can do anything.” I felt that my city had leapt forward and I wish for my city to keep on leaping forward. That is the face that I want people to take away when they think about Birmingham tonight, and to remember that it is for Sams, as well as Lukes, that we need to do this.

Liam Byrne (Birmingham, Hodge Hill) (Lab): These are important new rules and I am glad that my Front Bench is giving them our wholehearted support. On the Labour Benches, we are very proud of our role in repealing section 28, not just in law but in spirit. We are very proud of the role we played in getting the Equality Acts on to the statute book. I never come into the Chamber without looking at the words on the wall behind me. “More in common” is at the heart of the Equality Act 2010. That Act and inclusive education are the most important ways in which we deliver that message on the wall behind me, through inclusive education to the children and the future of this country. It reminds us that we cannot and will not pick and choose the equalities that we champion and therefore teach our young people.

The Minister will know that in Parkfield School in my constituency, we have outstanding educators and pioneers such as Andrew Moffat, who is now up for global teacher of the year. We wish him all the luck in the world in securing that prize. However, Parkfield is a good illustration of the challenges that we all have in navigating this agenda not on paper but in the real world. That is where we saw the risks of what happens when consultation just comes to a halt for years on end. We saw what happens when parents become concerned that protected characteristics are not taught in full or in a balanced way. We saw, lit up in lights, the concern when there was a hint that this was a programme that was linked to the de-radicalisation programme, Prevent. That is still something that requires an apology.

Disputes will arise as we translate this agenda into action. As the Minister knows, I feel the Government were much too slow to get a grip on their academy in Parkfield. That delay allowed those with intolerant and extreme views to hijack what was a group of parents simply wanting their voice to be heard and their role to be respected. I hope that we will send out a clear message from this Chamber to those who have been circulating that intolerant hatred aimed at the LGBT community that we will never see it go unchallenged. We stand united—united against that hatred in our city and in our schools. Parkfield parents want the Equality Act to be taught in full. They want every protected characteristic to be taught. They ask nothing more than for their voice to be heard and their role to be respected.

The challenge for the Minister, as he knows, is that he is asking academies to take full school autonomy without the kind of accountability that delivers the dialogue that he says is at the heart of this guidance. He needs to put more guidance on the table, because inclusive education is too precious to risk in disputes like those we have had over the past month.

Norman Lamb (North Norfolk) (LD): This is a moment to celebrate. Many immensely powerful speeches have been made; I very much welcomed the speech of the lion. Member for Plymouth, Sutton and Devonport (Luke Pollard). This is a really important moment for our whole Parliament to unite and say, “You can love whoever you want and be whoever you want, and that will be respected.”

On the question of withdrawal of children, in my book the child’s right must always dominate over the parents’ right. Surely children have the right to be informed about all the challenges that they will face as they grow up.

I applaud the Government for including mental health in the sex and relationships education curriculum—the culmination of years of campaigning by so many people.
How it is taught will be incredibly important: teachers need to understand the sometimes complex causes of mental ill health and distress, including trauma and child sexual abuse or other violence in the home, and teach those issues sensitively. It is also important that they be given the resources, training and support to do so; I share the shadow Minister’s concern about whether the resources that the Government have allocated for that purpose will be sufficient.

I join the hon. Member for Great Grimsby (Melanie Onn) in highlighting the importance of drug education. The organisation VolteFace has raised concerns that certain key things have not been included in the curriculum, including “awareness of child criminal exploitation; harm reduction advice; understanding of hidden harm; where parental substance misuse can impact on a child; advice on decision-making during pressured situations”.

It also notes that the curriculum does not include education for sixth-formers, who are under particular pressure with respect to drugs, and that because there is no guidance about sustained, continued education, the requirement could be met by a one-off tick-box exercise that did not meet young people’s needs. I urge the Government to keep the policy closely under review and listen to the concerns of organisations such as VolteFace, so that we get it right for young people.

8.2 pm

Jim Shannon (Strangford) (DUP): I am very happy to contribute to this debate. I would like to focus on the distinction between relationships education and sex education in relation to the right of withdrawal. Earlier, when I intervened on the Minister, I asked him to address the lack of clarity on how a right of withdrawal from sex education, but not relationships education, will work in practice when relationships and sex education is taught in an integrated manner.

The truth, of course, is that relationships education has been a part of sex education since the Education Act 1996, which requires that sex education be “given in such a manner as to encourage those pupils to have due regard to moral considerations and the value of family life”, and that pupils “learn the nature of marriage and its importance for family life and the bringing up of children”.

In that context, parents have been able to withdraw their children from sex education, which includes relationships education, since 1996. I suggest that the Government now propose to change the scope of that right of withdrawal by renaming sex education as “relationships and sex education” and applying the right of withdrawal only to sex education, not to relationships education.

If relationships and sex education is taught as an integrated subject, how can one withdraw a child from sex education but not from relationships education? The Government’s proposed changes will put parents and teachers in an impossible situation; in some cases, I suspect that it will put them on a collision course. Teachers are being told that they must teach relationships and sex education in an integrated way and that, if necessary, they should be able to remove young people from some parts of their lessons, but not others.

As I see it, the Government could address the problem by amending the regulations, either to mandate that sex education and relationship education be taught as two separate subjects or to ensure that the right of withdrawal continues to cover both sex education and relationships education. The latter decision seems to me more sensible and would be very easy to make. I expect the Minister will reiterate the position the Secretary of State took on 25 February, when they took a slightly different view. There is, however, no such restriction in the Children and Social Work Act 2017, which states that regulations “must include provision...about the circumstances in which a pupil (or pupil below a specified age) is to be excused from receiving relationships and sex education or specified elements of that education”.

Ministers could decide, on the basis of the 2017 Act, to allow a parent to withdraw a child from all elements of the curriculum. I have received considerable correspondence on this matter, and others in the House have the same concerns as me about the rights of the parent, so I suggest that he withdraw the regulations or make it clear where we stand and bring them back to the House in much better shape.

8.5 pm

Nick Gibb: With the leave of the House, I will conclude this debate.

We have listened to some superb and heartfelt speeches right across the House, from my right hon. Friend the Member for Basingstoke (Mrs Miller), the hon. Members for Ilford North (Wes Streeting) and for Rotherham (Sarah Champion), my hon. Friends the Members for Congleton (Fiona Bruce) and for Bexhill and Battle (Huw Merriman), the right hon. Member for East Ham (Stephen Timms)—yes to his invitation; officials would be pleased to attend the roundtable he is holding in his role as the chair of the all-party group—the hon. Members for Birmingham, Ladywood (Shabana Mahmood), for Bury North (James Frith), for Great Grimsby (Melanie Onn), for Plymouth, Sutton and Devonport (Luke Pollard) and for Birmingham, Yardley (Jess Phillips) and the right hon. Members for Birmingham, Hodge Hill (Liam Byrne) and for North Norfolk (Norman Lamb). I am grateful for the support that hon. Members right across the House have given to the regulations.

The regulations have also had support from beyond the House, from the Catholic Education Service, the Church of England, the PSHE Association, the National Children’s Bureau, Mencap, the End Violence Against Women Coalition and the Board of Deputies. The director of the Catholic Education Service has said: “We welcome this commitment by the Government to improve relationships and sex education”.

I apologise that in the two minutes left I cannot respond to the many important issues raised by right hon. and hon. Members, but I will write to them with my comments. I believe that we all share the ambition to ensure that children and young people have the knowledge to help keep themselves safe, to be prepared for the world in which they are growing up and to respect others and to respect difference. The regulations give us the opportunity to build a consistent foundation across all schools, and I commend them to the House.

Mr Deputy Speaker (Sir Lindsay Hoyle): The question is that motion 3 as on the Order Paper be agreed to. As many of that opinion say Aye.
Hon. Members: Aye.

Mr Deputy Speaker: Of the contrary No.

Philip Davies (Shipley) (Con): No.

Mr Deputy Speaker: I think the Ayes have it. [Interruption.] I think it was quite overwhelming. I will try once more. As many of that opinion say Aye.

Hon. Members: Aye.

Mr Deputy Speaker: Of the contrary No.

Philip Davies: No. [Interruption.]

Mr Deputy Speaker: Order. The hon. Gentleman is allowed to come—[Interruption.] Mr Frith, you know very well that a Member can come in at any time to vote. Members vote all the time without having been in the Chamber, so that is not the best point to make in this case. I would say that there was a singular voice that was continuous, in which case the Division will have to be deferred.

Question put.

The Deputy Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 27 March (Standing Order No. 41A).

8.8 pm

The Minister of State, Northern Ireland Office (John Penrose): I beg to move,

That the draft Flags (Northern Ireland) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 25 February, be approved.

I am delighted to move the motion, which deals with a narrow but important issue surrounding the flag-flying regulations in Northern Ireland. For most of the rest of the UK, vexillology—a new word I have learned today— which is the study of and interest in flag flying, is a relatively light-hearted affair and something that many people have as a hobby, but in Northern Ireland, for understandable and important reasons, it is a far more important and sensitive issue that we need to address with great care and consideration.

Gavin Robinson (Belfast East) (DUP): The Minister has stolen my thunder. I was going to commend him for becoming an expert vexillologist. He has put us all to shame by saying he is only learning the trade. In Northern Ireland, it is something one has to learn incredibly quickly. He knows that we have supported this statutory instrument from its conception and that we understand the rationale behind it, but he also knows of our concerns about the continual deletion of flag-flying designated days under the Flags (Northern Ireland) Order 2000. Will he commit to engaging with us and others so that in future we get a replication of the decision taken by Belfast City Council and by the Assembly Commission itself to follow the guidelines from the Department for Digital, Culture, Media and Sport and to make sure that there is a uniformity of approach when it comes to flying our national flag across our nation?

John Penrose: May I ask the hon. Gentleman to hold fire for a second? I will deal with his question and endeavour to ensure that I have answered it, but I am sure that if I do not, he will come back and pin me down.

Let me briefly explain what the statutory instrument will do. In most of the rest of the United Kingdom, the decision on what flags should fly on Government buildings is based on a relatively straightforward list issued by the Department for Culture, Media and Sport. Changing that and ensuring that when we have left the European Union Government buildings will no longer have to fly flags on Europe Day, 9 May, will also be relatively straightforward. However, in Northern Ireland, because of the sensitivities and because of the importance of flag flying and the symbolic issues surrounding it, it is an altogether more complicated matter.

Flag-flying regulations are baked into legislation that is ultimately the preserve of the Stormont Assembly. The SI therefore amends those regulations, using the order-making powers in the European Union (Withdrawal) Act 2018 to delete the requirement to fly flags in Northern Ireland on Europe Day. If we do not pass it, we shall be left in a rather incongruous and, I am sure, unwanted position. The only place in the United Kingdom that
would still have to fly flags officially on Europe Day would
be Northern Ireland, and I am sure that none of us
want that, for a variety of reasons.

Let me now deal with the point raised by the hon. Member for Belfast East (Gavin Robinson). He is right to
suggest that the situation in Northern Ireland is
much more complicated. Under the current regulations,
Northern Ireland Government buildings follow the list
of designated days in the regulations that we are, I hope,
amending today, whereas UK Government buildings
follow the list issued by the Department for Culture,
Media and Sport, which the hon. Gentleman mentioned.
Local authorities are responsible for flag flying according
to their own policies: some fly the Union flag throughout
the year, while others do not fly it all. I believe that
Belfast City Council follows the DCMS list of designated
days. The flag-flying days for Parliament buildings,
which the hon. Gentleman also mentioned—that is, the
Stormont buildings themselves—are decided by the
Northern Ireland Assembly Commission, not by our
Parliament. As it happens, the commission has chosen
to follow the DCMS list of designated flag-flying days.

Let me now provide an important piece of trivia for
the benefit of anyone who is caught up in a pub quiz at
any point over the next few weeks. Under the Police
Emblems and Flags Regulations (Northern Ireland)
Regulations 2002, police stations in Northern Ireland
may not fly either the Union flag or any other national
flag. They can only fly the Police Service of Northern
Ireland service flag, except in the event of a visit by Her
Majesty the Queen, when the royal standard may be
flown in place of the service flag.

Gavin Robinson: I said earlier, Mr Deputy Speaker,
that the Minister was quickly becoming a considered
vexillologist, and you will have understood from what
he has been saying that he is gaining a good understanding
of the changes and the unique differences in Northern
Ireland. I remind him, however, that some of the reasons
for those differences relate to our history and to political
difficulties caused to community relations and the emotion
in Belfast. That cannot only be done but probably
only properly be done with a functioning Assembly in
Stormont, to make sure all sides of the community have
their views represented and that difficult and sometimes
painful path can be trodden as it was in Belfast when
the hon. Gentleman was there.

John Penrose: The hon. Gentleman is right that it
causes concerns and I doubt that many people will
automatically and instinctively know or understand the
various different lists of regulations that I have just
explained to the House, and therefore why should anybody
have anything like the level of expertise of the hon.
Gentleman, who served as mayor of Belfast during a
time when a very contentious issue had to be dealt with
and debated? It was handled very carefully and resolved
in the end, but he will know better than perhaps anybody
how difficult that path was to tread.

The difficulty we have with the regulations we are
debating and I hope amending today is that, other than
the one we are able to amend today because we are
amending it through the leaving the EU Act itself, they
can only be amended through a very particular process
that requires the Stormont Assembly to be in operation
and sitting. In fact, to be precise, it requires the Secretary
of State to refer to the Assembly any amendments to
these regulations. The Assembly then has to report to
the Secretary of State the views expressed on the proposed
amendments and the Secretary of State has to have
considered the Assembly’s report.

I therefore completely take the hon. Gentleman’s
point that it would be hugely desirable to be able to
tackle any upcoming changes and proposals that might
stem from any sides of the different communities in
Northern Ireland, but that would have to be done with
great care in the same way as he has described happened
in Belfast. That cannot only be done but probably
only properly be done with a functioning Assembly in
Stormont, to make sure all sides of the community have
their views represented and that difficult and sometimes
painful path can be trodden as it was in Belfast when
the hon. Gentleman was there.

Gavin Robinson: This is my final intervention. Does
the Minister understand that tonight he is proposing a
change to the flags order without going through that
process?

John Penrose: Yes I do, and we are only able to do this
without going through that process because it is just a
change to the Europe Day regulations. It is a change
that is consequent on us leaving the EU and therefore
there is a different power in a different Act that allows
us to change this in this way for this one purpose, but it
does not, I am afraid, go any wider or allow us to make
any other changes to any of the rest of those regulations,
much though the hon. Gentleman might want me to.

I am conscious of the hour and do not want to take
up anyone’s time, but I will make one final point:
obviously, because we are proposing to make this change
through the operation of the Act for leaving the EU, it
cannot take effect until we have left the EU, so depending
on the decisions made at the European Council over the
next couple of days, it is possible that we will have
approved this and then we will not actually have left the
EU legally by the time the next Europe Day comes up.
In that case, legally, we will have no option or legal
powers to do anything other than delay signing this
order to bring it into force until the day after we have
finally left the EU. I can promise the House, however,
that we will do so as promptly as possible once we have
finally Brexited, to make sure this thing takes effect as
quickly as possible.

Stephen Pound (Ealing North) (Lab): May I possibly
trespass on the good nature of the House? There has
not been an opportunity since St Patrick’s Day for us to
mention in the House our sympathy for the three 17-year-
olds who died in the Greenvale hotel in Cookstown
on Sunday. I am sure I speak for the whole House in saying that our thoughts, prayers and sympathies are with them, their families and their friends.

May I also pay tribute to the Minister’s predecessor, the hon. Member for North West Cambridgeshire (Mr Vara) who last raised this subject on the Floor of the House and spoke with great knowledge? Vexillology is the order of the day now and has become a compulsory requirement for ministerial appointment.

There are few things that fill the House with greater dread, fear and an awful sense of foreboding than someone—even someone as modest, quiet and shy as myself—saying, “I will not detain the House for long.” If those words are enunciated in a Strangford accent, that normally means that Hansard will send out for pizzas and everyone else will cancel their late-night taxis. However, on this occasion, the Opposition will support the Government.

The Minister made an important point about the solemnity and seriousness of this issue, and this is something that we ignore at our peril. We have a totally different template here in Great Britain. For example, on 21 October we fly the Union flag in recognition of Trafalgar Day at the Royal British Legion in Greenford, and in Northolt library they are virtually vexillomaniacs in that they scarcely miss an opportunity to fly the flag, on anything from International Women’s Day to Commonwealth Day, or when the local team makes it through to the cup final, although that does not happen very often.

What we are doing here is, hopefully, tidying up the legislation. The Minister is absolutely correct to say that this will not take effect until, sadly, we leave the European Union. Flags are important. Flags matter. They are more than just symbols. Sadly, I know that I do not speak for everyone in the House when I say that when the European flag, that noble oriflamme, is no longer displayed proudly from City Hall, I hope that that flag of idealism and unity will still flutter proudly in our hearts. Let the European flag flutter within us even if it cannot flutter without us in Northern Ireland. I am glad to support the motion.

8.21 pm

Dr Andrew Murrison (South West Wiltshire) (Con): I am not quite sure that I can follow that speech either in substance or in sentiment, but I shall do my best.

On the face of it, this is a minor, unobjectionable, technical measure. However, I commend the European Statutory Instrument Committee for being canny enough to spot the fact that the words “flag” and “Northern Ireland” appearing in the same sentence probably mean that we should exercise caution and be careful. Presumably that is why the Committee referred this measure for affirmative resolution.

I recall that shortly after the referendum in 2016, people were getting terribly excited about hauling down the European Union flag. I thought that that was rather sad and unnecessary, but of course when we come to leave the European Union, the big picture in the newspapers the following day will be the European Union flag being hauled down from overseas embassies, for example.

Europe Day is clearly important for a lot of people. It is important for the European Union itself, for our neighbours and for European Union citizens here. I think we need to be little relaxed about this particular flag in the United Kingdom. I note that the Department for Digital, Culture, Media and Sport issues guidance and advice in GB, although it is clearly more prescriptive for Northern Ireland for the obvious reasons that were touched upon by the hon. Member for Belfast East (Gavin Robinson) when he outlined his long-standing personal experience of this matter, particularly in relation to Belfast City Hall.

I think that this country as a whole needs to be just a little bit relaxed about the flying of this flag on Europe Day, although I have no idea what guidance DCMS will subsequently offer on the subject of flying flags. It would seem to be a reasonable expression of our amity and concord with other European Union states, and indeed European Union citizens, if we could perhaps be a little laid back about the flying of this flag on public buildings, given that we are in the habit of flying various flags and banners from such buildings on the appropriate days, either formally or informally, from time to time.

Given the importance of flags as an expression of goodwill, it would not be inappropriate for DCMS to ponder that fact as it issues and updates its guidance.

8.24 pm

John Penrose: I am delighted that both sides of the House are willing to support this motion, which is very helpful. It is always better for things that tread on contentious ground to be broadly and widely supported, so I thank everyone for that.

I join the shadow Minister, and I am sure everyone, in expressing sympathy for the victims in Cookstown—he is right to raise it. I welcome him back to the Dispatch Box. With his crutch, he turned up limping but determined to make sure he is here representing his party’s viewpoint, which is always good to see. He also gets points for a neologism, at least I think it is a neologism. I have certainly never heard of vexillomaniacs, which is a brand-new word for me at least.

I am sure my hon. Friend the Member for South Wiltshire (Dr Murrison), the Chair of the Select Committee on Northern Ireland Affairs, is right to make a plea for tolerance and being laid back, if we possibly can, both on flag flying and on symbols more generally.

There is a second Europe Day that is not 9 May but 5 May, which is the Council of Europe’s Europe Day rather than the EU’s Europe Day. It is quite possible that some people might decide to fly a European flag on those days, and I am sure in many cases others will be entirely tolerant, but it is outwith the scope of this measure. I am delighted to record that everyone seems to be in agreement and onside.

Question put and agreed to.

Business without Debate

DELEGATED LEGISLATION

Mr Deputy Speaker (Sir Lindsay Hoyle): With the leave of the House, I will put motions 5 to 12 together. I will then put motion 13 before putting motions 14 to 17 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)).
EXITING THE EUROPEAN UNION (TRANSPORT)
That the draft Railway (Licensing of Railway Undertakings) (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 25 February, be approved.
That the draft Train Driving Licences and Certificates (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 11 February, be approved.

EXITING THE EUROPEAN UNION (COMPETITION)
That the draft State Aid (Agriculture and Fisheries) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 11 March, be approved.

EXITING THE EUROPEAN UNION (PLANT HEALTH)
That the draft Plant Health (EU Exit) Regulations 2019, which were laid before this House on 28 February, be approved.
That the draft Plant Health (Amendment) (England) (EU Exit) Regulations 2019, which were laid before this House on 11 December 2018, be approved.

EXITING THE EUROPEAN UNION (ENVIRONMENTAL PROTECTION)
That the draft Chemicals (Health and Safety) and Genetically Modified Organisms (Contained Use) (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 18 February, be approved.

EXITING THE EUROPEAN UNION (EUROPEAN UNION)
That the draft Challenges to Validity of EU Instruments (EU Exit) Regulations 2019, which were laid before this House on 12 February, be approved.

EXITING THE EUROPEAN UNION (IMMIGRATION)
That the draft Immigration, Nationality and Asylum (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.—(Iain Stewart.)
Question agreed to.
Motion made, and Question put forthwith (Standing Order No. 118(6)),

EXITING THE EUROPEAN UNION (ANIMALS)
That the draft Animal Welfare (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 31 January, be approved.—(Iain Stewart.)
The Deputy Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 27 March (Standing Order No. 41A).
Motion made, and Question put forthwith (Standing Order No. 118(6)),

EXITING THE EUROPEAN UNION (CIVIL AVIATION)
That the draft Aviation Noise (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 11 February, be approved.
That the draft Aviation Statistics (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 11 February, be approved.
That the draft Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 11 February, be approved.

EXITING THE EUROPEAN UNION (FINANCIAL SERVICES)
That the draft Financial Services (Miscellaneous) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 25 February, be approved.—(Iain Stewart.)

PETITION

Maintenance of stroke services at Queen Elizabeth, The Queen Mother Hospital Margate

8.27 pm
Craig Mackinlay (South Thanet) (Con): Petitions get varying amounts of interest, and this one had phenomenal interest among 3,243 residents.

The petition states:
The petition of residents of the constituency of South Thanet. Declares that the Queen Elizabeth The Queen Mother Hospital (QEQM) in Margate is much valued by local residents and is the only regional general hospital servicing the population of Thanet and the north and east Kent coastal communities; further that the Joint Committee of Clinical Commissioning Groups for the Kent and Medway Stroke Review have concluded that stroke services at the QEQM will be closed in favour of three Hyper-acute Stroke Units to serve Kent and Medway with Darent Valley, Maidstone and Ashford hospitals being the preferred future sites, this will leave local residents with a journey time of an hour to the nearest hospital to receive stroke care.

The petitioners therefore request that the House of Commons urges the Government to reference back to the Secretary of State the conclusions of the Joint Committee of Clinical Commissioning Groups and the Joint Health and Overview Scrutiny Committee in Kent to ensure that the outcome thus far presented is credible and soundly based and whether the maintenance of stroke services at QEQM would not be the better option for local clinical care.

And the petitioners remain, etc.

[P002442]
Small Business Exports

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

8.29 pm

Jack Brereton (Stoke-on-Trent South) (Con): What I want to explore in this debate is how, where and with what resources the Department for International Trade is taking action to connect businesses, especially small businesses, with the Government’s export strategy. Small businesses account for more than 99% of UK private sector businesses; there are some 5.6 million of them. These are the innovators, and they have huge potential to export more, but not enough of them export outside the UK. The Federation of Small Businesses reckons that only about a fifth of its members are exporters, despite the expertise on offer from the FSB itself. One thing that has struck me is that a great deal of information, advice and assistance is available to potential exporters but the question remains: how can we ensure it is hitting home? How can we persuade and facilitate more small businesses to become exporters?

I welcome the announcement in last week’s spring statement that UK Export Finance will introduce a new general export facility and launch a consultation on UK Export Finance’s foreign content policy. It will be encouraging to small business that the proposed changes will recognise the full contribution of the UK supply chain and that a wider range of exporters will gain access to UK Export Finance support, but I hope the Treasury will look even more favourably on the Department for International Trade at the next spending review. It is vital that the resources are there to engage the local businesses of global Britain in the dynamic potential of the 21st century outside the EU.

The rewards from increasing our export success are such that a bit more spending—rigorously targeted, of course—will soon more than pay for itself through, step by step, with a hand-holding exercise that allows them to open up their own domestic products to the global market.

Jim Shannon (Strangford) (DUP): I spoke to the hon. Gentleman beforehand to clarify the matter that I have a deep concern about—indeed, the Minister is probably aware of it as well. I have major issues with the changes for those exporting their goods to Europe and globally, because of the lack of clarity over food stamping and packaging and whether things can be accepted with dual stamps. That affects not only the export businesses but the packaging companies in my constituency, which have not received orders from local businesses and will not be able to process the huge order that will be coming when clarity eventually arrives. The Department of Agriculture, Environment and Rural Affairs and Department for Environment, Food and Rural Affairs do not seem to have got their act together on this yet. Does the hon. Gentleman agree that this lack of clarity affects not simply export businesses, but the subsidiary businesses, such as the packaging firm in my constituency that depends on them? This must be seen as a departmental priority.

Jack Brereton: I thank the hon. Gentleman for securing this debate. Like him, I understand the nature of exports, particularly in respect of cities such as Stoke-on-Trent. On the point about MPs’ support, will he join me in congratulating the Staffordshire chamber of commerce on the work it does through its export surgeries, where it helps businesses with the import and export paperwork and walks them through, step by step, with a hand-holding exercise that allows them to open up their own domestic products to the global market?

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): I thank the hon. Gentleman for securing this debate. Like him, I understand the nature of exports, particularly in respect of cities such as Stoke-on-Trent. The rewards from increasing our export success are such that a bit more spending—rigorously targeted, of course—will soon more than pay for itself through, step by step, with a hand-holding exercise that allows them to open up their own domestic products to the global market.

The strategy to which I just referred is subtitled “encourage and inspire businesses that can export but have not started or are just beginning; placing a particular focus on peer-to-peer learning...inform businesses by providing information, advice and practical assistance on exporting...connect UK businesses to overseas buyers, markets and each other, using our sector expertise and our networks in the UK and overseas” and, finally, “place finance at the heart of our offer”.

That is a positive statement to read, and it is in that spirit of positive engagement that I want to raise generally the remaining barriers to small-business exports.

Craig Mackinlay (South Thanet) (Con): My hon. Friend talks about a spirit of working together; has he considered whether the good plan for the future that the Department for International Trade is pursuing should include the opportunity for increased exports to our close Commonwealth friends and neighbours? That trade can work both ways. Those countries are growing markets with a third of the world’s population, and they are where Britain should be looking for reciprocal trade.

Jack Brereton: My hon. Friend is absolutely right that we need to strengthen those links with Commonwealth countries around the world. It is important that we support those strong growing markets, in which we can trade more of the fantastic products that we make right up and down this country, especially those products made in cities like Stoke-on-Trent.

It is essential that we seek to open markets up, and the ambitious free trade agreements that the Department for International Trade will deliver are a key part of that. Indeed, what would be the point of delivering those free trade agreements if we did not have exporters eager to target and take advantage of them? I have read the Government’s export strategy, which is an excellent and comprehensive document—one that I am sure will be drawn on in the Minister’s reply, to the benefit of the House. It would be helpful for there to be an MP’s guide to signposting business to export support programmes, because that is certainly an issue that all colleagues will be keen to engage with at a constituency level.
As a city we are proud of the world-class goods that we make, most famously in the ceramics industry, of course, but also in many other areas of contemporary manufacturing, from the traditional toffees of Walker’s Nonsuch in my constituency, to the cutting-edge technology of Goodwin International. They are UK export success stories. I know from Walker’s that the increase in the capital allowance to £1 million has been vital to the affordability of investment in its factory and in the latest industrial capital goods that it wants to produce.

Let me turn to the small businesses that are not engaged either in exporting or in the programmes available to encourage and help them. The Federation of Small Businesses has on its website an eye-opening article, “Breaking New Ground”, which explores what is holding back potential exporters and, crucially, what they are missing out on. It quotes a report by WorldFirst that found that the typical UK small business exporter generates more than £287,000 per year from exports. It further notes research by the Chartered Institute of Marketing and PricewaterhouseCoopers that found that of those small firms currently exporting, 70% expect to increase exports over the next three years.

Despite the evident value in exporting, less than a fifth of British small firms export anything. Why? According to the CIM and PwC study, 33% lack the confidence to approach new markets, while many see it as too great a challenge. Sixty-nine per cent. of small companies reported significant hurdles to exporting in the 2017 Hitachi Capital British business barometer. The key barriers identified in the FSB article are: insufficient resources, whether staff, time, cash or product; unfamiliar local customs, culture and language; shipping issues; handling, clearing and agency charges; exchange rate fluctuations; legislative difficulties overseas; opaque international tax rules; uncertain immigration employment laws; certificates of origin; and other red-tape issues. As Peter Sewell, regional director at Crown World Mobility, puts it: “Understanding it all takes more than a Google search.”

It is easy to see how, for sole traders and small partnerships, exporting might be daunting even to consider. Larger companies have the capacity to employ staff in export markets, and if based in the region, they can better overcome many of the challenges I have listed. For smaller companies, though, that is often just not possible and would amount to a significant proportion of their revenues.

I wish to highlight some specific issues that were raised with me on visits to local businesses in Stoke-on-Trent. I have already mentioned Staffordshire chamber of commerce, the local exports team of which, under Rob Lawley, does a great job, and Stoke-on-Trent is one of the cities that is on the up. When it comes to exports, however, the city continues to underperform against midlands cities of comparable size, such as Coventry. That is, I think, a product of Stoke-on-Trent’s business base being far more reliant on small enterprises, and it means that the local team needs more resources to keep the momentum up and fully realise our potential.

We also have unique and specialist sectors, most importantly our ceramics industry. The British Ceramic Confederation is very keen to see a Department for International Trade ceramics expert based in Stoke-on-Trent to meet the very specific needs of the industry. Preferably, they would be based at the new ceramic research park that we hope to see developed as part of the sector deal that the ceramics industry is pursuing with the Department for Business, Energy and Industrial Strategy.

I know that the Department is well versed in the issues facing the ceramics industry after Brexit and the need to continue combating unfair trade practices from countries that do not respect the rules-based international trade system. Indeed, the Minister of State for Trade Policy was a very welcome guest to a roundtable that I hosted recently with local ceramics firms at Valentine Clays in Stoke-on-Trent South. I am also pleased to report that Heraldic Pottery, which he also visited on his trip to Stoke-on-Trent, has expanded further by buying the significant and historic Duchess China Works in Longton in a supply-chain takeover.

Ceramics is undergoing a hugely welcome renaissance in its authentic home of the Potteries, and the export success for businesses large and small will add to the mood of economic optimism in the city. The touring exports hub that joined the Minister on his visit to Valentine Clays is an important part of the engagement that business needs.

I am delighted that the Department has listened to the concerns that I and others have raised about the need to continue anti-dumping measures post Brexit. Most recently, the Secretary of State confirmed that measures to prevent unfair dumping practices that threaten our ceramics industry from artificially cheap imports would be rolled over when we leave the EU. It is also incredibly reassuring for the industry that, under a no-deal Brexit, tariffs would continue to apply to certain ceramic products.

It is essential that, as a Government, we continue to champion measures that support smaller businesses to create more job opportunities, particularly more skilled jobs, which attract a higher salary. In January, the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Rochester and Strood (Kelly Tolhurst), joined me on a visit to Park Hall Business Village. The village, which has expanded in phases, currently now houses more than 100 small businesses, employs more than 1,000 people and occupies over 250,000 square feet of commercial space. It verifies the growing economic success that has been seen and has increased the demand for additional commercial space. There we met: Deck Joint Ltd, which engineers and manufactures “leave in place” formwork for the construction industry; Eden Holistic Pet Foods, a rapidly growing business that supplies grains and gluten-free pet foods; and Fifteen Group, which provides IT services. We have many other smaller businesses that are expanding and have huge potential to export more of their products and services.

One of the issues that is raised most often with me locally is the need to widen awareness of the export finance that is available. Far too few have a good awareness of the support available to finance growing exports or enter new markets. It can sometimes come as a pleasant surprise to small businesses when they find out quite how supportive the Government are in de-risking the considerable financial outlay for first-time exporters—though, of course, more resources, more reliefs and so on will always be welcome in persuading small businesses to take that final step into being an export supplier, especially of goods and services, which are more complicated in their logistics than putting a parcel in the mail after an order on the internet.
Plenty of advice and information is available to small businesses that are looking to export. A great deal of it is free of charge or comes in premium form with membership of one of the trade groups or small business forums that do such excellent work. What I ask of the Government is that the exports strategy be fully resourced to maximise its positive effect. Global Britain’s success will be built on the success of local businesses, many of which have never exported before. Crucially, we need to have increased expert support in export markets to allow small businesses to penetrate those markets. I hope that those small businesses in particular will be the focus of the Government’s efforts to support and connect businesses to grow on the world stage.

8.44 pm

The Parliamentary Under-Secretary of State for International Trade (Graham Stuart): I congratulate my hon. Friend on securing this important debate on how, where and with what resources the Department for International Trade supports our exports from small and medium-sized businesses. My hon. Friend is a remarkably energetic, knowledgeable, relentless and effective MP in championing the economic interests of his constituents. No one does more than he does to promote Stoke, and the jobs and businesses on which its prosperity depends. Like my hon. Friend, I have read the Federation of Small Businesses’ paper, “Breaking New Ground”. The FSB plays an important role in encouraging more SMEs to export, and its analysis identifies the barriers that we, in conjunction with trade bodies, are seeking to help SMEs overcome.

My hon. Friend asks how we can persuade and facilitate more small businesses to export. That is a great question, but before I attempt to answer it, let me update the House on this country’s export performance. The Government believe in the benefits of business, trade and exports. Exporting builds economic resilience and provides higher-skilled, higher-paid jobs, as my hon. Friend rightly says. It raises the average profitability, productivity and tax contributions of companies that do it. Exporting is at the heart of this Government’s mission to build a more prosperous, stronger, fairer and more equal Britain.

In the year to January 2019, exports grew to £636 billion—up 42% since the Labour party were sitting on the Government side of the House, although the Opposition Benches are empty tonight. The record employment statistics of the last few days show how potters in Stoke and residents everywhere have benefited from a Government who put wealth creation, not class warfare, at the heart of their policies. My Department has only existed since 2016, but it has played its part in that success story—not least, I am pleased to say, in the midlands. For instance, DIT’s high growth service is working with Stoke-based wholesaler Nemesis Now, and UK Export Finance is seeking to reinforce the success of Ceramic Drying Systems. Another example is that of Mantec Technical Ceramics, which the Department has helped on its journey to understand opportunities in Vietnam, including taking the company on a group market visit. The Department has assisted tens of thousands of companies like these to fulfil their global exporting ambitions across the country.

We do not just support exports from Stoke; we also support foreign direct investment into Stoke and the rest of the UK. This has included involvement with the majority of foreign direct investment projects, which in total created 76,000 jobs in 2017-18, amounting to nearly 1,500 new jobs per week across the country. But we need to go further. The latest figures from the Office for National Statistics show that 232,400 SMEs exported in 2017, which is an increase of 6.7% over the previous year. It is progress, but this represented just 9.8%—less than a tenth—of all SMEs. In fact, a DIT survey in 2017 found that 19% of all registered businesses—516,000—could be exporting, but are not. In other words, there are more companies that think that they could be exporting than there are that currently can and do.

The International Trade Centre has estimated that the UK has an untapped potential of £124 billion in the export of goods alone. As my hon. Friend has so rightly said, this means that we need to help businesses to export more, whatever their size—from the largest multinational to the small and medium-sized enterprises that are the backbone of our economy. It also means protecting businesses from injury caused by unfair trading practices such as the dumping of goods, and setting tariffs at a rate that balances their exposure to foreign competition with a need to access affordable supplies. I again congratulate my hon. Friend on championing the ceramics industry so effectively ahead of the announcement of what no-deal tariffs would look like.

We also need to improve our export support. Last August, we launched our export strategy. This set a national goal of raising exports from 30% of GDP to 35%, moving us towards the top of the G7 and thus realising our aim of being a trading superpower. This builds on the UK’s industrial strategy, with the ambition of making exporting the norm, not the exception, for our businesses, working with firms of every size to unlock their exporting potential.

The export strategy sets out a step change in the Government’s support offer based on four main types of barrier that are stopping businesses reach their exporting potential: first, a lack of access to financing; secondly, a lack of connections or an “in” into local markets; thirdly, a lack of information or knowledge about exporting, or the ability to easily acquire it; and fourthly, the need to encourage firms to begin their exporting journey. I will make a few remarks about each of these.

First, financing of trade, I am pleased to say, is an area where we have been a pioneer. The UK’s award-winning credit export credit agency, UK Export Finance, was the world’s first export credit agency, and it has been found, in each of the past two years, to be the best export credit agency in the world. It provides businesses of all sizes with export finance so that they can win contracts in the first place, trade finance to give them the cashflow to fulfil them, and insurance to make sure they get paid at the end. We know that 77% of the businesses it helped last year were SMEs. We have partnered with five of the UK’s biggest banks to make it easier for SMEs to access UKEF support. Since introducing its trade finance products in 2011, designed around the needs of smaller businesses, UKEF has helped to enable more than £4.1 billion-worth of UK exports. This Government have already increased UKEF’s capacity to over 100 markets and the number of currencies to more than 60. That means that companies that buy British goods in a foreign jurisdiction can buy using currency and borrow in a local currency, thanks to the sovereign guarantee provided by UKEF.

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The 2018 Budget increased UKEF’s direct lending support by £2 billion over the financial years 2020-21 and 2021-22, as we leave the European Union. As my hon. Friend remarked, the spring statement, only last week, announced a new general export facility. This will enable exporters to access a UKEF-backed loan to support their cashflow for a much wider variety of uses—instead of just to fulfil a specific contract, to access the sovereign guarantee. This support will take the form of a guarantee on 80% of the value of a loan—or, as I understand it, an overdraft—from a bank, and will be available from UKEF’s partner banks and non-bank financial institutions. In addition, UKEF is holding a consultation on creating a more flexible content policy. At the moment, the content has to be at least 20% from the UK supply chain. We are looking to see whether we can make that more flexible so that we can support exports all over the world and, by doing so, show maximum flexibility and maximise the economic benefits to the UK.

Secondly, on connecting businesses into local markets, to do this we have a network of DIT staff in 108 countries across the world. They provide businesses, both large and small, with practical advice on local regulations, business practices or consumer preferences. They point those businesses towards specific opportunities, help them make local connections, and lobby directly on their behalf. Again, this is especially helpful for small businesses that are entering these markets for the first time. I am pleased to say that they are reinforced by Her Majesty’s newly appointed nine trade commissioners—senior leaders with strategic expertise who have been given the authority, autonomy and resources to drive our trade performance in key priority markets around the world, as well as being supported by more than 240 DIT ministerial visits.

Thirdly, we have taken steps to help better inform businesses about the opportunities to export. This includes a network of sector-specific and region-specific advisers. My hon. Friend referenced this, and put in a bid for a ceramics specialist based in his area. As well as having specific advisers—we will consider his bid today carefully—there are 17,000 specific opportunities listed on our great.gov.uk website from markets around the world for UK businesses to express an interest in and apply for.

Finally, we have also taken measures to encourage businesses to export. Our research told us that small businesses that are new to exporting often overestimate the difficulties. In fact, many businesses told us that once they had started exporting, they wished they had done it sooner. As I said, we estimate that there are hundreds of thousands of small businesses that could be exporting but do not. A key part of tackling that issue is not the Government urging and persuading particularly, but getting successful exporters to share their experience with others. That is why we are rolling out our successful northern powerhouse export champions scheme to the entire country, which we committed to in the export strategy. There will be a network of 1,000 exporters who can act as advisers and critical friends to SMEs that are beginning to export. Only yesterday we launched the scheme in London, and tomorrow we will launch it for the east of England region.

Those four areas are the heart of our export strategy. It is a strategy that has been designed from the ground up, with implementation in mind. That is why we developed it with business, from roundtables and meetings to workshops and user surveys, and why we have focused Government support on what Government do best, rather than duplicating our excellent private sector market in export support and financing. It is also why we agree that this support must be properly resourced. It is why we have the UK’s first ever Department of State solely dedicated to international trade. If we are to compete, particularly as we leave the European Union, we need to ensure that we are able to support and project the UK offer all around the world, as other countries and rival suppliers seek to do so.

A variety of points have been made in the debate, including on the need to ensure that certification of food exports is facilitated. We take that extremely seriously and are doing everything we can to plan ahead for it, particularly if we end up leaving without a deal. My hon. Friend suggested an MPs’ guide to export services. I pledge to take that away and look at it. It sounds like an extremely good idea and something that we should follow up. We heard praise from his neighbour, the hon. Member for Stoke-on-Trent Central (Gareth Snell), for the Staffordshire chamber of commerce. I would like to praise not only that chamber of commerce but the others around the country, which provide that close link and encourage people on the exporting journey.

My hon. Friend made a point about Stoke’s reliance on smaller businesses. We have to get our strategies right to help smaller businesses. Often we can do that by improving our digital offer. It is much improved, but we have further to go in making it better still. Focusing on exports and trade and opening up markets around the world—my Department’s brief—is fundamental to delivering the prosperity that our constituents want for their lives. It is also fundamental to generating the tax receipts that will pay for the public services on which they rely.

This Government have joined up the drive and focus on economics, linking it through to the wider social policies that we all want to see delivered. One of the great failings of the Labour party was that it neglected that. That is why we have painstakingly built a business-friendly environment, and by doing so, we have got record numbers of people in work. We have been able to put record amounts of funding into the NHS and see breakthroughs—for instance, in breast cancer this week. It is all thanks to joining up, all the way through from the smallest business in my hon. Friend’s constituency going on the exporting journey, to the tax receipts that then pay for the public services on which we all depend.

Question put and agreed to.

8.58 pm

House adjourned.
Deferred Divisions

Exiting the European Union (Consumer Protection)

That the draft Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 7 February, be approved.

The House divided: Ayes 313, Noes 267.

Division No. 367]

AYES

Adams, Nigel
Afroze, Sim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Austin, Ian
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriet
Barclay, rh Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Campbell, Mr Gregory
Cairns, rh Alun
Burt, rh Alistair
Burghart, Alex
Butler, rh Karen
Brady, Sir Graham
Brereton, Jack
Bridge, Andrew
Brine, Steve
Brokenshire, r Sir James
Brookes, r Sir James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clarke, r Greg
Clarke, r Mr Kenneth
Clarke, Mr Simon
Cleaver, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, r Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey

Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, r Sir Jeffrey M.
Donelan, Michelle
Donnies, Ms Nadine
Double, Steve
Dowden, Oliver
Doyly-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evenett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazier, Lucy
Freeman, George
Freer, Mike
Fysh, rh Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, r Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Hallof, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hands, rh Greg
Harper, rh Mr Mark
Harriott, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Heron, Lady
Hinds, rh Damian
Hollingbery, George
Hollinrake, Kevin
Hollobone, rh Sir Philip
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hurd, rh Mr Nick
Jack, r Mr Alistair
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jennick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, r Sir Greg
Johnson, Mathew
Jones, Andrew
Jones, rh Mr David
Jones, r Sir James
Jones, r Sir Mark
Kawczynski, Daniel
Keeghan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Ms Pauline
Leadsom, r Sir Andrea
Lee, Dr Philip
Lefroy, Jeremy
Leigh, rh Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Liddell-Grainger, Mr Ian
Liddington, rh Mr David
Lopez, Julia
Lopresti, Jack
Lord, r Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Maithouse, 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
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O’Brien, Neil
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Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Patterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philip, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, rh Mark
Pritchard, Mark
Purseglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, rh Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas (Proxy vote cast by Tracey Crouch)
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, r Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Akol
Shelbrooke, Alec
Simpson, David
Skidmore, Chris
Smith, Chloe
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Deferred Divisions

Twigg, Derek
Soubry, rh Anna
Spellar, rh John
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Swinson, Jo
Tami, rh Mark
Thewliss, Alison
Thomson, rh Patrick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Twigg, Derek
Twigg, Stephen
Twist, Liz
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Mrs Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Wilson, Phil
Wishart, Pete
Wollaston, Dr Sarah
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Goodman, Helen
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Haigh, Louise
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harries, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Heburn, Mr Stephen
Heron, Lady
Hill, Mike
Hillery, Meg
Hodgson, Mrs Sharon
Hopkins, Kelvin
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jarvis, Dan
Javid, rh Sajid
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Helen
Jones, rh Mr Kevan
Jones, Susan Elan
Kane, Mike
Keelley, Barbara
Khan, Afzal
Kilien, Ged
Kinnoch, Stephen
Kyle, Peter
Laird, Lesley
Lammy, rh Mr David
Lavery, Ian
Lee, Karen
Lewell-Buck, Mrs Emma
Lewis, Mr Ivan
Lidington, rh Mr David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
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Lynch, Holly (Proxy vote cast by Mark Tami)
Madders, Justin
Mahwood, Mr Khalid
Mahwood, Shabana
Malhotra, Seema
Mann, John
Maraden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhan
McDonald, Andy
McDonald, rh John
McFadden, rh Mr Pat
McGinn, Conor
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward

Moon, Mrs Madeleine
Morden, Jessica
Morgan, Stephen
Morris, Graham
Nandy, Lisa
Norris, Alex
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamar, Kate
Owen, Albert
Pearce, Teresa
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Phillips, Jess
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Platt, Jo
Pollard, Luke
Powell, Lucy
Rashid, Faisal
Rayner, Angela
Reeves, Ellis
Reyes, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sherriff, Paula
Siddiq, Tulip (Proxy vote cast by Vicky Foxcroft)
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Owen
Snell, Gareth
Solberg, Alex
Spellar, rh John
Stevens, Jo
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Tami, rh Mark
Thomas, Gareth
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Twigg, Derek
Twigg, Stephen
Twist, Liz
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Williams, Dr Paul
Wilson, Phil
Yasin, Mohammad
Zeichner, Daniel
Deferred Divisions

20 MARCH 2019

Deferred Divisions

NOES

Adams, Nigel
Afolami, Bin
Afryie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Argar, Edward
Alkins, Victoria
Austin, Ian
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Berry, Jake
Blackman, Bob
Blunt, Crispin
Bolsover, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Breereton, Jack
Bridge, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Caims, rh Alun
Campbell, Mr Gregory
Cartidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glynn
Davies, Mims
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Dochez, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle

Huddleston, Nigel
Hughes, Eddie
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Keegan, Gillian
Kendall, Liz
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Law, Chris
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, rh Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Liddell-Grainger, Mr Ian
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Lucas, Ian C.
Mackinnay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McInnes, Liz
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, Ian
Murray, Mrs Sherry

Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O’Brien, Neil
Oford, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Perry, Andrew
Perry, rh Claire
Philp, Chris
Pincher, rh 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 (Proxy vote cast by Tracey Crouch)
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Skidmore, Chris
Smith, Angela
Smith, Chloe
Smith, Henry
Smith, Rosiston
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, lain
Stewart, Rory
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Symes, Sir Robert
Thomas, Derek
Thomson, Ross
Question accordingly negatived.

EXITING THE EUROPEAN UNION (AGRICULTURE)

That the draft Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.

The House divided: Ayes 315, Noes 39.

Division No. 369]

AYES

| Adams, Nigel | Cartilage, James |
| Afalomi, Bim | Cash, Sir William |
| Afriyie, Adam | Caulfield, Maria |
| Aldous, Peter | Chalk, Alex |
| Allan, Lucy | Chishti, Rehman |
| Amess, Sir David | Chope, Sir Christopher |
| Andrew, Stuart | Churchill, Jo |
| Argar, Edward | Clark, Colin |
| Atkins, Victoria | Clark, rth Greg |
| Austin, Ian | Clarke, rth Mr Kenneth |
| Bacon, Mr Richard | Clarke, Mr Simon |
| Badenoch, Mrs Kemi | Cleverly, James |
| Baker, Mr Steve | Clifton-Brown, Sir Geoffrey |
| Baldwin, Harriett | Coffey, Dr Thérèse |
| Barclay, rth Stephen | Collins, Damian |
| Baron, Mr John | Costa, Alberto |
| Bebb, Guto | Courts, Robert |
| Bellingham, Sir Henry | Cox, rth Mr Geoffrey |
| Benyon, rth Richard | Crabb, rth Stephen |
| Beresford, Sir Paul | Crouch, Tracey |
| Berry, Jake | Davies, Chris |
| Blackman, Bob | Davies, David T. C. |
| Blunt, Crispin | Davies, Glyn |
| Boles, Nick | Davies, Mims |
| Bone, Mr Peter | Davies, Philip |
| Bottomley, Sir Peter | Davis, rth Mr David |
| Bowie, Andrew | Dinenage, Caroline |
| Bradley, Ben | Djanogly, Mr Jonathan |
| Bradley, rth Karen | Docherty, Leo |
| Brady, Sir Graham | Dodds, rth Nigel |
| Breer, Jack | Donaldson, rth Sir Jeffrey M. |
| Breiden, Andrew | Donelan, Michelle |
| Brine, Steve | Dorries, Ms Nadine |
| Brokenshire, rth James | Double, Steve |
| Bruce, Fiona | Dowden, Oliver |
| Buckland, Robert | Doyle-Price, Jackie |
| Burghart, Alex | Drax, Richard |
| Burns, Conor | Duddridge, James |
| Burt, rth Alistair | Duguid, David |
| Cairns, rth Alun | Duncan, rth Sir Alan |
| Campbell, Mr Gregory | Duncahm, rth Mr Iain |
| Dunne, rth Mr Philip | Ellis, Michael |
| Ellwood, rth Mr Tobias | Elphicke, Charlie |
| Eustice, George | Evans, rth Mr Nigel |
| Evennett, rth Sir David | Fabrancit, Michael |
| Fallon, rth Sir Michael | Field, rth Frank |
| Ford, Vicky | Foster, Kevin |
| Fox, rth Dr Liam | Francois, rth Mr Mark |
| Frazer, Lucy | Freer, Mike |
| Freemen, George | Fysh, Mr Marcus |
| Gale, rth Sir Roger | Garnier, Mark |
| Gauke, rth Mr David | Ghan, Ms Nusrat |
| Gibb, rth Nick | Girvan, Paul |
| Glen, John | Goldsmith, Zac |
| Goldsworthy, rth Mr Robert | Goodwill, rth Mr Michael |
| 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 |
| Grieve, rth Mr Dominic | Griffiths, Andrew |
| Hair, Kirstene | Hands, rth Greg |
| Halfon, rth Robert | Harley, rth Mark |
| Hall, Luke | Hammond, rth Mr Philip |
| Hammond, Stephen | Hamblin, rth Mr Philip |
| Hands, rth Greg | Harper, rth Mr Mark |
| Harrington, Richard | Harrison, rth Philip |
| Harris, Rebecca | Harrison, Trudy |
| Harrison, Trudy | Hart, Simon |
| Hayes, rth Sir John | Heald, rth Sir Oliver |
| Heappey, James | Heath-Harris, Chris |
| Heath-Jones, Peter | Henderson, Gordon |
| Henderson, Gordon | Hermon, Lady |
| Hinds, rth Damian | Hollingbery, George |
| Hollinrake, Kevin | Hollobone, rth Philip |
| Howell, John | Huddleston, Nigel |
| Hughes, Eddie | Hur, rth Mr Nick |
| Jack, rth Sir Alister | James, Margot |
| James, rth Marcus | Javid, rth Sajid |
| Jayawardena, Mr Ranil | Jenkin, Sir Bernard |
| Jenkyns, Andrea | Jennick, Robert |
| Johnson, rth Boris | Johnson, Dr Caroline |
| Johnson, Gareth | Jones, Andrew |
| Jones, Mr David | Jones, Mr Marcus |
| Kawczynski, 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 | Lee, Dr Philip |
| Lefroy, Jeremy | Leigh, rth Sir Edward |
| Letwin, rth Sir Oliver | Lewer, Andrew |
| Lewis, rth Brandon | Lewis, Mr Ivan |
| Liddell-Grainger, Mr Ian | Lidington, rth Mr David |
| Littlet, Julia | Lopez, Julia |
| Lopresti, Jack | Lord, Mr Jonathan |
| Loughton, Tim | Mackinlay, Craig |
| Maclean, Rachel | Main, Mrs Anne |
| Mak, Alan | Malhotra, Kit |
| Mann, Scott | Marsh, rth Simon |
| Masterton, Paul | May, rth Mrs Theresa |
| Maynard, Paul | McCluskey, Stephen |
| McCauley, Stephen | Miller, rth Mrs Maria |
| Milling, Amanda | Mills, Nigel |
| Milton, rth Anne | Mitchell, rth Mr Andrew |
| Moore, Damien | Mordaunt, rth Penny |
| Morgan, rth Nicky | Morris, Anne Marie |
| Morris, David | Morris, James |
| Morris, James | Morton, rth Wendy |
| Mundell, rth David | Murray, Mrs Sheryll |
| Murnion, Dr Andrew | Neill, Robert |
| Newton, Sarah | Nokes, rth Caroline |
| Norman, Jesse | O'Brien, Neil |
| Offord, Dr Matthew |

Noes 39
EXCLUDING THE EUROPEAN UNION (AGRICULTURE)

That the draft Organic Production and Control (Amendment) ((EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.

The House divided: Ayes 315, Noes 38.

Division No. 370]

AYES

Davies, Mims
Davies, Philip
Davies, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Donnies, rh Ms Nadine
Double, Steve
Downing, Oliver
Doyie-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr lain
Dunn, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evenett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazier, Lucy
Freeman, George
Freer, Mike
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, rh Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damien
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gymah, Mr Sam
Hair, Kirstene
Hall, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Adams, Nigel
Afolami, Bin
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward
Arias, Victoria
Austin, Ian
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh 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
Breton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
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 Thérese
Collins, Damian
Costa, Alberto
Couts, Robert
Cox, rh Mr Geoffrey
Craobh, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn

NOES

Hendry, Drew
Hollins, Kate
Lake, Ben
Law, Chris
Linden, David
Lucas, Caroline
Lucas, Ian C.
Mc Nally, John
McDonald, Stewart Malcolm
McDonald, Stuart C.
Monaghan, Carol
Newlands, Gavin
O’Hara, Brendan
Sheppard, Tommy
Stephens, Chris
Thewlis, Alison
Whitford, Dr Philippa
Williams, Hywel
Wishart, Pete

Question accordingly agreed to.
Deferred Divisions Deferred Divisions

Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Hermon, Lady
Hinds, rh Damian
Hollingbery, George
Hollinrake, Kevin
Holloble, Mr Philip
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenks, Andrea
Jenrick, Robert
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczyński, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, rh Sir Edward
Lettew, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, Mr Ivan
Liddell-Grainger, Mr Ian
Liddington, rh Mr David
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs 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
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Phlip, Chris
Pincher, rh Christopher
Pouller, Dr Dan
Powy, 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, rh Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas (Proxy vote cast by Tracey Crouch)
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shebbyrook, Alec
Simpson, David
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Royston
Soames, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond

Bardell, Hannah
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Brock, Deidre
Brown, Alan
Cameron, Dr Lisa
Chalk, Alex
Cherry, Joanna
Cowan, Ronnie
Crawley, Angela
Davies, Geraint
Day, Martyn
Edwards, Jonathan
Fellows, Marion
Gethins, Stephen
Gibson, Patricia
Grady, Patrick
Grant, Peter

Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohur, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shasle
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warmisan, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wood, Mike
Woodcock, John
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

NOES

Gray, Neil
Hendry, Drew
Holern, Kate
Lake, Ben
Linden, David
Lucas, Caroline
Lucas, Ian C.
Mc Nally, John
McDonald, Stewart Malcolm
McDonald, Stuart C.
Monaghan, Carol
Newlands, Gavin
O’Hara, Brendan
Sheppard, Tommy
Stephens, Chris
Thewlis, Alison
Whitford, Dr Philippa
Williams, Hywel
Wishart, Pete

Question accordingly agreed to.
House of Commons

Thursday 21 March 2019

The House met at half-past Nine o’clock

PRAYERS

[M.R SPEAKER in the Chair]

Oral Answers to Questions

TRANSPORT

The Secretary of State was asked—

Transport Emissions

1. Bill Esterson (Sefton Central) (Lab): What steps he is taking to reduce transport emissions.

2. Kerry McCarthy (Bristol East) (Lab): What steps he is taking to reduce transport emissions.

3. Emma Dent Coad (Kensington) (Lab): What steps he is taking to reduce transport emissions.

The Minister of State, Department for Transport (Jesse Norman): We have set out clear plans within Government to reduce emissions across all transport modes. In my own area of responsibility, this includes last year’s “Road to Zero” strategy for road vehicles and, most recently, our future of mobility strategy specifically focused on creating cleaner and greener transport.

Bill Esterson: Nuclear, solar, tidal, offshore wind, onshore wind: all are forms of renewable energy that have been cut on this Government’s watch. Forty thousand people die prematurely each year as a result of poor air quality, and we all face the threat of climate change. This reckless approach to emissions must stop, so when are the Government going to end their reliance on fossil fuels and make the switch to electric and hydrogen-powered vehicles?

Jesse Norman: I am grateful to the hon. Lady for that question, and delighted by Labour’s recently rediscovered interest in emissions. The hon. Gentleman will know that many of the areas that he mentions—I say this as former Energy Minister—have been colossal successes. In the offshore wind industry, for example, the required levels of subsidy have fallen dramatically over time, as have the costs. As I said, we have the “Road to Zero” strategy. We also have the “Aviation 2050” Green Paper and the “Maritime 2050” strategy, all of which are designed to reduce emissions.

Kerry McCarthy: Over the past decade, Bristol has seen a 40% rise in bus use, which is obviously really good, but there is a downside in that buses and coaches contribute almost a quarter of NOx emissions in the city. We have been doing what we can to retrofit the bus stock, but we have just put in a bid for £2.5 million from the clean bus technology fund so that we can retrofit another 170 buses. Will the Government support that?

Jesse Norman: I am grateful to the hon. Lady for that question on an issue of great importance—reducing emissions from buses. We have done quite a lot of that already. I am sure that the Under-Secretary of State for Transport, my hon. Friend the Member for Wealden (Ms Ghanji), will look forward to receiving the bid and will carefully examine it with her officials.

Emma Dent Coad: In Kensington and Chelsea, nearly 30,000 children are living with unsafe levels of air pollution. That is repeated across the country. asthma UK and UNICEF UK tell us that babies born into heavily polluted areas are born with smaller lungs and brains, and are more prone to asthma, while those on steroids will have their physical development curtailed by this debilitating illness. Will the Minister please tackle this national health emergency by setting legally binding limits on particulates across the country, in line with World Health Organisation guidance, and give future generations a chance to thrive?

Jesse Norman: The hon. Lady will know that we are doing an enormous amount through the clean air fund and the other supported funding that we are giving to local authorities, including by working very closely with Transport for London. She is absolutely right to highlight the importance of this issue. However, I was slightly surprised when I carefully perused the shadow Secretary of State’s speech earlier this week, which discussed emissions in some detail, because I was unable to find virtually any mention of cycling, walking or active travel—an absolutely central part of this discussion. I commend that thought to Labour Members.

Kirstene Hair (Angus) (Con): While I warmly welcome any initiative that helps to curb emissions, I am slightly concerned that the roll-out of low emission zones across the country will lead to problems whereby motorists, hauliers and delivery drivers are having to comply with different regulations in whatever city they come into. Does the Minister agree that we also need to look into alternative solutions so that we do not just continue to tax the motorist but give them the alternative of buying a new car or paying taxes?

Jesse Norman: That point is very well made: I thank my hon. Friend. We have been talking to the various industry organisations about this issue. There is a concern that there might be a patchwork of permits as between different cities. It is not clear exactly what each city is doing an initiative that helps to curb emissions, I am slightly concerned that the roll-out of low emission zones across the country will lead to problems whereby motorists, hauliers and delivery drivers are having to comply with different regulations in whatever city they come into. Does the Minister agree that we also need to look into alternative solutions so that we do not just continue to tax the motorist but give them the alternative of buying a new car or paying taxes?

Jesse Norman: That point is very well made: I thank my hon. Friend. We have been talking to the various industry organisations about this issue. There is a concern that there might be a patchwork of permits as between different cities. It is not clear exactly what each city is going to be implementing by way of a zone. We are working very closely to see if we can minimise any disruption and potentially create a national charging infrastructure.

Lilian Greenwood (Nottingham South) (Lab): Further to the question from my hon. Friend the Member for Kensington (Emma Dent Coad), 4.5 million children are growing up in areas with unsafe levels of particulate matter. Over 70% of UK towns and cities have levels that are above the limit recommended by the World
Health Organisation. When will the Minister protect our children from toxic air? Under his existing plans, they are likely to persistently face that for another 10 years.

**Jesse Norman:** I am slightly surprised that the hon. Lady, as Chair of the Transport Committee, is not aware of the very considerable funding—hundreds of millions of pounds—and the very specific and close work we are doing with cities, many of them Labour cities constructively working with Government on reducing this problem. It is a complex and multifaceted issue, and we are taking it very seriously.

**Andy McDonald** (Middlesbrough) (Lab): This week the chief executive of the Committee on Climate Change said that tackling climate change “requires the strongest leadership in the heart of government.”

But with the Government set to miss their emission reduction targets, it is clear that the Transport Secretary has failed to provide the leadership required. I have a straightforward question for the Minister: do he and his boss believe in man-made climate change, and if so, why are they refusing to act?

**Jesse Norman:** I can tell the hon. Gentleman that I am very much persuaded that many of the effects of man have been deleterious to the environment in many different ways, including relating to climate. Of course I share his concerns, but I am surprised that the Labour party is not taking this issue more seriously. How can he make a speech that discusses wide-ranging issues and not merely fail to mention issues of diversity or disability but barely focuses on cycling and walking—a critical set of interventions in which we are investing heavily across the country?

**Andy McDonald:** The Minister said there was nothing about that in my speech. I will send him a copy. He needs to read it again, because it was there.

Talk comes cheap, and what matters are actions. The Transport Secretary and his team have totally undermined carbon reduction measures by slashing subsidies for electric vehicles, scrapping rail electrification, gutting local bus services, allowing fares to soar and underfunding cycling. Will the Minister give an unequivocal undertaking to reverse those damaging cuts and embark on a programme of interventions in which we are investing heavily across the country?

**Jesse Norman:** Far from having failed to read the hon. Gentleman’s speech, I have scrutinised it with almost rabbinical closeness. It is a rather interesting mixture of the good, the incoherent and the baffling. I quite liked some of the stuff about land value capture—I thought that was sensible—but it misunderstands the nature of carbon budgets, the entire purpose of which is to allow the whole of Government to make decisions about how carbon budgets, which we are presently meeting, will be addressed. It is also incoherent in wishing to nationalise the rail service, while also somehow removing Whitehall from the process. I look forward to further details and updates for the House.

**Cycling and Walking**

3. **Huw Merriman** (Bexhill and Battle) (Con): What recent steps he has taken to encourage cycling and walking.

**The Minister of State, Department for Transport** (Jesse Norman): I thank my hon. Friend for his question. I am delighted to announce that we are making available from today £21 million in new funding to support the national cycle network. I have agreed with Sustrans that it will work with High Speed 2 and Highways England to integrate routes wherever possible and to use the money we have provided to leverage further investment from other sources.

**Huw Merriman:** I warmly welcome the extra funding from the Minister. Two weeks ago, the Select Committee on Transport took its active travel inquiry up to Manchester, where we met Chris Boardman, the walking and cycling commissioner. He told us that they are unable to introduce certain safety measures in Manchester, such as mini pedestrian crossings, due to being discouraged by the Department for Transport because those are not recognised interventions. How can the Department do more to devolve safety improvements to local authorities, so that we can eradicate some of the less safe areas of our streets?

**Jesse Norman:** That is such an important question. We are working closely across all parts of the Department for Transport to think about improving road safety. I have huge respect for the work that Chris Boardman is doing in Manchester. I have met him on several occasions, as well as Brian Deegan, his chief designer, and we have specifically discussed that issue. There is a tension between national standards and local innovation. We are keen to ensure that both are met in the right way. I will certainly take this up again, because it is an important issue, and we want to see more innovation, particularly in support of road safety.

**Dan Jarvis** (Barnsley Central) (Lab): Cycling and walking are good for the environment and they reduce congestion, support the public health agenda and are great fun. Chris Boardman is doing an excellent job in Greater Manchester, and I am about to appoint an active travel commissioner for South Yorkshire. Will the Minister meet my new active travel commissioner and me to discuss how we can work together to encourage more people to cycle and walk?

**Jesse Norman:** It is absolutely right to celebrate what is being done in Manchester. It is also important to celebrate what is being done elsewhere in the country. If Sheffield is taking a lead, that is fantastic. Great work is also being done in Birmingham by the Mayor there, who has just appointed his own west midlands cycling champion, which we welcome.

**Sir Patrick McLoughlin** (Derbyshire Dales) (Con): Many millions of pounds have rightly been spent on providing cycle highways and cycle routes, but there is no requirement for cyclists to use them. Should it not become an offence for a cyclist not to use these highways where they are provided?
Jesse Norman: The answer to that, I think pretty clearly, is no. The roadway is for all users. Cycling infrastructure is used to try to preserve and protect cyclists. If that had the effect of forcing people into cycle lanes, it might have all kinds of road safety consequences that we would like to avoid.

Thangam Debbonaire (Bristol West) (Lab): While I am a big fan of cycling, I am a bigger fan of walking, particularly for my disabled constituents, who tell me that they are really fed up with cyclists on pavements. We do need improvements to cycle lanes, to be sure, but what can the Minister tell us about improving safety for pedestrians, particularly disabled pedestrians?

Jesse Norman: I think the hon. Lady is absolutely right, and I very much salute her support for disabled people. She can have a word with the Secretary of State and, on her side, the shadow Secretary of State on the issue of disabilities. Walking is a very important part of the same issue. We are in the process of working very hard on a pavement parking review—it is coming towards the end of its work—and we are also working on the question of micro-mobility and how we regulate that. Both those issues are going to bear very closely on the question of how we think about enforcement against cyclists and other users of pavements who make life difficult for walkers.

Robert Courts (Witney) (Con): With the disappointing news in the last couple of days that Oxfordshire County Council has had to remove the B4044 cycle path from its housing infrastructure fund bid, first, will the Minister comment on what he is doing to work across Departments, particularly with the Ministry of Housing, Communities and Local Government, to provide cycling as a way of helping with new housing; and, secondly, will he commit to working with me and Oxfordshire County Council to provide the B4044 bid as a stand-alone bid, so that we can get the cycle path we need?

Jesse Norman: I am happy to look at that. I met Oxford City Council, including its cycling champion and the leader of the council, just recently on these issues. Let me make one other point, which is that the advent of e-bikes—the Department is supporting them, and further news about them has been given this week—will also open up further housing opportunities around the country in a way that can only be good both for housing and for future personal health.

Mr Speaker: I apologise to the Minister, because as a consequence of his looking at the hon. Gentleman who questioned him, I did not hear him, but I think he floated the concept of an e-bike. Did he say e-bike?

Jesse Norman: Yes.

Mr Speaker: Well, I look forward to further illumination in due course. I am not familiar with this nostrum, but I have a feeling that I am soon going to be. I must say that it sounds very exciting.

Patrick Grady (Glasgow North) (SNP): At the weekend, I had the pleasure of walking the new South Loch Ness trail with a group of friends, one of whom is getting married, and we managed to get lost only once, which was pretty good given that there was a blizzard. That trail was only made possible thanks to funding from the European agriculture fund for rural development, so what steps are the Government taking to make sure that that kind of funding continues to exist for investment in rural infrastructure that promotes health and wellbeing after the United Kingdom leaves the European Union?

Jesse Norman: I do not know the particular circumstances of the route the hon. Gentleman is talking about, but I am sure he will join me in welcoming today’s news of the work on the national cycle network, which is precisely designed to target the kinds of cyclists and walkers he is describing.

Mr Speaker, on the issue of e-bikes—there is a somewhat “Not the Nine O’clock News” quality about this—an e-bike, m’Lud, is an electronically or electrically powered velocipede, either a pedal bike or a moped, which are differently regulated by the Department in each case.

Mr Speaker: I am genuinely grateful to the Minister. One learns something new every day, and I am now better informed.

Chris Bryant (Rhondda) (Lab): We haven’t for months!

Mr Speaker: Well, the hon. Gentleman says that we have not learned anything new for months, but I have learned something today—that little titbit from the Minister—and I am deeply obliged to the hon. Gentleman.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): I am delighted that the Minister is encouraging more walking. May I urge him, as a Herefordshire MP, to spend some of his Easter holiday on the Long Mynd in the Shropshire hills, an area of outstanding natural beauty, so that he can promote walking to citizens while enjoying our beautiful Shropshire countryside?

Jesse Norman: I am very grateful to my hon. Friend. I have actually walked Long Mynd on several occasions, and I have also paraglided from the top of Long Mynd. I very much encourage him to contemplate that as a perfectly splendid additional mode of transport enabled by walking.

Mr Dennis Skinner (Bolsover) (Lab): Based on what the Minister had to say about walking, cycling, e-bikes and all the rest, when will the Government get rid of their ministerial cars and have e-bikes instead?

Jesse Norman: I welcome that question. The hon. Gentleman will be aware that I am a keen cyclist and from work. Sometimes cars are required for security and other reasons, but I barely use a ministerial vehicle, and I encourage all colleagues to enjoy the benefits of cycling and walking.

Matt Rodda (Reading East) (Lab): Walking is the most basic form of transport, and a 10-minute walk offers huge benefits to our health and our communities by easing congestion and air pollution. Areas where footpaths and pavements have been improved have seen increases in trade at local shops and a stronger sense of community, but nevertheless, millions of journeys of under a mile are still made by car. When will the
Government properly fund their cycling and walking strategy, because the money that the Minister has announced today simply will not cut it?

Jesse Norman: In 2010 the funding levels that we inherited from the previous Government stood at about £2.50 per person, and they are now about £7.55 per person. We would like to get that spending a lot higher if we can, as we fully agree about the merits and benefits of cycling and walking. However, funding is now three times the amount that we inherited from the Government who had governed for 13 years.

Bus Journey Numbers

4. Judith Cummins (Bradford South) (Lab): What recent assessment he has made of trends in the number of journeys taken by bus.

The Parliamentary Under-Secretary of State for Transport (Ms Nusrat Ghani): Local bus journeys remain central to transport choices, accounting for around 50% of all public transport journeys. Numbers of local bus passenger journeys in England have been falling since the 1950s, and they fell by 1.9% in the year ending March 2018.

Judith Cummins: Bus services provide essential independence and freedom to people with disabilities, yet disabled bus passes allow free travel only after 9.30 am, despite the fact that most people start work before then. Will the Government commit to providing the funding necessary to lift those time restrictions on disabled bus passes?

Ms Ghani: The hon. Lady raises an important point. Bus passengers and disabled passengers have a close link, and it is right that someone’s ability to jump on a bus is about not just economics but social inclusion. That is why we launched the inclusive transport strategy last year. The concessionary bus budget is around £1 billion, which supports about 10 million passengers. That funding is concessionary and down to local authorities, which have very different packages up and down the country.

Matt Rodda (Reading East) (Lab): My hon. Friend the Member for Bradford South (Judith Cummins) made an excellent point, and on this Government’s watch the number of bus journeys is in freefall. Bus funding has been cut by £645 million a year, yet for many people bus services are a lifeline. When will the Government finally reverse those deeply damaging cuts?

Ms Ghani: The hon. Gentleman is right to say that bus services are a lifeline because, as I said earlier, not only do they get people to school and work, but they also tackle issues linked to loneliness. He is wrong about funding, however, because around £250 million is paid into bus services, and about £43 million of that goes directly to local authorities. We must understand what is happening up and down the country. In Reading, for example, just like in Bristol, Brighton and Liverpool, bus passenger numbers are up. That is why it is important to understand the powers in the Bus Service Act 2017, which enable local authorities to work with local bus companies and ensure a focus on the services that local passengers want.

5. David Duguid (Banff and Buchan) (Con): What recent assessment he has made of trends in the number of passengers flying from British airports.

The Secretary of State for Transport (Chris Grayling): In 2018, 292 million passengers flew to or from a UK airport. That figure was almost 3% higher than in 2017, and 24% higher than in 2008. The feedback that I have received from airports this year suggests that they expect that growth to continue. The one thing that could bring that growth to a grinding halt is Labour’s plan, which was announced yesterday, to hike the cost of going on holiday.

David Duguid: On 8 February easyJet ended its service between Aberdeen and Gatwick, which was the latest in a succession of cuts to flights between Aberdeen and London. British Airways has reduced services between Aberdeen and Heathrow in recent months, and that is making life more difficult for businesses and individuals across north-east Scotland, including in my constituency.

Will my right hon. Friend meet me to discuss the impact that those service reductions are having on the north-east economy, and say what can be done to help alleviate the situation?

Chris Grayling: I will be very happy to meet my hon. Friend. He knows my concern about the need to guarantee enough capacity for regional connections. It is one of the reasons we have said there will be a bloc of new capacity at Heathrow airport, when it expands, set aside for regional connections. That is fundamentally important to the future of aviation in the United Kingdom.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): The Secretary of State highlights the projected increase in passengers, particularly at Heathrow. In recognising that and planning ahead, does he agree that a new southern rail access to Heathrow serving Surrey and southern markets and going, hopefully, via Feltham in my constituency, will be a positive contribution, increasing the speed at which passengers reach Heathrow and reducing congestion?

Chris Grayling: I absolutely agree: we need both western and southern access to Heathrow. That is an important part of ensuring that the airport can expand in a sustainable way, but it will also make a real difference to the hon. Lady’s constituents who work at the airport.

Steve Double (St Austell and Newquay) (Con): Air passenger duty not only puts UK airports at a competitive disadvantage, but is a particular challenge to domestic carriers, where passengers end up paying the duty twice. Will the Secretary of State join the “A Fair Tax on Flying” campaign and encourage the Treasury to cut air passenger duty on domestic flights once we leave the EU?

Chris Grayling: I know how strongly people in regional airports feel about this issue and the intense pressure from around the United Kingdom on the Treasury to look at this again. I know my right hon. Friend the Chancellor of the Exchequer has taken careful note of
all those representations. Of course, the one thing that would not help Newquay airport and others is Labour’s plan to hike air passenger duty.

Chris Bryant (Rhondda) (Lab): Which? reckons that, if we have a no-deal Brexit, British passengers may well face more than five hours’ wait in airports in this country and on returning to the UK. It recommends that people should take with them not only water and food, but nappies. Does the Secretary of State recognise that there is a real danger in a no-deal Brexit for British passengers? Has he considered yet using the Civil Contingencies Act 2004 to make sure that passengers are protected?

Chris Grayling: We of course continue to look very carefully at all the potential implications of different Brexit scenarios. What I would say to the hon. Gentleman is that passengers from this country go on holiday around the world, not just in the European Union, and they do not end up waiting for five hours at airports. The reality is that those countries and those airports want British tourists and they will work to make sure that that is possible.

Douglass Chapman (Dunfermline and West Fife) (SNP): To encourage passenger numbers flying out of Scottish airports, why will the Secretary of State not guarantee public service obligations for additional slots for the new runway at Heathrow?

Chris Grayling: I have been very clear that the Government will, using the tools at our disposal, ensure there is guaranteed capacity for regional airports at Heathrow. That is absolutely clear Government policy.

Jim Shannon (Strangford) (DUP): The passenger numbers at Belfast City airport and Belfast International airport have been exceptionally good, but connectivity is key. Will the Secretary of State outline what connectivity can be brought to benefit Belfast City airport, Belfast International airport and Londonderry City airport?

Chris Grayling: I have had regular meetings with both airports since becoming Secretary of State. They have great ambitions to expand their route networks. The commitment I give to the hon. Gentleman is that my ministerial team and I will do everything we can to support their ambitions to attract more international routes and better connections within the United Kingdom.

Karl Turner (Kingston upon Hull East) (Lab): The rise in passenger numbers has obviously led the Government to become complacent. Long-haul connections from UK airports have not kept up with our European competitors and many airlines are feeling the pinch. Is it not time for the Government to commit to road and rail investment to strategically important airports, so that they can compete effectively?

Chris Grayling: The hon. Gentleman clearly has not been following too closely what has happened. We have, for example, just opened a new road alongside Manchester airport. We are in the development phase of western rail access to Heathrow. We are taking HS2 to Old Oak Common, creating new opportunities for accessing Heathrow airport, and there are more things happening around the country. I absolutely share his view that we need to improve connections to airports. [Interruption.] He says, “Heathrow”. We have just funded new trains for Newcastle-upon-Tyne Metro, which of course connects to the airport. The Government are investing in connections to our airports.

Leaving the EU: Aviation Sector

7. Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): What recent assessment he has made of the potential effect of the UK leaving the EU on the viability of the aviation sector.

Chris Grayling: I am afraid that the hon. Gentleman is wrong, because a new regulation is now in place that guarantees aviation between the UK and the EU in all circumstances, and it does not include any kind of cap.

Douglas Chapman: Which? reckons that, if we leave next Friday with no deal?

Chris Grayling: We had done a lot of work on ensuring that we had good plans for bilateral arrangements, were they to become necessary, but I can tell the House that in the past few days the European Council has confirmed and ratified a regulation to ensure that across the whole European Union flights will continue as normal this summer. That means people can go ahead and book their holidays with impunity and enjoy a good time in their normal destinations.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Wherever people fly in Europe, they have always been protected by good relationships and good air safety, but the Secretary of State must be aware of the scandalous situation in which people are frightened to fly on a certain type of Boeing aircraft. There are leaks indicating that there are real problems that Boeing has not faced up to. It has not grounded the 737 fleet. Planes are crashing and people are dying, and Boeing should be brought to book. Is he going to do something about it?

Chris Grayling: As the hon. Gentleman knows, this country was one of the first to ground the 737 Max aircraft, which was absolutely the right thing to do. There are clearly some alarming circumstances surrounding the two accidents that have taken place. It is something
that Boeing clearly has to deal with. Unless and until the problem is solved, I cannot see countries such as ours allowing those planes to fly again.

Clive Efford (Eltham) (Lab): Regardless of when we leave the European Union, we must continue to apply the highest environmental standards around our airports. What will the Secretary of State do to continue to reduce the noise footprint around airports, particularly those in very built-up areas, such as London City airport?

Chris Grayling: We have now appointed the head of the new aircraft noise body, which will monitor noise levels at airports and inform the Civil Aviation Authority when it needs to step in and use its enforcement powers. Of course, with the transition to a new generation of lower noise, lower emission and lower fuel consuming jets, the noise footprint around our airports is now considerably lower than it was a few years ago.

Leaving the EU: Transport-Related Industry

8. John Spellar (Warley) (Lab): What steps his Department is taking to support UK transport-related industry after the UK leaves the EU.

The Secretary of State for Transport (Chris Grayling): My Department is working closely with the transport industry to ensure that businesses and passengers are prepared for EU exit. We engage frequently with stakeholders to understand their needs, and we have taken action to ensure that we are prepared for all possible outcomes. We have agreed contingency regulations with the EU to ensure that flights continue and that hauliers have access to the EU marketplace in a no-deal scenario. We have also set up new UK safety certification regimes so that we have proper safety standards and rules in place in all eventualities.

John Spellar: Unfortunately, the Secretary of State did not refer to the manufacturing industry in that answer. As Brexit looms, his civil servants will no longer have their lame excuse that they are unable to prefer trains built locally—an interpretation of European regulations that is not shared by any other major country in Europe. Even when a firm built a factory in the north-east, it disgracefully lost a contract to a firm that will build the great majority of those trains abroad. Will this Brexit-supporting Secretary of State finally show some backbone and instruct his civil servants to buy trains made in British factories by British workers?

Chris Grayling: Of course, the contract to which the right hon. Gentleman refers, which was won by Siemens rather than the other bidders, including Hitachi in the north-east, was in fact let by the current Labour Mayor of London.

Alan Brown (Kilmarnock and Loudoun) (SNP): When it comes to support for planning, it should be noted that, earlier this month, the chief executive of the Road Haulage Association said: “It’s obvious that government has lost its way...tens of thousands of UK hauliers... are still in the dark. Because of government ineptitude they are simply not ready.”

In a similar vein, can the Secretary of State confirm that the no-deal ferry contracts do not allow for a delayed start date? If so, what will be the cost to the taxpayer and his Department of this latest blunder?

Chris Grayling: If the hon. Gentleman had been listening a moment ago, he would have heard me say that we have now completed interim arrangements. The European Union has introduced interim regulations to ensure that hauliers will continue to have access to the European market, which is the right thing to do. We do not want businesses to be disrupted, and those firms will be able to continue to travel to and from the continent in the coming months, doing the work that they do now.

Al an Brown: If the Secretary of State listened to the question, it would be much more helpful than listening to the answer.

A spokesman for the road freight industry has stated: “Our pleas for clarity have been constant—yet none has been forthcoming.”

He also said: “We have never shared Mr Grayling’s optimism”. Given the £33 million settlement payment to Eurotunnel, a reported £28 million compensation payment to the ferry companies in respect of the no-deal contracts, a shortage of some 60,000 HGV drivers that will be exacerbated by Brexit, and the loss of transport industry confidence, surely the best boost for the industry would be the Secretary of State’s stepping aside.

Chris Grayling: In the light of the conversations that took place yesterday and the statement from the President of the European Council, I am quite glad that we will have provision in a week’s time—if it is necessary, and I hope that it will not be—to ensure that essential supplies and medicines can come into the country. Of course, if the hon. Gentleman does not want a no deal, his party could climb off its high horse and support the Prime Minister’s deal.

Tyne and Wear Metro: Washington

9. Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): What assessment he has made of the potential merits of extending the Tyne and Wear Metro to Washington.

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): The Department’s call for evidence, issued on 7 February, seeks views on how we can seize the opportunities to build on the success of light rail. I am grateful for the response that the hon. Lady sent to the Department highlighting the potential merits of extending the Metro system to Washington, and we will ensure that her comments are taken into full consideration.

Mrs Hodgson: Residents of Washington often feel like the town is an island compared with neighbouring cities and towns. It contains 70,000 of my constituents, 70% of whom use their car to get to work. Does the Minister not agree that investment in transport infrastructure—such as the extension of the best light rail system in the north-east to Washington—would be the perfect way to encourage people out of their cars, reduce congestion, improve air quality and reduce the nation’s carbon footprint? What’s not to love?

Andrew Jones: As ever, the hon. Lady has made a strong case for the original Washington. We are keen supporters of this local transport system. We are investing
£317 million in the Metro renewals and refurbishment programme and a further £337 million in renewing the fleet, as the Secretary of State said a moment ago.

I am aware that Nexus has identified a number of opportunities to expand the Metro network. It is up to Nexus to build a business case and to seek funding accordingly, but I support the hon. Lady’s basic argument, which is that transport investment is a driver of economic growth and environmental improvement. That is why we are investing so much in our networks across the country.

**Welsh Railway Network**

10. Chris Elmore (Ogmore) (Lab): What plans he has to increase funding for the Welsh railway network.

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): Network Rail’s proposed investment in the rail network in Wales during control period 6—between now and 2024—is £1.34 billion. That builds on the £900 million invested throughout control period 5 since 2014. That constitutes an increase of just under 50%. That investment will build a bigger, better railway for Wales.

Chris Elmore: Wales contains 11% of the UK railway network, but since 2010 it has received only 2% of the overall funding. Last year it received £177 million, while north-west London alone received £669 million. That is not acceptable. When will the Minister start investing in the Welsh railway network and end this chronic underfunding?

Andrew Jones: I am keen to see investment in the rail network throughout the United Kingdom. The budget for control period 6 is a record £48 billion, and, as I said a moment ago, the Wales budget for the next five years is £1.34 billion. That is just to tackle the infrastructure; we are also investing in tackling the new franchise—which is run by the Welsh Government—and in rolling stock.

**Road Connectivity: Midlands**

11. Nigel Huddleston (Mid Worcestershire) (Con): What steps his Department is taking to improve road connectivity in the Midlands.

The Minister of State, Department for Transport (Jesse Norman): As my hon. Friend will know, Highways England is spending a lot of time and effort thinking about improving the strategic network around the midlands through its investment strategy; smart motorways and junction improvements on the M5 are part of that. I am sure he will also join me in celebrating the recent announcement of our large local major schemes, including the A4440 at Worcester-Carrington bridge.

Nigel Huddleston: What plans does the Department have to improve the A46, a vital artery that is key to unlocking economic growth, jobs and housing right across the midlands, and how is the Department working with Midlands Connect in achieving those goals?

Jesse Norman: My hon. Friend will be aware that we are already investing in the A46 link road phase 1 at Stoneleigh junction and in junction improvements around Coventry. We have also funded Midlands Connect to carry out a full corridor study designed to look at potential improvements, and that is an important piece of work. We expect to receive its corridor investment strategy later this year and will be taking it very seriously.
Nigel Mills (Amber Valley) (Con): Will the Minister join me in urging Midlands Connect to have a balance of schemes in the east midlands and not just the west midlands? Perhaps he will commend to Midlands Connect the M1-A38 link road and Codnor bypass as it will be a perfect scheme to prove its commitment to the east midlands.

Jesse Norman: I thank my hon. Friend for registering that point in the most public way possible. I am not aware of any particular bias in Midlands Connect; I do not think it has one. We work closely with it on any of the schemes that it brings forward.

Rail Fares

12. Mr Stephen Hepburn (Jarrow) (Lab): What steps he is taking to reduce rail fares.

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): The Government have frozen regulated rail fares in line with inflation for the sixth year in a row. In addition we announced the launch of a new 16 to 17-year-old railcard, with up to 1.2 million young people eligible for a 50% discount on rail travel to coincide with the new academic year. Fares revenue is crucial to funding day-to-day railway operations and the massive upgrade programme we are delivering, all of which benefit passengers.

Mr Hepburn: The Office of Rail and Road says that the train operating companies have paid out £1.3 billion in dividends since 2014. Would it not be better to use this money to cut fares, rather than paying fat cats in the private sector?

Andrew Jones: I should point out that 98p in every £1 paid in fares goes back into investment in the industry. The argument about nationalising the railways is one that we have had here before, and I think it is the wrong approach. The approach that we have taken for the past 25 years has led to a record growth in passenger numbers, a record number of services on our network and a record level of safety across our network. The hon. Gentleman’s suggestion would simply move us back to the 1970s and to a model that failed.

Rail Network: South-West England

13. Kevin Foster (Torbay) (Con): What plans he has to improve the resilience of the rail network in (a) Devon, (b) Cornwall and (c) Somerset.

The Secretary of State for Transport (Chris Grayling): I was very pleased to be in Dawlish last month to kick off the next stage of our programme to make the railway line there resilient against storms and floods. The £80 million investment in the new sea wall south of the station should mean that the line does not get blocked by high tides as it has done in the past, and I look forward to that work being completed later this year. Further work at Dawlish will follow, and we have also completed work around Exeter to provide greater resilience in that area. It is a real priority for this Government to ensure that the rail network in the south-west does not get disconnected by storms and bad weather in the future.

Kevin Foster: I thank my right hon. Friend for giving me such a positive answer. The news of the £80 million funding for the new sea wall was very welcome for the whole region. As he knows, when the Dawlish line is cut off, the whole of Devon and Cornwall is cut off from the network. Can he confirm that, if the local council gives planning permission for the work, it will be started very quickly, to deliver this much-needed scheme?

Chris Grayling: I very much hope that the work will commence within a matter of weeks. We will then need to go on and deal with the cliffs, which are a significant issue and will require longer development and consent processes because of the extremely sensitive environment around them. It is my view that we need to sort out the cliffs as well as the sea wall.

Train Operating Companies: Sanctions

15. Tom Brake (Carshalton and Wallington) (LD): What powers he has to sanction train operating companies for poor performance.

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): The Department monitors operator performance closely through the franchise agreement. If performance falls below a predetermined level, we can require the operator to incur expenditure to improve performance for passengers. If an operator delivers consistently poor performance, the Department can intervene to act in passengers’ best interests, and this can include removing the franchise and acting as the operator of last resort.

Tom Brake: The Minister will be aware, as will anyone here who is a Southern commuter, that for the past three years Southern has been let off the hook again and again. He will also know that, from next month, train operators will switch to “on time” as a target. Southern is currently hitting that target only 72% of the time. At what point will he call for the company to be sacked?

Andrew Jones: The right hon. Gentleman is not correct to say that action is not being taken. We have held Govia Thameslink Railway, which is part of the bigger franchise, to account for its role in the disruption last year. I recognise that the quality of service that he expects for his constituents has not been delivered over the past few years, but GTR will not make a profit in this financial year and we have capped the profit that it can make for the remaining years of its franchise. GTR is also paying £15 million into a fund for tangible improvements, in addition to the £15 million that it contributed towards the special compensation scheme.

Tim Loughton (East Worthing and Shoreham) (Con): Further to the question from the right hon. Member for Carshalton and Wallington (Tom Brake), not only should GTR not be making a profit; it should be making a whopping loss for the appalling pig’s ear it has made of our service. After all those sanctions and penalties, how on earth can the Minister justify GTR still having that franchise?

Andrew Jones: I recognise the frustration that people have experienced in parts of our network, but just bringing the franchise to an end could cause further and
unnecessary disruption for passengers and therefore be an inappropriate course of action. The question should be how we can improve our network, and that is the action that we are taking. We are seeing this coming through in performance improvements.

Mr Clive Betts (Sheffield South East) (Lab): Poor performance is not just down to the operating companies. Peak-time trains between Sheffield and London are running slower than they were a year ago because of the botched timetable changes that the Department brought in. When is the Minister going to reverse those changes so that the journey times for peak-time trains between Sheffield and London can get back to being less than two hours, as they were a year ago?

Andrew Jones: The hon. Gentleman makes a point about Sheffield, so I will highlight the amount of work happening on the midland main line to improve journey times and passenger experiences up and down the network, including Sheffield.

Jo Swinson (East Dunbartonshire) (LD): People in East Dunbartonshire experience an appalling rail service, particularly on the Milngavie line, where only 28% of trains arrive on time. Does the Minister know of any other train line on which performance is quite so poor, or could the Milngavie line be the worst in Britain?

Andrew Jones: The operation of the rail network north of the border is a matter for the Scottish Government, so I am not as sighted on the matter that the hon. Lady raises. If I start to become very excited about the issue, I may be treading into devolved territory, which may be inappropriate. However, I am aware of lines up and down the country on which performance has not been good enough, which is why we are investing at a record level to improve that performance.

Mr Speaker: Surplus excitement is undesirable. The Minister has an exciting enough life as it is, gadding about the country on a variety of different train services, including Sheffield.

Jo Swinson (East Dunbartonshire) (LD): What discussions he has had with stakeholders in the aviation industry on remotely managed air traffic control, particularly with Cranfield, Highlands and Islands Airports, and the Western Isles Council.

The Secretary of State for Transport (Chris Grayling): I am pleased to announce today that I have approved more than £54 million of funding for the north-west relief road in Shrewsbury. It is an important route that will take cars away from the town centre, reducing congestion, cutting journey times and improving air quality within Shrewsbury, and it forms part of a £1.8 billion programme in the midlands alone to improve motorways and major roads.

Nigel Mills: May I take the Secretary of State back a year to when he came with me to Alfreton station in my constituency and saw the need for level access to the south-bound platform? Now that the new funding period is starting, can I get an update on when money will be released to deliver that improvement?

Chris Grayling: I am aware of that issue, which my hon. Friend and I saw together, and I will ask the rail Minister to give him an early update.

Rachael Maskell (York Central) (Lab/Co-op): There are just eight days until the UK leave the EU. No deal or plan is in place; there is simply chaos across the Government. However, it is the chaos across our borders that is my concern today. Will the Secretary of State ensure that the Prime Minister, in making her case to the European Council to avoid a no-deal Brexit and about how essential it is to extend article 50, highlights that a border between the EU and the UK will harm trade and the flow of goods, food and medicines and be catastrophic for the logistics sector?

Chris Grayling: As the hon. Lady and the House will know, we do not want problematic arrangements at the border. Indeed, the deal that the Prime Minister has reached with the European Union would prevent such problems. The hon. Lady is right to say that there are only eight days left, so why does the Labour party continue to put party advantage ahead of national interest? Labour should support the deal next week, so that we can move forward with a constructive partnership with the EU.

Tim Loughton (East Worthing and Shoreham) (Con): An issue even more taxing than Brexit and the uselessness of Southern rail in Sussex is the continued congestion on the A27, and we are still to get a decision on whether the New Monks Farm development, which will include an IKEA that will attract 2 million passenger journeys a year on to that road, will go ahead. I met the
Secretary of State a couple of months ago to ask for an update on further proposals to address the congestion, so when can I have it?

**The Minister of State, Department for Transport (Jesse Norman):** As my hon. Friend will be entirely aware—he is a tireless campaigner on this issue, on which we have met—Highways England is reviewing plans for the A27 in light of feedback from the public consultation. We will hopefully have a chance to review and discuss it with Highways England and, in due course, with my hon. Friend. I look forward to it, but I cannot tell him exactly when it will be.

**Chris Grayling:** As I indicated in a previous statement to the House, this is being looked at carefully by the National Audit Office, which will publish all the information in due course.

**T3.** [909964] Douglas Chapman (Dunfermline and West Fife) (SNP): The Secretary of State was unable to answer a written parliamentary question on the legal costs of Eurotunnel’s court proceedings and the settlement deal. Has he now done his sums, and can he give us the cost to the taxpayer of this whole debacle?

**Jesse Norman:** I recognise my hon. Friend’s expertise and understanding, and I thank him for the question. Of course drivers deserve to know how secure their cars are. The taskforce brings industry, police and the Government together to see what more can be done, which includes reviewing public advice on how owners can secure their vehicles, as well as addressing new and emerging threats. We look closely at what it is doing, and we will continue to do so.

**T4.** [909965] Craig Tracey (North Warwickshire) (Con): Thatcham Research is launching a consumer vehicle security rating that ranks the vulnerability of new vehicles to keyless car theft. Does the Minister agree that drivers are entitled to know how secure their cars are? What steps can the Government take to ensure that happens?

**Jesse Norman:** I think my hon. Friend would raise the announcement that I thought my hon. Friend would raise the announcement that Thatcham Research is launching a consumer vehicle security rating that ranks the vulnerability of new vehicles to keyless car theft. Does the Minister agree that drivers are entitled to know how secure their cars are? What steps can the Government take to ensure that happens?

**Chris Grayling:** As I indicated in a previous statement to the House, this is being looked at carefully by the National Audit Office, which will publish all the information in due course.

**T5.** [909966] Chris Law (Dundee West) (SNP): With a shortage of 60,000 HGV drivers in an industry that relies on 60,000 eastern European drivers, and with a predicted 150,000 shortfall by the end of 2020, why will the Department not urgently fund driver training and qualifications?

**Chris Grayling:** The haulage industry is, of course, a commercial business, and we expect it to provide training for new employees. The Government have put in place a wide variety of support for training through the apprenticeship levy and through other work by the Department for Education and the skills sector. It is for commercial businesses to deliver the training their staff require, and the Government will always provide whatever support we can to help them do so.

**T7.** [909968] Mr Laurence Robertson (Tewkesbury) (Con): In the past 12 months, 845 road incidents involving horses have been reported to the British Horse Society alone. There will have been many more, but those incidents resulted in 87 horses and four people being killed, as well as many injuries. What steps can the Minister take to improve horse and rider safety on the roads? Will he discuss this with Ministers in the Department for Environment, Food and Rural Affairs to see whether more bridleways can be provided to help alleviate the problem?

**Jesse Norman:** This is obviously a very serious matter. I thought my hon. Friend would raise the announcement that Thatcham Research is launching a consumer vehicle security rating that ranks the vulnerability of new vehicles to keyless car theft. Does the Minister agree that drivers are entitled to know how secure their cars are? What steps can the Government take to ensure that happens?

**Chris Grayling:** As I indicated in a previous statement to the House, this is being looked at carefully by the National Audit Office, which will publish all the information in due course.

**T8.** [909971] Andrew Griffiths (Burton) (Con): On Saturday, some 15,000 people had a great day at the midlands grand national in Uttoxeter, bringing much-needed revenue and jobs into my constituency. However, had it taken place on Sunday, racegoers would not have been able to get to Uttoxeter until 2.53 pm. I am delighted that the Minister has listened to my long-running campaign and agreed to bring forward signalling on Sundays in 2021, but that is not soon enough. Will he agree to meet me, and perhaps bring along his cheque book, so we can sort this out for my constituents?

**The Parliamentary Under-Secretary of State for Transport (Andrew Jones):** I thank my hon. Friend for that question. Through the next east midlands franchise, passenger services on the Derby to Crewe corridor will benefit from increased capacity, which means that trains will operate with at least one extra carriage to help satisfy local demand. This will be supplemented by additional early and late services, and improved Sunday services. The bids for the next east midlands franchise are currently being considered. Ministers just do not see those bids during that stage of the process, but as soon as there is news, I will share it with him. Of course, we will be delighted to meet him, as I always am. I cannot promise to bring my cheque book just at the moment, but I look forward to discussing the issue further with him.
a trail of destruction behind them. Despite repeated calls from across this House, the Government have not regulated. Will they soon act?

Jesse Norman: I thank the hon. Gentleman for that question. Of course dockless bikes are a source of interesting innovation, and it has been important to see how that innovation is playing out. They can be regulated under a variety of local government powers. As we see further developments, we will continue to look at this. They will also potentially be subject to the discussion in respect of the micro-mobility review we are doing at the moment, through the future mobility strategy.

Julia Lopez (Hornchurch and Upminster) (Con): Will the Minister update us on progress on Access for All funding bids, specifically the one I made for Upminster station in my constituency, which would help disabled people at this busy hub to connect to Crossrail in Romford and which has the full backing of the Havering Association for People with Disabilities?

The Parliamentary Under-Secretary of State for Transport (Ms Nusrat Ghani): My hon. Friend has made multiple representations on behalf of her constituency. The Access for All funding is about £300 million, and the decision will be made public in due course, around April.

Ruth Cadbury (Brentford and Isleworth) (Lab): In response to the question from the hon. Member for Banff and Buchan (David Duguid), the Secretary of State committed the Government, on Heathrow expansion, to support regional links. Will he confirm where he expects that support to come from—the Government, local authorities or, in Scotland’s case, the Scottish Government?

Chris Grayling: There are two points to make. We have various tools at our disposal, including the public service obligation system, to protect routes and sometimes to support them. However, as Heathrow expands and as demand for air travel grows, I do not expect most of those routes to need Government support. This is a question of making sure that the capacity is available for routes that will be commercial.

Helen Whately (Faversham and Mid Kent) (Con): Headcorn station, in my constituency, is used by more than 600,000 passengers each year, yet it has no step-free access, making thousands of journeys more difficult for disabled passengers. Will the Minister update me on whether Headcorn will receive funding from the Access for All programme?

Ms Ghani: My hon. Friend raises an important point; a lot of our rail infrastructure is incredibly old, even though 75% of journeys are step-free. The decisions on the £300 million that has been allocated for step-free access are taking place at the moment. I am afraid that I cannot tell her about this right now, but the decisions will be made public in April.

David Linden (Glasgow East) (SNP): We know that the settlement for the next rail investment period has been underfunded, and my constituents want to see a train station at Parkhead. So when looking at future rail investment, will the Minister agree to look at the case for Parkhead and fund it properly going forward?

Chris Grayling: This is nonsense; the investment going into our rail network in the next few years is at a record level, and the money coming to Scotland, thanks to the generosity of this Government, goes beyond what the Scottish Government would be entitled to under the Barnett formula. I suggest they use that money wisely, to provide the kind of additional facility the hon. Gentleman is asking for.

Tom Pursglove (Corby) (Con): Network Rail has demolished the Leyland bridge, with no short-term plan to put a temporary structure in place so that we have not got the inconvenience and great disruption being caused to local residents and businesses. Will the Minister intervene to make sure that Network Rail urgently reviews this and finds a temporary solution to this pressing problem?

Chris Grayling: I am aware of the issue; my hon. Friend has raised it with me. I simply say to him that I have asked for this matter to be looked at carefully. I do not want improvement works to be done at the disadvantage of his constituents.

Martin Whitfield (East Lothian) (Lab): Which is the greatest danger to the Secretary of State’s Department—no deal, or no Brexit?

Chris Grayling: My Department will prepare for all eventualities and we are doing so.

Maggie Throup (Erewash) (Con): Recent vegetation management alongside the railway has destroyed huge swathes of the Erewash landscape. Will the Minister outline what further steps have been taken to ensure that Network Rail does vegetation management responsibly and does not take the drastic measures it has taken throughout my constituency? It is really affecting the wildlife, as well as my constituents’ wellbeing.

Andrew Jones: We have been reviewing Network Rail’s environmental performance, and the consequences of the recently published new environmental strategy should follow through all areas of Network Rail’s work. We obviously need to maintain a safe rail network, but we also want to see the embankments and all the Network Rail land deliver environmental benefits. The two are not incompatible. I do not know about the specific area around my hon. Friend’s constituency, but I am happy to look at it. As regards the overall picture, we have seen some real change and progress in this policy area, and it will be a priority for the future.

Lilian Greenwood (Nottingham South) (Lab): Electrification is clearly the optimal solution for intensively used rail lines, and the Railway Industry Association has shown that it can be delivered at costs that are 33% to 50% lower than those for past projects, if it is part of a rolling programme. Why will the Secretary of State not electrify the midland main line and give Nottingham the cleaner, greener and cheaper services it deserves?

Chris Grayling: I am sure the hon. Lady will welcome the fact that under my stewardship, in the past three months the Department for Transport and our transport system has opened three times more electrified railway than the Labour party did in 13 years in office, so I am
not going to take any lessons from the Labour party. We continue a programme of modernisation of our rail network, which includes electrification and extra capacity and gets cars off the roads and people on to the railways.

Bob Blackman (Harrow East) (Con): Will my right hon. Friend the Secretary of State update the House on when he expects Crossrail to start running? What investigation has been carried out into the scandal of its finances and budget and the overspending that has taken place?

Andrew Jones: The new management team at Crossrail is working through the project and will be advising everybody next month, I think, as to when there will be a target opening date. I do not think that information will come soon enough—I know that Londoners, including those represented by my hon. Friend, are hungry for it—but the scheme will be fantastic for London and the rest of the country when it opens. On the financial performance, the budget is managed by Transport for London, and the London Assembly has done some investigation work. In terms of the Department’s role, TfL and the Mayor came to the Department seeking a loan to help with the delivery of the project, and we were happy to help them. A further £2.1 billion has been made available, and that should be enough to see the project through to completion.

Clive Efford (Eltham) (Lab): My train home on Monday night was cancelled and the train that I was trying to get in on yesterday was advertised as 20 minutes late when I gave up on it. That is just two of the seven trains I have caught so far this week, and it is a regular experience for my constituents. I raise the issue in the Chamber regularly. Will someone just come to the Dispatch Box and tell me, “We hear your pain” and that Ministers are going to do something about the Southeastern rail franchise?

Andrew Jones: I am acutely aware of the service levels of all our rail franchises throughout the country. I am also aware that 2018 was a difficult year and that some of the problems have continued. At the same time, it is fair to point out that we are seeing a service that is delivering more passengers and more services, at record levels of safety. In respect of the individual services that the hon. Gentleman tried to use, if he drops me a line I will look into them, take the matter up with the rail franchise and find out why the services were cancelled.

Robert Courts (Witney) (Con): We must make the most of all the transport links that we already have. The Cotswold line is in urgent need of further upgrades, including further redoubling, to help with reliability and capacity. Will the Minister meet me so that I can make the case to him?

Andrew Jones: Yes.

Mr Speaker: Well done, Minister—very brief!

Chris Elmore (Ogmore) (Lab): May I press the rail Minister again in relation to the Pencoed level crossing in my constituency? I have been asking for almost three years now for Transport Ministers to engage in getting the level crossing closed. The Labour-led local authority and the Welsh Labour Government have put forward funding for a transport plan. Wales Office officials are attending these meetings to close the level crossing. Will the Minister commit to sending officials to the next meeting to work towards closing one of the most dangerous crossings in Wales?

Andrew Jones: I will certainly make sure that officials are fully engaged on this issue.

Andy McDonald (Middlesbrough) (Lab): On a point of order, Mr Speaker. It was said by the Minister, the hon. Member for Hereford and South Herefordshire (Jesse Norman), that I had made no mention of cycling in my speech to the Institute for Government yesterday. I made five mentions of it, and there were 300 words devoted to the subject. The Secretary of State then added that yesterday Labour announced hiking the cost of going on holiday. Mr Speaker, I do not want to stray into using unparliamentary language, but that is not true. I seek your guidance as to what we can do to ensure that Ministers come to the Dispatch Box to correct the record.

Chris Grayling rose—

Mr Speaker: Well, the Secretary of State appears to wish to say something. [Interruption.] Order. We are not going to continue the debate. If the Secretary of State wishes to correct the record or to explain in a sentence why he does not feel any need to do so, that would be acceptable.

Chris Grayling: I simply refer to the section of the hon. Gentleman’s speech where he says that air passenger duty has been frozen. He goes on to say: “This is not a sensible approach to transport policy.” So it is exactly what he says.

Mr Speaker: Well, very well. The matter will have to rest there. I simply say to the shadow Secretary of State that I might well have been intrigued to read the speech anyway, but in light of the fact that there are these five references, which he has just advertised to the House and the nation, I am now impelled to do so. It sounds a diverting read and it will form part of my late-night consumption in the days and weeks ahead and I am deeply grateful to him.
Northern Ireland Assembly Election

10.41 am

Tony Lloyd (Rochdale) (Lab) (Urgent Question): To ask the Secretary of State for Northern Ireland if she will make a statement regarding the extension of her power under the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018 not to hold an Assembly election.

The Secretary of State for Northern Ireland (Karen Bradley): I am grateful for the opportunity to update the House on my progress towards restoring the Northern Ireland Executive and the other institutions established under the Belfast agreement.

In recent weeks, I have met the Northern Ireland parties and the Irish Government on a number of occasions. In those discussions, all five main parties reaffirmed their commitment to restoring a power-sharing Executive and the other political institutions set out in the Belfast agreement.

Although we have not yet been able to start a formal talks process, I believe that the five main parties and the Irish Government would be in favour of taking forward a short, focused set of roundtable talks to restore devolution at the earliest opportunity. Any such talks process will involve the UK Government, the five main parties and the Irish Government taking place in full accordance with the well-established three-stranded approach.

As you know, Mr Speaker, the period for Executive formation was extended by the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018, which lasts until 26 March this year. I am incredibly reluctant to extend that period. The people of Northern Ireland deserve strong political leadership from a locally elected, accountable devolved Government and I am absolutely focused on achieving that outcome. But as we stand here today, there are only three options before the legislation expires next week. The first is an Assembly election, which is a costly exercise that would be highly unlikely to change the political dynamics. The second is an alternative approach to decision making in Northern Ireland, such as direct rule, which I do not believe is in the interests of the people of Northern Ireland—certainly they tell me that it is not what they want.

The third option is to extend the Act. This gives the political parties more space to come back together in the best interests of the people of Northern Ireland. It also provides the Northern Ireland civil service with the certainty and clarity that they need to continue to deliver public services in the absence of Ministers.

I have today laid before Parliament a statutory instrument to extend the period for the Act from 26 March 2019 to 25 August 2019. This means that from 26 August this year I will fall under the duty to propose a date for an Assembly election. Both Houses will have the opportunity to debate the instrument in the usual way, and the instrument cannot remain in force unless actively approved by both Houses.

Tony Lloyd: I thank the Secretary of State for her initial response, but I remind the House that it is now well over two years since the Stormont Assembly last sat. In previous periods, we have sometimes had direct rule, but we have most certainly had Secretaries of State and Prime Ministers actively engaged in bringing the parties together.

Before the passing of the Act last October, the law required that the Secretary of State call an election. There were cynics who said that the reason for the legislation was that the Secretary of State wanted to avoid judicial review and being dragged through the courts to explain why she had failed to call the election. Operating on the bipartisan principle from which all Governments have benefited in the 20-plus years since the Good Friday agreement, we reluctantly accepted last October the need for the legislation. We did that, however, only after consultation and after the Secretary of State had let us know her plans. During the passage of the Act, she promised that she and the Prime Minister would spare no effort to bring the five parties together and get the Stormont Assembly back in operation. In October, it seemed incredible that it would not happen before this March, but five months on I discover through social media—it is unacceptable that consultation takes place through social media—that she plans to extend the period of the legislation.

I am bound to put this first question to the Secretary of State: has she given up on bringing the parties together? Nobody in Northern Ireland—none of the political parties—says to me they believe she has been sincere or energetic in her determination to get the parties together and the Stormont Assembly back up and running. The right hon. Member for Belfast North (Nigel Dodds) said in The House magazine that “her basic policy approach has been flawed in the sense that she has decided that Northern Ireland could just stand still, leave it to the civil servants. For that, that’s a glaring failure on her part.”

Many people agree with that assessment.

Does the Secretary of State now accept that nothing will happen until after August and that we will drift along once again? If not, and given that she has so little credibility among the political parties, how does she now plan to drive the talks process forward in a meaningful and consistent way, and in a way we have not seen before? What will her best endeavours be, according to the needs of the Good Friday agreement, to move the situation on and bring the five parties together, and how does she intend to involve the authority of the Prime Minister in a way that previous Northern Ireland Secretaries have done with previous Prime Ministers?

I do not like ever to personalise politics, but I have to say to the Secretary of State that she has seen a massive haemorrhaging of trust in her role in recent weeks and months, because of inadvertent remarks she has uttered and her lack of energy in bringing the five parties together. The Secretary of State for Northern Ireland has to be a figure of both trust and authority. If she is not part of the solution, she becomes part of the problem, so my last question is this: does she honestly believe that she can regain the confidence of the five parties and the people of Northern Ireland and drive Northern Ireland forward?

Karen Bradley: I have to say I am very disappointed by the hon. Gentleman’s tone—he is someone I respect and have enormous time for.

I was incredibly disappointed when I saw that my conversations with political parties yesterday had been put out in press releases and ended up on social media.
That was not the intention. I made this decision having consulted all five main parties—I spoke to them all yesterday, either face to face or over the telephone—and I also spoke to the Irish Government, and when I had consulted all those parties and said that I was minded to extend the legislation, but only if there was any prospect or possibility of the parties coming together, and they confirmed to me that that was the case, I contacted the hon. Gentleman. I, too, am disappointed that information was on social media before I had had the chance to contact him, but I assure him that I contacted him at the very earliest opportunity after I had made my decision based on my conversations with the parties.

I do meet the parties regularly, I do speak to them and I do hear from them. I brought the parties together in five-party talks to see whether we could find a way to get a process in place. Parties tell me that they want to do that, so I intend to spend the next few weeks working with them on actions that can be taken so that, when we are able to start a formal talks process, we are able to do so in a way that gives us the best chance of success.

The hon. Gentleman is right that two years is too long for the people of Northern Ireland to be without Ministers. I know that the parties want to find a way to go back into Stormont, and I want to do everything in my power to ensure that that happens. That is why, extremely reluctantly, I have laid the instrument today—an instrument that he will have 90 minutes to debate on the Floor of the House, and can vote against if he disagrees with it.

The hon. Gentleman says that he wants to see devolution restored in Northern Ireland, yet he consistently undermines that position by demanding that decisions are taken in Westminster—the very opposite of devolution. He also says that he wants to see Northern Ireland protected in Brexit, but he consistently votes against the only position that protects the Belfast agreement—the deal that is supported by his sister party in Northern Ireland, which would ensure that Northern Ireland does not move into chaos and would not wreck the prospects of any devolution in Northern Ireland. If he wants to start taking actions that match his words, he should do the right thing for Northern Ireland and vote for the deal next week.

Dr Andrew Murrison (South West Wiltshire) (Con): I fully understand the need to table the written ministerial statement, but it states quite clearly that the proposed talks should be “short” and “focused”, and I assume that that is more than rhetorical. However, my experience of talks in Northern Ireland is that they are neither short nor particularly focused. Will the Secretary of State explain a little bit more about her thinking on the short nor particularly focused. Will the Secretary of State explain a little bit more about her thinking on the short nor particularly focused talks process if I believe that there will be success, but I believe that the issues can be dealt with through a short, focused process, and that is what I intend to bring forward.

Several hon. Members rose—

Mr Speaker: I will call the hon. Member for Dunfermline and West Fife (Douglas Chapman) now, but I am sensitive to the needs of all those who have flights to catch; I will bear that very closely in mind.

Douglas Chapman (Dunfermline and West Fife) (SNP): Thank you very much, Mr Speaker.

I thank the Secretary of State for her statement this morning. Talks collapsed more than 12 months ago, and Scottish National party Members want to see their immediate re-establishment. The Secretary of State has told the Chamber many times that restoring devolution is her No. 1 priority, and I am sure the House will hold her to that. Will she therefore give the House a date on which the new, inclusive talks will begin, and tell us why she has presided over such an unacceptable delay? Can she also give us a commitment that the talks will be fully inclusive, including all the communities and parties involved; and what role does she see for the Irish Government in the process? Has she given some thought to appointing an independent mediator to assist in making the process fairer and faster?

Finally, does the Secretary of State accept that the wider instability caused by her Government through the Brexit process is the general reason that it is so difficult to restore this approach in Northern Ireland? Once we get through this madcap Brexit process, are we going to see faster progress in returning devolved democracy to Northern Ireland, instead of dictatorship from this place?

Karen Bradley: There is definitely not dictatorship from this House towards Northern Ireland. I am completely committed to devolution and all the institutions established under the Belfast agreement, and that is what we want to see restored as soon as possible. I would expect the talks to be five-party talks, because the best thing for Northern Ireland is for the five main parties to be involved in the talks and then to be able to form an Executive. In terms of a date, as soon as there is more information I will of course return to this House to update it, as I always do.

The hon. Gentleman is right that there is a very strong role for the Irish Government. It is quite clear that the two Governments have been involved in all talks processes that have been successful, and we would of course ensure that they were involved. On an independent mediator, I rule nothing out. I am looking at a number of options as to how we might restart the talks in such a way as to have the best success.

The hon. Gentleman talked about Brexit being a distraction. I think that perhaps the bigger distraction in Northern Ireland at the moment is the local elections, for which we will be going into purdah next week.
Bob Blackman (Harrow East) (Con): I think the whole House will want to see a return to devolved government in Northern Ireland, and we wish the Secretary of State well in these discussions. What would the consequences have been had she not taken the difficult but required decision to lay this statutory instrument to enable her to continue the powers that she has?

Karen Bradley: The reason for the legislation in the first place was that we need to ensure that there is some political cover for civil servants taking decisions. We want to make sure that public services continue to run and that civil servants can take decisions. They cannot change the law and they cannot take major policy decisions, but it is very important that they are able to take decisions on infrastructure, funding for schools and hospitals and so on. The alternative to extending the legislation is, as I set out earlier, one of two things: either a fundamental change in the way that decision making takes place in Northern Ireland—a step that I do not believe is in the interests of the people of Northern Ireland—or the requirement to call an election, which is a very costly exercise that I do not think would see any fundamental change to the political dynamic there.

Nigel Dodds (Belfast North) (DUP): I thank the Secretary of State for the consultations that she has had with us on this matter. Of course, this is the right thing to do in the circumstances. Regrettably though it is, it is the only possible course at the present time. However, could I suggest that she does something a bit more radical to take the initiative a bit more? What about calling the Assembly together? What about putting it up to the parties as to who is prepared to go into government now and who wants to sit outside? My understanding is that four of the five parties in Northern Ireland would go into government tomorrow, so why not put it up to people? Instead of all the talk about wanting devolution, let us see who will actually vote for it. Please do that.

Karen Bradley: I thank the right hon. Gentleman for his question. I am aware that he probably has an aeroplane to catch, so I will not detain him any longer than need be. I am looking at what we can do over the next few weeks to get the parties together to start the dialogue and to make sure that when a talks process does start, it has the best possible chance of succeeding.

Emma Little Pengelly (Belfast South) (DUP): I understand the reasons for this decision, but we are in a continued appalling situation where decisions are either not being made or being made by senior civil servants without any democratic accountability. What can the Secretary of State do to encourage the head of the civil service to put in place guidance on the transparency of those decisions and of decisions that are delayed or not being made, and on ensuring some consistency in who they meet and how they meet stakeholders and members of the public with concerns?

Karen Bradley: As the hon. Lady knows—she pushed very hard for this—there is transparency on decisions through reports laid in this place on decisions that have been taken. However, I will look at the points she has made and see whether such further work can be done.

Jim Shannon (Strangford) (DUP): I thank the Secretary of State for what she has said so far. Her decision not to hold the Northern Ireland Assembly elections is understandable but it leaves Northern Ireland in uncertainty. School budgets are in crisis and waiting lists for operations grow. There is a need to target specific moneys across all Departments in Northern Ireland, but particularly towards Health and Education, as she said. What steps will she be taking to enable financial restrictions to be eased, including on the confidence and supply moneys that my party secured from her party to enable better government and better possibilities and strategies for Northern Ireland?

Karen Bradley: With specific reference to the moneys secured under the confidence and supply arrangement, those moneys are being released as appropriate by the Treasury, and they are included within the Northern Ireland budget. We legislated two weeks ago to put the 2018-19 budget on a statutory footing, and we will of course do so for the 2019-20 budget later on. Clearly this is not a good situation, and none of us wants to be in this situation, but it is the least worst of the options that are available to us.

David Hanson (Delyn) (Lab): The Secretary of State has a difficult job, and I know that the Prime Minister is very busy with other matters, but the reason I was the last direct rule Minister for Northern Ireland is that the then Prime Minister, Tony Blair, and the Taoiseach put the parties in St Andrews hotel in Scotland for an intensive period to come to a conclusion and to do what the right hon. Member for Belfast North (Nigel Dodds) said—to ask “Are you in Government, or are you not?” The answer out of St Andrews came, “Yes, we are.” The challenge is for the Secretary of State to bring the Prime Minister, the Taoiseach and the parties to the table and to put that deadline to them.

Karen Bradley: I agree with the right hon. Gentleman. I want him to continue to be the very last direct rule Minister for Northern Ireland, and I am determined that we achieve that. But he will know, from his great experience, that St Andrews was the culmination of work that had happened with the parties to bring them together. A lot of work happened before that short, intensive period of talks. I am looking at what work we can do before we bring together the parties in that short, focused talks period.

Diana Johnson (Kingston upon Hull North) (Lab): With the extension that has been announced, the breach of women’s human rights in Northern Ireland will carry on and not be addressed. How long do women in Northern Ireland have to wait for the Secretary of State to do the right thing by them?

Karen Bradley: The hon. Lady has campaigned on that matter for many years. She has introduced a private Members’ Bill, ten-minute rule Bills and so on, and I know she feels very strongly about it. An amendment was made to the legislation on guidance. It is clear that the civil service in Northern Ireland has a duty to monitor the situation with regard to changes in human rights laws and international law, but I continue to monitor it myself.
Christine Jardine (Edinburgh West) (LD): Further to what has been said about the importance of talks to get the Assembly up and running again, and the point made by the hon. Member for Dunfermline and West Fife (Douglas Chapman), does the Secretary of State feel that it will be vital to have an independent facilitator to chair the process, because the UK Government—rightly or wrongly—may appear to be compromised by their current arrangements in this place with the DUP?

Karen Bradley: As Secretary of State for Northern Ireland, I am independent of what happens with regard to relationships on voting—those are a matter for Whips—but I am looking at all the options for how we can have success. When I have seen a willingness and a desire to restore devolution, I do not want to bring the parties together and fail to do so. We need to ensure that we have the best chance of doing it, and I will look at all options to ensure that that happens.

Point of Order

Sir Edward Leigh (Gainsborough) (Con): On a point of order, Mr Speaker.

Mr Speaker: It should really come after the business statement.

Chris Bryant (Rhondda) (Lab): He is very tempting.

Mr Speaker: Indeed. Yes, I think I will indulge the right hon. Gentleman because of his natural courtesy.

Sir Edward Leigh: I do not want to be too courteous, Mr Speaker, because Quentin Letts may accuse me of being your toady and crony.

This is a serious point of order. You may recall that I asked you on Tuesday about your ruling on the Government not bringing back the same motion and whether, if they change it substantially, with a unilateral declaration, that will change something. I read all over the media last night that some people called “Cooper-Boles” are bringing back an amendment. Apart from the presumption that you would select that amendment, surely under your ruling, it would have to be substantially different, would it not?

Mr Speaker: I tried to explain to the right hon. Gentleman before that I will deal with these matters in the particular when there is a substantive matter for me to consider. Let me absolutely clear: what I am not going to do is to pronounce before it is necessary to do so on the hoof, on the back of a colleague, however distinguished and much loved, for whom the matter is at that moment especially material. That is not the way to do business here. I will rule as and when it is necessary to do so, and that moment—I say it with all courtesy to the right hon. Gentleman—is not now.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Getting away with blue murder.

Mr Speaker: I am not going to comment on that, but I am always grateful to the right hon. Member for Gainsborough (Sir Edward Leigh). He referred to newspapers. I really do not take any notice of them—for goodness’ sake, I am trying to concentrate on doing my duty. I am not preoccupying myself with newspaper reports or people who scribble columns. That really is of no significance or concern to me whatsoever. It never has been, and it certainly is not now.
Business of the House

11.4 am

Valerie Vaz (Walsall South) (Lab): Will the Leader of the House please give us the forthcoming business?

The Leader of the House of Commons (Andrea Leadsom):

The business for next week will be:


Tuesday 26 March—Consideration of Lords amendments to the Healthcare (International Arrangements) Bill, followed by consideration of Lords amendments to the Offensive Weapons Bill, followed by a debate on a motion relating to section 5 of the European Communities (Amendment) Act 1993.

Wednesday 27 March—Motion to approve the draft Food Additives, Flavourings, Enzymes and Extraction Solvents (Amendment etc.) (EU Exit) Regulations 2019, followed by a motion to approve the draft Protecting against the Effects of the Extraterritorial Application of Third Country Legislation (Amendment) (EU Exit) Regulations 2019, followed by a motion to approve the draft Animal Health, Plant Health, Seeds and Seed Potatoes (Amendment) (EU Exit) Regulations 2019, followed by a motion to approve the draft Regulatory Reform (Scotland) Act 2014 (Consequential Modifications) Order 2019.

Thursday 28 March—General debate on beer taxation and pubs—[Interruption]—during which beer may need to be served, followed by a general debate on permitted development and shale gas exploration. The subjects for these debates were determined by the Backbench Business Committee.

Friday 29 March—The House will not be sitting.

Further to this business statement, as my right hon. Friend the Prime Minister said yesterday, she has written to Donald Tusk seeking an extension to article 50 until the end of June. Any extension requires the unanimous agreement of EU member states and must be agreed by the European Council. The Government will seek to amend domestic legislation to alter the exit date set out in the withdrawal Act in line with any such agreement once it is reached, and will bring forward a statutory instrument accordingly. I will therefore make a further business statement next week, as necessary, to provide time for consideration of the legislation to alter the date of exit.

Similarly, as my right hon. Friend the Prime Minister said yesterday, the Government continue to believe that the UK should leave the EU with a deal, and we intend to bring forward proposals for a third meaningful vote. The precise nature and timing of this debate will, to some extent, depend on the outcomes of this week’s European Council. I shall therefore make a further business statement next week, as appropriate, to provide time for consideration of a further motion under section 13 of the European Union (Withdrawal) Act.

As my right hon. Friend the Prime Minister said yesterday, we stand in solidarity with the people of New Zealand, following the appalling attack in Christchurch. I was also horrified to hear that several mosques in Birmingham were attacked last night. This rise of Islamophobia in the UK and across the world is deeply concerning, and we must stamp out this kind of vile hatred wherever we see it. We also send our thoughts and deepest sympathies to those affected by the cyclone in Mozambique, Malawi and Zimbabwe, those killed and injured in Utrecht and those caught up in the terrorist incident in Stanwell.

Yesterday was the International Day of Happiness, and I do have a number of items that I hope the House will be genuinely happy to hear about. First, the review of the independent complaints and grievance system has officially been launched this week, and I know Alison Stanley will bring her considerable experience to bear as the chair. Secondly, the Joint Committee looking at the draft Parliamentary Buildings (Restoration and Renewal) Bill has published its report today, and I am very grateful for its hard work, and particularly for the chairmanship of my right hon. Friend the Member for Meriden (Dame Caroline Spelman). Thirdly, the first newly restored clock face of Big Ben has been uncovered, and the stunning original blue colouring can now be seen. Fourthly, all parliamentarians will, I hope, be proud and pleased of their efforts with their private Members’ Bills. I can report that 10 have now received Royal Assent in this Session, which is the joint highest total since 2003.

As a magnanimous rugby fan, may I very much congratulate Wales on winning the six nations grand slam, Scotland on retaining the Calcutta cup in a breathtaking game at Twickenham on Saturday, and last but by no means least—I am sporting my Northampton Saints jacket today—my own local team on winning the premiership rugby cup? Finally, I would like to wish those celebrating it a very happy Nowruz.

Valerie Vaz: The Leader of the House read out the business for next week, but that is not really next week’s business, is it, since she will come back to the House with some emergency business motions? This is a contempt of democracy and parliamentary democracy. The Prime Minister said she would come back to the House with a meaningful vote—it will actually be meaningful vote 4, because she pulled the vote in December, when Parliament should have had the chance to debate a meaningful vote but did not.

How will the Prime Minister negotiate with the EU if she does not know the will of the House? What was the point of the statement yesterday, other than to set up a hostile environment between the Prime Minister and the House? The Leader of the House says that the House will not sit next Friday, and that there will be further business. Will she confirm to the House, honestly, whether we will sit on Friday, and whether we will debate the statutory instrument that extends the date of us leaving the EU?

Last week I asked about dates for Opposition day debates, and the Leader of the House said that there was “incredibly important” business for the week ahead. Opposition days are incredibly important business, and they are central to our democracy. On Monday, my hon. Friend the Member for Bishop Auckland (Helen Goodman) raised a point of order, and you responded, Mr Speaker, by saying that “colleagues would think that it was a democratic and seemingly thing to do to ensure that the principal Opposition party had the requisite allocation of days.”—[Official Report, 19 March 2019; Vol. 656, c. 788.] That is why we take great exception to the Prime Minister’s comments that we are not interested in other matters.
Week after week I have stood at the Dispatch Box and asked the Leader of the House not just for Opposition days, but for statements and debates on local government, the NHS, social care, education, and cuts to our police services. My colleagues have asked for urgent questions on issues that affect our country. It is not us in Parliament who are contemplating our navels—I have never heard such unparliamentary language about hard-working colleagues from all sides of the House. We sit on Select Committees and Delegated Legislation Committees—that is what we do.

Let us remind ourselves: the Government had Lancaster House, Mansion House, Florence and Berlin. Each time we begged the Prime Minister for clarity on the negotiations, and each time she said nothing—“I don’t want to give a running commentary; Brexit means Brexit”. She should have given us broad heads of agreement right at the start, so that she could understand what Parliament wanted. The Chequers agreement was put to the Cabinet in July, but the Leader of the House and some of her colleagues were in another Lobby—they voted against the Government’s own motion. That included the Brexit Secretary, who wound up the debate by saying: “It is time to put forward an extension that is realistic.”—[Official Report, 14 March 2019; Vol. 656, c. 628.]

He then voted to reject his own argument. Does the Leader of the House agree with Cabinet responsibility, and could we have a debate about what it means? It is no good her rounding on her colleagues in Cabinet, and then rounding on my colleagues in the Chamber, saying that she does not agree with them.

Let me again raise something that is not about contemplating our navels. Interserve, which employs 45,000 staff in the UK and works on £2 billion of Government contracts, has been put into administration. Tussell data shows that Interserve was handed public contracts worth hundreds of millions of pounds in the run-up to its collapse, despite announcing a series of profit warnings—[Interuption.] It is not funny; it is people’s lives. The Government are failing to ensure the viability of their outsourcing contracts.

Last July the Public Accounts Committee described the NHS’s outsourcing to Capita as a “shambles”, and the National Audit Office found that the £495 million contract to provide recruitment for the British Army had been beset by problems. The probation service has been described as “in crisis” since it was partly outsourced. That is what the public are tired of. A third of Government spending goes on external contractors and suppliers. What to do to influence decision makers is vital. This is what 16-year-old Greta Thunberg said: “You cheat when you can because all that matters is to win... We need to start co-operating and sharing the remaining resources of this planet in a fair way.”

While the Government have sat contemplating, they could have invested in the Swansea Bay tidal lagoon and in solar power, ended the cuts to feed-in tariffs and initiated a scrappage scheme for diesel cars. That is going to affect climate change.

I want to mention the funeral service of our dear colleague Paul Flynn tomorrow. My hon. Friend the Member for Rhondda (Chris Bryant) has managed to secure a service in St Mary Undercroft. We thank the chaplain, Rev. Rose Hudson-Wilkin, and you, Mr Speaker, for indicating that you will be there.

On the second anniversary of his death, we remember PC Keith Palmer and those who died on Westminster Bridge. We think of the amazing people who protect us and who give their lives up to do so.

I, too, want to echo the words of Prime Minister Ardern. It is up to all of us to reject racism and hatred of anyone who is different. To the people of New Zealand, we are you and you are us. Rest in peace.

Mr Speaker: Before the Leader responds, and in the light of what the shadow Leader has said about the second anniversary of the death of PC Keith Palmer, I can inform the House that I intend that there should be a one-minute silence tomorrow in the Chamber, supported, I would hope, by people observing our proceedings. The intention is that that minute’s silence will take place at 11 o’clock.

Andrea Leadsom: First, I share the hon. Lady’s tribute to PC Keith Palmer. I was delighted to be at the memorial recognition of his great sacrifice and the unveiling of the memorial to him. She is absolutely right to pay her own tribute. I also share in her pleasure that there will be a memorial service for Paul Flynn, a much-missed colleague. I echo her words about the appalling atrocity that took place in New Zealand. It is absolutely horrendous. We all hope that the communities in New Zealand can come together, as they are doing, and we support all those who have been so tragically affected.

The hon. Lady asks about the meaningful vote next week. She will recognise that, as I said in my business statement, this is a fluid situation and we are waiting for the response of the EU27 to our request for an extension, which the Prime Minister has taken to them in response to the request of this House that she do so. As soon as we have a response from the EU Council, I will be able to update the House on when we can bring forward a meaningful vote and a debate next week. But it is certainly the Prime Minister’s intention to do so. Likewise, in terms of bringing forward the statutory instrument, hon. Members will know that, under the EU (Withdrawal) Act 2018, it is required that that statutory instrument be approved by both Houses. It is therefore vital that we find time for that as soon as we can.

The hon. Lady asks about Opposition days. We have debated a range of secondary legislation this week. I have announced important business for next week, including

[Valerie Vaz]
the section 13 debate on Monday and Lords amendments to two important Bills, the Healthcare (International Arrangements) Bill and the Offensive Weapons Bill. This week, we have had debates on two statutory instruments requested by the official Opposition. I will, of course, continue to consider her requests for further dates.

I absolutely agree with the hon. Lady that all Members right across the House have a huge interest in matters outside of Brexit. There is no doubt about that. I think the Business question every Thursday demonstrates the range of different interests across the House. All of us share a desire to be able to talk about things not Brexit-related that are so important to people, so I completely agree with her there.

What I will say about the Prime Minister’s speech yesterday is that what she was seeking to invoke among all parliamentarians was just the absolute reality that in a hung Parliament it is for every Member to seek to support good governance. I think that we can all be proud of the fact that in this Session alone we have introduced over 50 pieces of primary legislation, more than 40 of which have already received Royal Assent. In a hung Parliament, that demonstrates the House’s ability to work together in order to reach consensus, agree concessions and act in the national interest.

What the Prime Minister is seeking is for all individual Members to recognise that her withdrawal agreement and future declaration offer the means by which we can leave the European Union, in line with the will of the people as expressed in the referendum, but at the same time the significant minority of people who want to remain in the EU will also have their concerns met by a very close future economic and security partnership. Therefore I urge all colleagues, right across the House, to consider the Prime Minister’s deal very carefully.

The shadow Leader of the House asked whether I believe in collective Cabinet responsibility. Of course I do. I have totally supported the Prime Minister’s desire to get a vote through this place. I have always been absolutely clear—in the press and in this Chamber—that I support a withdrawal agreement and a political declaration that deliver the will of the people, but that at the same time continue a close, collaborative relationship with our EU friends and neighbours.

The hon. Lady asked about Interserve, and she was absolutely right to do so. The Government certainly welcome the announcement that Interserve made last Friday regarding its refinancing, which will not affect the operational part of the company. It will bring the company the stability required to allow it to compete for future business and to continue to deliver good-value public services for the taxpayer. It is in the taxpayer’s interests to have a well-financed and stable group of key suppliers, so we welcome the actions that Interserve has taken.

The hon. Lady asked about schools and climate change. Let me say again that I absolutely welcome, support and endorse the determination of young people to do everything they can to support all those experiencing the negative effects of global climate change. We should do everything we can to support our environment around us. The United Kingdom ratified the Paris agreement in November 2016. More than 50% of UK electricity came from low-carbon sources in 2018, making it a record year for renewables, under this Conservative Government. We have cut the use of plastic bags by 86%, through our plastic bag charge. We have reduced emissions faster than any other G7 nation. The latest figures show that we have reduced greenhouse gas emissions by 23% since 2010. There is obviously a lot more to do, but I commend all young people who show their passion for the subject. At the same time, I reiterate that education is the best gift that a society can give its young people.

Sir John Hayes (South Holland and The Deepings) (Con): W. B. Yeats said: “Happiness is neither virtue nor pleasure…but simply growth. We are happy when we are growing.”

We should therefore all have more to smile about, because the UK has indeed grown, according to the world happiness index—we have gone up the table. Yet so much of our discourse here is either doom-laden or dull, and Government perpetually risk being meanly managerial or meekly mechanistic. So will the Leader of the House arrange for a debate that will enable us to measure Government policy in terms of the difference it makes to quality of life; to gauge the difference it makes to wellbeing? We here must make it our mission to inspire and our duty to enthral. We must dare to dream.

Andrea Leadsom: I completely agree with my right hon. Friend. I think that his analysis is absolutely right. If I may say so, I think that all hon. Members, right across the House, come to this place to try to make the world around us a better place. It is vital that we occasionally take the time to consider how well we are doing against that challenge.

I think there is much to celebrate. We should celebrate our economy, given that employment is at a record high. We should celebrate the tackling of inequality, given that the real-terms wages of the lowest paid are growing faster than those of anyone else. We should celebrate the Government’s determination to tackle loneliness, to consider more suicide prevention measures, and to invest significant sums in our NHS to support people with mental health problems. I think that what we should seek to do, across the House, is support each other sometimes, and celebrate our achievements.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing the almost fantasy business for next week.

Following the Prime Minister’s statement last night, we shall have to have an emergency debate about Members’ security, because I am pretty certain that a few of us are feeling just a little bit more insecure this morning. It was the height of irresponsibility for the Prime Minister to pitch public against Parliament in the current climate, on the back of real issues of intimidation and threats against Members in all parts of the House. This is her Brexit, designed, administered and delivered by her Government. An ugly environment has been created in the last couple of years because they chose to divide the country on this toxic issue to try to resolve tensions within their own party, while refusing to consider any alternatives to their own singular approach. How dare the Prime Minister blame Members of Parliament for this mess? I will never stop fighting for what my country and my constituency voted for. I will stand by them, regardless of the “them and us” climate that the Prime Minister is trying to create.
I will tell the House what undermines democracy and erodes trust in Parliament: it is this Government ignoring agreed outcomes in the House. We vote again and again for something and it is then casually dismissed, or we continually reject something only for it to be brought back again and again. For example, where is the legislation that will take no deal off the table, which the House has agreed to twice? Democracy does not mean that it is the Prime Minister’s way or the highway.

We will be out of the EU a week tomorrow unless something is done. We do not know on what basis that will happen, and we do not know whether there will be an extension. The EU has said that it will grant an extension only if the House passes the dead, defeated deal. When will it come to the House—it will not be on Monday; that is just part of the Government’s obligations—and how will it be significantly different in order to meet your ruling, Mr Speaker? How will it be designed in that respect? This must happen next week, because we are supposed to be out of the EU by next Friday.

The situation is totally unbelievable. This disaster is part constitutional crisis, part farce, but 100% Tory. How dare the Government try to blame us for this mess?

Andrea Leadsom: The hon. Gentleman will not be surprised to hear that I do not share his view at all. Let me quote the hon. Gentleman’s words back to him. He said that he would never stop fighting for what his country voted for. His country voted to remain part of the European Union. The EU has said that it will grant an extension only if the House passes the dead, defeated deal. When will it come to the House—it will not be on Monday; that is just part of the Government’s obligations—and how will it be significantly different in order to meet your ruling, Mr Speaker? How will it be designed in that respect? This must happen next week, because we are supposed to be out of the EU by next Friday.

Let me quote the hon. Gentleman’s words back to him. He said that he would never stop fighting for what his country voted for. His country voted to remain part of the United Kingdom.

Chris Bryant (Rhondda) (Lab): Or not.

Sir Edward Leigh (Gainsborough) (Con): With regard to the meaningful vote which we are going to have apparently next week—

Andrea Leadsom: My hon. Friend raises a very important issue. I congratulate her on doing so and on the great charity work going on in her constituency, and I join her in paying particular tribute to Irene and Jean.
Loneliness can cause significant ill health, yet up to a fifth of the UK adult population feel often or always lonely. To tackle this pressing public health issue we have established a cross-Government fund dedicated to a cross-Government strategy that has almost 60 new policy ideas from nine Government Departments. So the Government are determined to tackle this. My hon. Friend and many other hon. Members do their own support in their own constituencies and deserve great credit for doing so.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Is the Leader of the House aware that yesterday was the 102nd birthday of Dame Vera? [HON. MEMBERS: “Lynn.”] Yes, Lynn. Sorry; I had a senior moment there. One of her most famous tunes was “Coming in on a Wing and a Prayer” and I have to say that many of us, on all Benches, are a little upset about the Prime Minister’s remarks yesterday. We spend every minute of the day—every waking hour, and stay awake at night—thinking about this dilemma and to undervalue parliamentarians’ dedication and commitment is not good at all for the current discourse.

May we have an early debate? Many of my constituents want to know about the secret sources of power. They thought they knew about the Cabinet and collective agreements, and about where power lay in the Conservative and Labour parties, but they do not understand why something called the European Research Group is now wielding immense power behind the scenes. They do not understand what the pizza club is and how it can wield such power that it can stop an extension of the period before we leave the European Union. May we have an early debate on this, because going home on a wing and a prayer is not good enough for the future of this country?

Andrea Leadsom: I did not know that it was Dame Vera Lynn’s 102nd birthday, and I thank the hon. Gentleman for raising that. However, I did know that today is World Poetry Day. I was tempted to come up with some of my own poetry, but I did not think that the House would be in the mood for it, so I did not bother. I am sure that hon. Members will have their own views on that. The hon. Gentleman makes a serious point, however. I do not believe that the Prime Minister was in any sense seeking to denigrate MPs’ commitment to the issue. She was urging colleagues to consider the duty to make an active decision about what they want to see. In a hung Parliament, that is the challenge that faces us. A Government with a big majority will, on the whole, be able to get their business through, but in a hung Parliament, all right hon. and hon. Members have to give great consideration to good governance. The Prime Minister is urging all Members to consider her deal again, because the reality is, as the hon. Member for Perth and North Perthshire (Pete Wishart) has pointed out, that the legal default position remains that this House voted to leave the European Union on 29 March and the only way we can avoid that is either by extending article 50, as the Prime Minister is seeking to do, or by this House coming up with an alternative solution, which it has so far been unable to do.

Mr Nigel Evans (Ribble Valley) (Con): I know that there will be a debate on knife crime in Westminster Hall next week, but I wonder whether the Leader of the House could arrange for a Home Office Minister to make a statement about the repulsive rise of knife crime? Clitheroe, in my constituency, must be one of the most idyllic and wonderful towns to live in, yet last night, two youths with a knife, one of whom was 16 years old, stabbed another one that they knew. The police inform me that the injury is not life-threatening, and we pray that that is the case, but none the less, if this can happen in a place such as Clitheroe, this tells us that we need to do a lot more, whether through schools, through parents, through greater police numbers or through stop and search. All I know is that if we do nothing, knife crime will rise even further.

Andrea Leadsom: My hon. Friend raises an important issue that is often raised at business questions and at other times. We have had several debates on it in the House over the past few weeks, and it is quite right that we do so. He will be aware that the Chancellor announced an extra £100 million in the spring statement for a short-term intervention to ensure that more police officers could be made available through overtime measures to tackle this. We have a serious violence strategy and a serious violence taskforce, and we are bringing in the Offensive Weapons Bill, which will make it harder to get knives. It will contain provisions for a knife crime prevention order, which will be absolutely vital. We are also extending stop-and-search powers and having a landmark review of drug misuse. The Government are taking action at every level, but ultimately we also have to look at prevention, and perhaps the most important part of that is the Government’s commitment to trying to ensure that young people are not tempted into a life of knife crime.

Several hon. Members rose—

Mr Speaker: Order. Just before I call the right hon. Member for Cynon Valley (Ann Clwyd), I hope the whole House, and everybody present in the Palace of Westminster, will want to join me in congratulating the right hon. Lady on her birthday.

Hon. Members: Hear, hear!

Ann Clwyd (Cynon Valley) (Lab): Thank you, Mr Speaker. Has the Leader of the House noticed the alarming headlines about the unprecedented drug shortage linked to Brexit? The chief executive of NHS Providers has reported a shortage of 300 different drugs in one English trust alone. Hospital chiefs are reporting shortages of hundreds of different types of medicine, including drugs used to treat cardiac problems and high blood pressure, so can we please have a debate on the issue? Our constituents need some sort of explanation of how Brexit is affecting the supply of medicines, when previously we had no problems.

Andrea Leadsom: First, I wish the right hon. Lady a very happy birthday. Secondly, I hope I can reassure her that the issue with a potential no-deal Brexit would be one of capacity at the different borders. Since the UK is still a member of the European Union, there are no problems with borders and accessibility, but she makes a serious point. I am afraid that I am not aware of those reports, but if there are shortages of medicines, that is a serious issue. We have Health and Social Care questions
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on Tuesday 26 March, and I encourage her to raise the matter then, but I hope that I can reassure her that borders are currently fully open, so I cannot see that the issue would be in any way related to Brexit.

Maggie Throup (Erewash) (Con): The United Kingdom has a proud tradition of entrepreneurial spirit, and I am sure that it will continue to flourish as we leave the EU. May we have a debate in Government time on the confidence that entrepreneurs have in this Government’s policies?

Andrea Leadsom: My hon. Friend makes a good point. Entrepreneurs’ confidence in the policies of this Government should be celebrated by everyone. The number of business ventures started in 2018 rose by 4.7% to over 640,000; there have been 1.2 million more business start-ups since 2010; exports are at a record high; and we are cutting corporation tax to the lowest rate in the G20 and cutting business rates, which is worth more than £13 billion to businesses. Our economy has grown for 24 quarters in a row and is now over 18% bigger than it was in 2010. This Government are dealing with our debts, keeping our economy strong, investing in public services and keeping taxes low for working people.

Jack Dromey (Birmingham, Erdington) (Lab): Hate is on the march. Last night, mosques across Birmingham were attacked, including the Slade Road mosque in Erdington. Fear stalks the Muslim community, but so too does a determination never to surrender to the forces of fascism. I pay tribute to the different faiths across Birmingham that are rallying in support of the Muslim community. Can we have a debate on the importance of celebrating our diversity, standing together in national unity and rejecting anyone who fans the flames of prejudice and division?

Andrea Leadsom: I wholeheartedly agree with the hon. Gentleman. As I said earlier, our hearts go out to those who were affected by the attacks on mosques in Birmingham last night. It is absolutely unacceptable to see any form of religious or racial prejudice in our free and open society. I know that many Muslim communities are feeling vulnerable and anxious, but they should seek comfort from knowing that the Government are doing everything we can to tackle hate and extremism. One practical thing that we are doing is doubling next year’s fund will provide security training. However, I agree other places of worship. In addition, a new £5 million that MPs need to be treated with respect and given the opportunity to represent their constituents and their country in alignment with their own beliefs and with doing the best they can possibly do. I pay tribute at all times to all Members of Parliament, and I will do everything I can to ensure that we are all able to go about our business and do a good job for our constituents and for our country.

Andrea Leadsom: I completely agree with the hon. Lady that colleagues on both sides of the House—she is a perfect example—all want to do the best for our country and our society. I totally endorse her thoughts that MPs need to be treated with respect and given the opportunity to represent their constituents and their country in alignment with their own beliefs and with doing the best they can possibly do. I pay tribute at all times to all Members of Parliament, and I will do everything I can to ensure that we are all able to go about our business and do a good job for our constituents and for our country.

Mr Speaker: I thank the Leader of the House for what she said in response to that very powerful inquiry from the hon. Member for Kingston upon Hull North (Diana Johnson). I have said it before, in the light of some extremely ominous coverage of Members some months ago, but I will say it again, because it brooks of no misunderstanding or contradiction: none of you is a traitor and all of you are doing your best.

This should not be, and I am sure it will not prove to be, a matter of any controversy whatsoever. From the Chair, let me say that I believe passionately in the institution of Parliament, in the rights of Members of this House and in their commitment to their duty—I use the word “duty” in the singular advisedly. The sole duty of every Member of Parliament is to do what he or she thinks is right. There is nothing, in my judgment, to be added.
John Howell (Henley) (Con): I would like to introduce you to another anniversary, Mr Speaker, but it is not a particularly pleasant one: this is the fifth anniversary of the annexation of Crimea by Russia. Will my right hon. Friend allow us a debate so that we can consider this issue and also continue our condemnation of Russia for its annexation of that part of Ukraine?

Andrea Leadsom: My hon. Friend raises a serious issue, and I know that the House and the Government have condemned the annexation of Crimea. It hardly seems possible that five years have already gone by since those terrible events. I encourage him to seek an Adjournment debate or a Back-Bench debate so that all hon. Members can express their support for resolution of this annexation.

John Cryer (Leyton and Wanstead) (Lab): The principles that underlie the role of MPs were set out 250 years ago by Edmund Burke: not only to be accountable to and under the most contemptuous statements that I have ever undermined last night by the Prime Minister, in one of the most contemptuous statements that I have ever heard—it is up against some stiff competition. May I ask the Leader of the House, again, whether she agrees with what the Prime Minister said last night?

Sir Peter Bottomley (Worthing West) (Con): Is this a Labour Whip’s handout?

Mr Speaker: Order. Let us grow up. Do grow up, for goodness’ sake. This is not a matter of party political hackery. Let us have some seriousness of purpose and mutual respect. The hon. Member for Leyton and Wanstead (John Cryer) is an experienced Member of the House. He has asked an honest question, to which I know the Leader of the House will honestly reply. For goodness’ sake, let us raise the level.

Andrea Leadsom: Mr Speaker, may I just say that your response does not raise the level? I will leave it there.

Mr Speaker: Order. Resume your seat, Leader of the House. My response sets out the constitutional position that has applied to Members of the House of Commons over generations, and I cannot for the life of me see or believe that there is anything remotely controversial about what I have said.

Andrea Leadsom: In response to the point made by the hon. Member for Leyton and Wanstead (John Cryer), what I wanted to say is that I will speak for my own views when I say that I have the highest regard for Members from right across this Chamber. All hon. Members do exactly as they think is right for their constituents and for their country, and it is absolutely right that they should continue to do so. What I think the Prime Minister was urging upon all hon. Members is to recognise that in a hung Parliament it is incumbent on us all to ensure that there is good government, because, by definition, it is important that we all participate in ensuring progress for our country, as indeed we have done through more than 40 pieces of primary legislation in this Session alone, where we have been able to come together in the national interest to make progress on certain areas of legislation, ranging from counter-terrorism to tenants’ fees, all manner of automated vehicles and so on. We have been able to work together to come to a conclusion and make a positive statement about the way the country should go. I think that the Prime Minister was seeking to urge all right hon. and hon. Members to look carefully at the reality, which is that there is a means by which we can deliver on the referendum, while ensuring we keep a close and collaborative relationship with our EU friends and neighbours. Alternatively, the legal position that this House voted for is to leave the EU on 29 March without any other arrangements. What the Prime Minister is seeking for this House to do is to come together to support a way forward. The House has not so far done that.

Bob Blackman (Harrow East) (Con): For inclusiveness, let me say that it is currently not only the festival of Purim, but the Hindu festival of Holi.

This weekend, we will have the national hospital radio awards ceremony, so may I send my best wishes to Radio Harrow, which has been nominated for eight awards? It comforts patients at Northwick Park Hospital, where many of my constituents have to go. I also send best wishes to Radio Mount Vernon, which is celebrating its 50th anniversary. May we have a debate in Government time on the wonderful work done by volunteers in our hospital radio stations, who provide comfort to patients at the time when they need it?

Andrea Leadsom: My hon. Friend is absolutely right to pay tribute to the amazing work done by volunteers in hospitals. He raises the particular issue of those who run hospital radio stations. Having visited local hospitals myself, I have absolutely seen at first hand the warmth and support that they give to people—and, frankly, the distraction that they provide for people who are undergoing painful procedures—so I am happy to join my hon. Friend in thanking them and paying tribute to them for all the good work they do.

Patricia Gibson (North Ayrshire and Arran) (SNP): Last night, the Prime Minister told the people of the United Kingdom “I am on your side”, but presumably she was not speaking to anyone who voted to remain, such as the majority of the people of Scotland; she was not speaking to Europeans living and working in the UK; and she was not speaking to those who are dissatisfied with her deal. Will the Leader of the House make a statement setting out her views on whether she thinks it is wise or healthy to set Parliament against the people, reject any notion of personal responsibility, and ignore the genuine concerns about Brexit in this House and throughout the UK?

Andrea Leadsom: The Prime Minister’s deal absolutely does seek to resolve the issues and concerns for EU citizens living in the UK and for UK citizens living in the EU. It seeks to reassure those who wanted to remain in the EU by securing a close economic and security partnership with our friends and neighbours in the EU. Very importantly, it also delivers on the will of the people expressed in the referendum, which is something that the House has voted to do. My own assessment is that the Prime Minister’s proposal—the withdrawal agreement and the future political declaration—does seek to achieve the very complicated balance of bringing
all sides together. We can all point to parts of her deal that we do not like—every single one of us can do that—but it is a compromise that really does seek to provide something for everyone and the best possible combination of outcomes that enables us to deliver on the will of the people.

**Martin Vickers** (Cleethorpes) (Con): Almost every week in the Chamber, we hear Members raising issues to do with bank closures in their constituencies. Over the past two months, Santander and now Barclays have announced that they are leaving Cleethorpes. People need financial advice as well as access to banking services. Will the Leader of the House find time for a debate in which we can explore ways to create financial hubs in town centres, to which people can go for advice and to obtain banking services?

**Andrea Leadsom:** My hon. Friend raises an important point about the issue of the last bank in town and access to financial services, which has come up in the Chamber many times, and he is quite right to raise it. Obviously, we recognise that the way people access financial services is changing, with more people going online and so on, but the industry’s access to banking standard requires banks to carry out a number of steps before they close any branches. Some are coming forward with innovative ways to deliver ongoing banking services, and of course the Post Office now delivers access to banking services, very often at more flexible times—for example, at weekends and so on—than a bank was previously able to offer. My hon. Friend raises an important point, and I encourage him to seek an Adjournment debate to talk about the issues in Cleethorpes.

**Helen Goodman** (Bishop Auckland) (Lab): The Leader of the House has said that we should seek a cross-party consensus on the way forward, and I agree with her, which is why I wonder what thought she has given, in respect of her role, to the House voting on options in parallel, so that we can end the game-playing and move forward.

**Andrea Leadsom:** I completely understand the hon. Lady’s desire for many more varied options to be brought forward, and I hugely respect the hon. Lady and her views, but the House has already rejected a second referendum, a customs union, the meaningful vote and leaving without a deal. It is vital that the House comes forward with a proposal that it can support. What the House did support was an extension to article 50, and the Prime Minister is acting on that request and seeking to fulfil the will of the House. I am sure that if hon. Members feel there is a majority for another type of proposal, they will come forward with those proposals.

**Jim Shannon** (Strangford) (DUP): Yesterday, I met some people of Christian faith from Cuba, who expressed concern over the Cuban Government’s attitude to church congregations. Christians represent some 20% of the population in Cuba, and the congregations are continuing to grow. They are now a significant religious minority, and group in that country. These people also informed me that the Cuban Government have failed, and refused, to return church properties to Protestant Churches, which is totally unacceptable. Will the Leader of the House agree to a statement or a debate on this important matter?

**Andrea Leadsom:** The hon. Gentleman always raises matters of freedom of religion and he is absolutely right to do so. The situation that he raises around Cuba is very concerning. The UK does, of course, promote tolerance and acceptance of different faiths and beliefs within our own country, but it is also something that we want to see right around the world. We have Foreign Office questions on Tuesday 2 April and I encourage him to submit a question, or to seek an Adjournment debate, so that he can raise this matter directly with Ministers.

**Colleen Fletcher** (Coventry North East) (Lab): The knife angel, a sculpture created from confiscated knives, has again gone on display in Coventry. The sculpture is a stark reminder of the surging levels of knife crime that have infected our city and wrought such devastation on individuals, families and communities. More than anything else, the knife angel symbolises our city’s commitment to tackle violent crime and to ensure that all those who carry knives turn away from violence and aggression and towards peace and reconciliation. Will the Leader of the House join me in encouraging other towns and cities to offer to host the knife angel, and will she arrange a debate in Government time on knife crime and the impact that cuts to public services have had on our ability to tackle this increasing scourge?

**Andrea Leadsom:** The hon. Lady makes an excellent suggestion and challenge to other hon. Members to seek to have the knife angel hosted in their own areas. I know that there are many local police and crime commissioners who are really focused on resolving this appalling issue of the rise particularly in knife crime. She will be aware that the Government are introducing a £200 million youth endowment fund to try to prevent young people from being attracted to a life that takes them down that path of knife crime. The Government are doing everything that we possibly can to try to prevent this, and it is right that all hon. Members seek to do what they can to highlight their concerns about it.

**Derek Twigg** (Halton) (Lab): May we have an urgent debate in Government time on the continuing problem of the awarding of personal independence payments to people who are disabled or who have long-term health conditions? I have experienced some appalling decisions in recent weeks in my constituency. The Government have promised to try to get a grip on this, but they still have not. May I have an urgent debate on the matter?

**Andrea Leadsom:** I am genuinely sorry to hear that the hon. Gentleman has had some difficult constituency cases. If he wants to raise a particular case with me, of course I will take it up with the Department on his behalf. He will be aware, however, that since personal independence payments were introduced in 2013, some 3.7 million decisions have been made—all made with the desire to help people to lead a more independent life and to be able to choose the kind of support they need. The total number of complaints received is less than 1% of all assessments, and nearly nine in every 10 PIP claimants are satisfied with their experience. We are
constantly seeking to review and improve the system. If the hon. Gentleman has specific proposals to make, I encourage him to seek an Adjournment debate so that he can raise them with Ministers.

Paula Sherriff (Dewsbury) (Lab): As a prefix to my planned question and further to the comments from my hon. Friend the Member for Kingston upon Hull North (Diana Johnson), I must tell the House that last week, in common with many other Members on both sides of this House, I received a message, among lots and lots of other messages, saying that my head should be chopped off. I apprehended the Prime Minister last Thursday evening and begged her to “dial down the hate”. I told her that it was in her power to do so. People are frightened not just in this place, but in the country as a whole. The Prime Minister must show some leadership; it is within her grasp. I implore the Leader of the House to pass on that message.

I have been contacted by many constituents over 75 concerned about the prospect of losing their free TV licence. As the Leader of the House knows, loneliness is a major issue, and for many people the television is, sadly, their only company. The retention of free TV licences for over-75s was in the Conservative manifesto in 2017, so may we have a debate or statement on the Government’s intentions?

Andrea Leadsom: First, it is appalling that the hon. Lady, or any other Member, has received such abuse. I can only repeat that I genuinely believe that all right hon. and hon. Members are seeking to do the best they can for their constituency and their country, and I pay tribute to everybody who works so hard for their constituency and country.

The hon. Lady raises a specific issue about free TV licences for the over-75s. I completely agree that often for people who are lonely the television, as well as a source of entertainment, is a link to the outside world and a way to find a friend in watching friendly programmes. I share her concern, therefore, and encourage her to seek a Westminster Hall or Back-Bench debate so that she can raise it directly with Ministers.

Alex Cunningham (Stockton North) (Lab): Will the Leader of the House join me in welcoming the decision by FirstGroup to buy five British-built Hitachi inter-city trains? It is great news for jobs in north-east England. Will she also facilitate a debate on the importance of every British-based company, including Transport for London, buying British-built trains?

Andrea Leadsom: I am delighted to join the hon. Gentleman in commending the decision to buy British. I am a big fan of doing that wherever possible. Obviously, in return for our being able to export our great British products, we also recognise the need for our own producers to be competitive, which is why we do not always buy British; nevertheless, I absolutely agree with the thrust of his proposal. I encourage him to seek an Adjournment debate to talk directly to Ministers about what more we can do to promote great British products.

Kevin Brennan (Cardiff West) (Lab): I have raised previously with the Foreign Secretary the case of Luke Symons, a constituent of mine being held captive in Yemen. There is some hope that the International Committee of the Red Cross might be able to get him out, but he needs to get somewhere where there is a British embassy so that he can apply for a visa for his wife and bring his son back to the United Kingdom. Can we have a statement from the Foreign Office about this case? Barring that, can the Leader of the House pass on the message to her ministerial colleagues that that is what we need and that we need it swiftly?

Andrea Leadsom: I am grateful to the hon. Gentleman for raising his constituency case again in the Chamber—he is absolutely right to do so—and I am sure that my right hon. Friend the Foreign Secretary will be looking into it. If he would like to write to me with more details, I can take it up directly on his behalf, or he could raise it directly with Ministers at Foreign Office questions on 2 April.

Neil Coyle (Bermondsey and Old Southwark) (Lab): Last night, the Prime Minister gave a deeply divisive and undignified speech trying to shirk her responsibility for prematurely triggering article 50 without a plan. In response, a petition to revoke article 50 has now been signed by more than 800,000 people, including 3,500 of my own constituents. When will the Government respect the intelligence of British people, admit we have the unilateral power to revoke article 50 to prevent further damage to our country and provide time to debate this crucial issue before 29 March?

Andrea Leadsom: It is the policy of the Government—and indeed of Parliament, which voted to trigger article 50—to leave the European Union, in line with the result of the 2016 referendum. I say again to all hon. Members that I genuinely think that the Prime Minister’s proposal for the withdrawal agreement and future political declaration offers the compromise we want between leaving the EU in line with the democratic decision taken in 2016 and keeping a close and collaborative relationship with our EU friends and neighbours.

Matt Western (Warwick and Leamington) (Lab): Last week, I met year 10 geography students from Myton School in Warwick. The Leader of the House will be aware that many young people across the country, and indeed the globe, are extremely concerned about climate change. Since I met them, we have had extreme weather events such as Cyclone Idai and flash floods in Indonesia, and reports from the head of the Environment Agency that within 25 years we could have severe water shortages here. I understand we had a debate a few weeks ago, but it was held during the recess week and was poorly attended, because we all had various other commitments. May I urge the Leader of the House to arrange another debate in good time so that we can explore the serious issues of climate change?

Andrea Leadsom: I pay tribute to the hon. Gentleman’s young constituents for their commitment to tackling global climate change; they are absolutely right to do so. I am sure that he will acknowledge the UK’s strong record and efforts to tackle global climate change, whereby we have reduced emissions faster than any other G7 nation. The latest figures show that we have reduced greenhouse gas emissions by 23% since 2010. In November 2016, we ratified the Paris agreement, which was the first truly global, legally binding agreement to tackle
climate change. Of course there is much more that we should and can do, and I am sure that there will be further opportunities given the clear push from young people right across the country. I will take very seriously the hon. Gentleman’s request for a further debate on global climate change, and see what can be done.

Chris Bryant (Rhondda) (Lab): I reckon that I have worked out where everything has gone wrong over the last couple of years in this Parliament. We have discovered today from the Foreign Secretary, and now from the Leader of the House, that a new and rather dangerous doctrine has been developed in the Government that, when there is a hung Parliament, it is the duty of MPs—broadly speaking—to support the Government, even if they do not think that it is a very good idea. That is the essence of it, isn’t it? Actually, it should be the other way around. In a hung Parliament, the Government must listen to the whole House.

I have a solution, and I think the Leader of the House can help. When Government Ministers are given their copy of the ministerial code of conduct, they should all also be given a copy of the 1936 book, “How to Win Friends and Influence People”. Clearly the Prime Minister did not have a copy last night—not least because it guarantees the reader that it will “increase your popularity” and:

“Help you to win people to your way of thinking.”

I am sure that if the Leader of the House could leave here later, pop over to the Prime Minister and give her a copy, she would manage to solve everything, because the key to the book is to always smile and never get cross.

Andrea Leadsom: Well, where to start? I may as well cut straight to the chase and say that I actually agree with the hon. Gentleman. I am not for one moment saying that all parliamentarians in a hung Parliament should do exactly as the Government say. I agree with the hon. Gentleman that people in a hung Parliament work together. I gave the example of 51 Government Bills having been introduced in this Session, 41 of which have already received Royal Assent. As hon. Members will know, that has happened as a result of great discussion, a huge number of concessions and close collaboration right across the House in order for the Government to achieve a consensus that the House would then support.

My point is not that parliamentarians have to do as the Government say at all, but that parliamentarians should be looking for what they can agree to. I am advocating the Prime Minister’s deal on the very clear grounds that it offers departure from the European Union, but a close and ongoing relationship with our EU friends and neighbours. That seems the right kind of compromise, which all hon. Members could get behind. Nevertheless, should we get to the point of introducing the withdrawal agreement Bill, which is the piece of legislation that would put into law the decision of the House, I have absolutely no doubt that there would be very close collaboration, and many concessions and discussions, in order to get the legislation through. So I agree with the hon. Gentleman. As Parliament’s voice in Government, it is my great pleasure that I often find myself pleading with Government Ministers to listen to the view of Parliament, and I will continue to do so.

Chris Bryant: And don’t be cross.

Andrea Leadsom: And smile.

Chris Bryant: And you, Mr Speaker.

Mr Speaker: And us all. The Leader of the House says that she is Parliament’s voice in Government. Although that is constitutionally the position she holds, she is certainly Government’s voice in Parliament. I think that we have always been very clear about that as well, and we acknowledge that part of her responsibilities.

Alan Brown (Kilmarnock and Loudoun) (SNP): I have a constituent who only found out after the death of her husband that she could actually get additional state pension based on his national insurance contributions. The Department for Work and Pensions had notified her husband but, for whatever reason, he had not taken action. This means that, although she is now claiming the additional money, she is limited to a maximum 12 months’ backdated claim. Rather than the outdated assumption that the man controls the household finances, can we have a Government statement confirming that the DWP will now always notify both husband and wife, and look at changing the law on the length of period for which such pensions can be backdated?

Andrea Leadsom: I certainly agree with the hon. Gentleman that it should never be assumed that one half of a partnership controls the finances for the other. He raises an important constituency case, and I encourage him to write to me so that I can take the matter up with the Department on his behalf.

Vicky Foxcroft (Lewisham, Deptford) (Lab): I ask again: when will the Timpson review of exclusions be published? Last week, I joked with the Leader of the House about how soon it would be, but it is actually no joking matter. When there are undeniable links between exclusions and youth violence, it is crucial that we get this report and that it is published now.

Andrea Leadsom: I completely agree, and I again pay tribute to the hon. Lady for her commitment to the issue. I will ask again when the review can be published, and I share her desire for it to be brought forward urgently. She may have seen this morning the suggestion of the Secretary of State for Education that exclusions are not necessarily directly the major cause of some of the knife crime problems that we have seen, and that truancy may be an even bigger issue. It is vital that we look across the piece at what is causing this issue, and that we seek to put measures in place. The hon. Lady is right to chase the report, and I will see if I can do more to push for its publication.

Marion Fellows (Motherwell and Wishaw) (SNP): I am afraid to admit that I have been glancing at the internet during these exchanges, and I have to tell the Leader of the House that the website for the Brexit petition to revoke article 50 has now crashed. I wonder whether she can help me to help more of my constituents sign the petition, which had reached 800,000 signatures the last time I looked.
Martin Whitfield (East Lothian) (Lab): The primary 7 pupils at Prestonpans Primary School in East Lothian, where I used to teach, had a debate on Brexit, and it was very friendly and goal-oriented. Indeed, one of the children undertook to write to the Prime Minister, and I know that in due course he will get a response. Given their attitude to that debate, and given the comments by my hon. Friend the Member for Warwick and Leamington (Matt Western) about what young people can do with regard to climate change, could we have an urgent debate on what we can learn from our young people?

John Woodcock (Barrow and Furness) (Ind): I wonder, Mr Speaker, whether you can imagine the scene at the great Scottish home of the UK’s nuclear deterrent, Faslane naval base, on 29 April 1969, when a crew of submariners slipped out in one of the Barrow-built R-class submarines and thus began Operation Relentless, which has, 24 hours a day, for every single minute, protected the UK from the threat of nuclear blackmail. As the Leader of the House will know, because I know she can do her maths, on 29 April it will be 50 years to the day since Operation Relentless began. Does she not think that there should be a debate in Government time to commemorate this extraordinary achievement? No matter what one thinks of the nuclear deterrent, I know that Members across the House will want to thank all those involved, from the shipwrights across the United Kingdom who built the submarines to the submariners who have served in them. I have already made a conditionally successful application to the Backbench Business Committee. However, the scale of this achievement...
surely deserves Government time, given the amount of attention that the Navy is giving to this issue over the coming weeks and months.

Andrea Leadsom: I am so pleased that the hon. Gentleman has raised this very significant milestone and also given us the opportunity to thank all those who have served, for coming up to 50 years, in protecting our United Kingdom around the world from, as he says, the threat of nuclear blackmail. When I was 13, it was the risk of a nuclear war that made me decide that I was going to become a Member of Parliament, so this very issue has been with me for an extremely long time—longer than I care to think of. I will certainly take his request very seriously and see whether we can find Government time, but I am very glad to hear that he has already got his request in to the Backbench Business Committee.

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): People in my constituency who formerly worked at the Hoover factory in Merthyr Tydfil are rightly concerned about their reduced pension fund. Given that the Government removed a significant surplus from this pension fund in the past, does the Leader of the House agree that they have a responsibility to support such funds in times of deficit too? Can we have a debate on this issue and the wider issues arising from the Government removing large surpluses from pension pots?

Andrea Leadsom: The hon. Gentleman raises a very important issue for his constituency. I know that the profit share that has been agreed with Government in different pension pots has regularly been an issue of concern for Members. I would encourage him to perhaps seek an Adjournment debate so that he can raise his specific concerns directly with Ministers.

Louise Haigh (Sheffield, Heeley) (Lab): In a recent answer to my hon. Friend the Member for Birmingham, Northfield (Richard Burden), a Minister of State at the Foreign Office told him that the UK Government did not normally disclose how they intend to vote ahead of United Nations Human Rights Council meetings. However, this morning, writing in the Jewish Chronicle, the Foreign Secretary has confirmed that they intend to vote against all proposals under item No. 7 relating to the occupied Palestinian territories. Does the Leader of the House agree that if Ministers are telling Members of this House that the Government do not disclose their voting intentions, it is therefore completely inappropriate for them to announce those intentions elsewhere? Will she help to secure an urgent statement tomorrow from the Foreign Office on the Government’s voting intentions at this crucial meeting?

Andrea Leadsom: I would certainly agree that it is always preferable for Ministers to come to this House, as is the convention, to make any important statements in the Chamber. I am not aware of the specific circumstances of what the hon. Lady mentions, so I cannot comment on that. However, we have Foreign Office questions on 2 April, and she could certainly raise the matter there, or perhaps seek an urgent question if it is something of a more urgent nature.

Several hon. Members rose—

Mr Speaker: I think it is in the interests of the hon. Member for Glasgow East (David Linden) that his Chief Whip be called before him. I call Mr Patrick Grady.

Patrick Grady (Glasgow North) (SNP): Thank you, Mr Speaker. I can assure you and the hon. Member for Rhondda (Chris Bryant) that Whips always smile and are never cross.

I want to press the Leader of the House on the issue of the House sitting on the Friday, and potentially the Saturday, of next week. I found it quite astonishing that there had never been a plan for us to sit on what was supposed to have been Brexit day. Given the possibility that we could have crashed out at 11 o’clock next Friday, it is astonishing to think that we might have to wait until the following Monday to respond to that. So are there contingency plans in place? This is particularly important for the staff who help to keep this place running. That is also true of the Easter recess. I am quite happy to sleep in the Lobby if need be to get this mess sorted out, but it is simply unfair to keep the Clerks, the security and catering staff, and everybody else who makes this place work waiting to find out whether there is going to be an Easter recess. When will we get confirmation of these dates, if at all?

Andrea Leadsom: I totally share the hon. Gentleman’s desire to make sure that people are given as much notice as possible, but equally to make sure that we do not stand people up unnecessarily. Clearly, there is a fine balance between me announcing that we are going to sit 24/7 for the next three months, just in case, versus me coming back with an announcement as soon as possible should it be necessary. Of course, there would be usual-channels discussions should it be necessary to sit, for example, next Friday. However, I do take his point very seriously. We always seek to ensure that we take full account of the impact on the staff of this place—those who support Members of Parliament but also those who support the smooth running of the House.

David Hanson (Delyn) (Lab): I hope that the Leader of the House can help me with a debate on the question of Government consultations. The Home Office issued a consultation on air rifle misuse in October 2017. It closed in February 2018. In the answer to a parliamentary question from me this week, I found that there is still no date for the publication of a Government response to that consultation. I have constituents who have lost people due to the misuse of airguns, and they just want to know what is the Government’s view. Can we have a debate on what is an acceptable period between the end of a consultation to the Government responding to it?

Andrea Leadsom: I am very sympathetic to the right hon. Gentleman’s request. If he wants to write to me after the business question, I can ask the Department on his behalf. He will be aware that we have Home Office questions on 1 April, and he could equally raise it then, should he wish to do so.

David Linden (Glasgow East) (SNP): Can we have a statement from the Government on what “in due course” means? Since January, the Government have been supposed
to conclude their review into the provision of parental leave for parents of premature and sick babies. I have lodged numerous written questions, including pursuant questions, and the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Rochester and Strood (Kelly Tolhurst), just keeps saying “in due course”. Is that “in due course” as in, “I’ll go and cut the grass in due course”, or as in, “We’ll have a meaningful vote in due course”? This is a serious point. Today, babies will be born prematurely, and parents are still not getting the support they need. Can the Leader of the House arrange for a statement on what “in due course” means and ensure that we support the parents of premature and sick babies?

Andrea Leadsom: I know that the hon. Gentleman has a deep personal interest in this matter. I completely understand that he would like a specific date. I can say to him, from the heart, that these things can be quite complicated. When we are seeking to change a law or give a different dispensation, there are often quite a lot of consequential impacts that require consultation, further research and so on. When Ministers say “in due course”, they genuinely mean as soon as all the various aspects can be finalised. Often it is impossible to give a specific date, but if he wants to write to me, I can certainly chase the Department on his behalf.

Points of Order

12.31 pm

Vicky Foxcroft (Lewisham, Deptford) (Lab): On a point of order, Mr Speaker. I seek your advice. The Government are supposed to be tackling violence with a public health approach, so I was astonished when my question to the Secretary of State for Health and Social Care asking what progress his Department has made on the implementation of a public health approach to tackling violence was transferred to the Home Office for a written response. My question was genuinely meant for the Secretary of State for Health and Social Care, as I am keen to know whether he endorses a public health approach and what action his Department is taking. The public health approach can be successful only if it is genuinely adopted across the whole of Government.

Mr Speaker: The hon. Lady has done me the great courtesy of telling me in advance that she wished to raise that matter on a point of order. The short answer, but it is not the only answer, is that it is for Government to decide the Minister and Department answering a question—that is to say, the matter of transfer from one Department to another is within the exclusive cognisance of Ministers. That said, if it is the clear and explicit wish of the hon. Lady to explore the issue from the vantage point that she has described, I think it would be helpful if the Department of Health and Social Care respected that.

The hon. Lady may find that a direct approach to a Health Minister—a private chat over a cup of tea or on the telephone—would help. If that does not avail her, or if she prefers another approach, I suggest that she goes to the Table Office to explore the options, where the brilliant and dedicated staff will seek to help her. She will not be surprised to know that this is not an unprecedented situation—there have been many such examples over the years—but if she follows my usual advice, which is to persist, I think she will find a way through the thicket.

Louise Haigh (Sheffield, Heeley) (Lab): Further to that point of order, Mr Speaker. Over two weeks ago at Prime Minister’s questions, the Prime Minister said that she would be hosting an emergency summit in Downing Street on knife crime “in the coming days”. As far as I am aware, no invitations have gone out and no summit has been held. Have you been given any indication of a statement to the House about the Prime Minister's intention to hold such a summit on the urgent and crucial issue of tackling knife crime?

Mr Speaker: I have received no indication that a Minister plans to make a statement on the matter. I note what the hon. Lady says about a past prime ministerial commitment. To be fair, the Prime Minister has many matters on which to focus at the moment, and I cannot say whether the organisation of this event is in train or not. I note that the hon. Lady is indefatigable and remorseless in pursuit of this subject, which is absolutely right and proper, and she will have opportunities to air the issue in the Chamber in the days to come, especially if she is dissatisfied that the event that she anticipated has not yet been arranged.
Leasehold Reform

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT COMMITTEE

Select Committee statement

Mr Speaker: The Chair of the Housing, Communities and Local Government Committee, the hon. Member for Sheffield South East (Mr Betts), will speak on his subject for up to 10 minutes, during which I remind the House that no interventions may be taken. At the conclusion of his statement, the Chair will call Members to put questions on the subject of the statement and call the hon. Gentleman to respond to those in turn. Members can expect to be called only once. Interventions should be questions and should be brief. Those on the Front Bench may take part in questioning.

12.38 pm

Mr Clive Betts (Sheffield South East) (Lab): I thank the Backbench Business Committee for making time for this statement. Last Tuesday, the Housing, Communities and Local Government Committee published our 12th report of this Session, following a six-month inquiry into leasehold reform. I thank all the members of the Committee, who agreed the report unanimously; several of them are in their places today. I particularly thank Nick Taylor, our Committee specialist, for his excellent work on this technically challenging subject.

We are grateful in particular for the work over many years of the all-party group on leasehold and commonhold reform, which has helped to highlight the multitude of issues of concern among leaseholders. It was extremely helpful to have public evidence from the joint chairs of the group, the hon. Member for Worthing West (Sir Peter Bottomley), who I see in his place, and my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick). I also see in his place my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders). We also had written evidence from my hon. Friend the Member for Weaver Vale (Mike Amesbury), who during his time on the Committee strongly advocated such an inquiry—he is also in his place—as well as from my hon. Friend the Member for Brent North (Barry Gardiner), for Feltham and Heston (Seema Malhotra), and for Manchester Central (Lucy Powell), and the hon. Member for Pendle (Andrew Stephenson).

The Committee has never undertaken an inquiry that has had such an overwhelming response from individual members of the public. We received over 700 written submissions, mostly from leaseholders who wanted to tell us about their personal experiences. It is clear there is a great deal of dissatisfaction: onerous ground rent terms; high and opaque service charges; unfair and excessive permission charges; alleged mis-selling of leasehold properties by developers; imbalanced dispute mechanisms; and unreasonable costs to enfranchise or extend leases.

In the worst cases, people have been left trapped in unsellable homes. More common are leaseholders with substandard maintenance, who have no reasonable means to challenge or query how their buildings are being managed. The Committee concluded that
Concerns were raised about onerous ground rents. Ground rents bear no relation to the level of maintenance or the quality of service provided to leaseholders; that is the function of the service charge. Some developers had imposed 10 to 15-year doubling ground rent terms in the leases of new build flats and houses. Taylor Wimpey has apologised and set up a remediation scheme, albeit with limitations, but others have not. Redrow told us that it had introduced 10-year doubling ground rents on 347 properties, with an average starting ground rent of £400 per annum, which would rise to £12,800 in the 50th year, but it has no plans to remedy these leases.

There is a growing trend for mortgage lenders to refuse to lend on leasehold properties where the ground rent exceeds 0.1% of the property or will do so. The options for leaseholders with onerous ground rents are limited. We are not convinced by voluntary offers, so what more can be done? One option is to use legislation to amend existing leases. The Government told us initially that they were not able to use legislation in these circumstances. The Secretary of State said that “the nature of contract law means legislation cannot change the terms of leases that have already been signed.”

However, we found that it would be legally possible for the Government to introduce legislation to remove onerous ground rents in existing leases and retrospective legislation could be compliant with human rights law. Indeed, the Government propose to reduce the premium payable to enfranchise, which will in effect buy freeholders out of a contractual income stream at a discount. There is little difference in principle between altering the terms of enfranchisement and altering ground rents, and both are likely to be equally justifiable in human rights terms. Freeholders would probably need to be compensated, but that compensation need not necessarily be at full value. Our view is that existing ground rents should be limited to 0.1% of the present value of a property up to a maximum of £250 a year.

On future leases, the Government initially said that they would require those to be set at a peppercorn or zero financial value, but they have since proposed making £10 per annum a standard cap. It is unclear what value there is for the leaseholder or freeholder in requiring a ground rent of £10. We therefore recommend that the Government revert to their original plan to require ground rents on newly established leases to be set at a peppercorn or zero financial value.

Although it is fair that freeholders should be able to pass on reasonable costs arising from a change initiated by a leaseholder, many of the permission fees we heard about were plainly excessive and exploitative. Charges such as £3,500 for permission to build a conservatory or £4,000 for permission to build a garden room are likely to be equally justifiable in human rights terms. Freeholders would probably need to be compensated, but that compensation need not necessarily be at full value. Our view is that existing ground rents should be limited to 0.1% of the present value of a property up to a maximum of £250 a year.

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freehold properties where they are reasonable and absolutely necessary, although we noted that we could not think of any circumstances in which this would be the case. We have also called on the Competition and Markets Authority to exercise its powers under section 130A of the Enterprise Act 2002 to indicate its view about whether onerous leasehold terms constitute unfair terms and would therefore be unenforceable. Where leaseholders have paid unreasonable fees or ground rents over the course of their leases so far, they should have them refunded by freeholders with interest.

Our report has made many other recommendations, and we welcome in particular the work being done by the Law Commission on a number of matters, such as enfranchisement, commonhold and other matters.

Sarah Jones (Croydon Central) (Lab) rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): No, no.

Mr Betts: We feel it is necessary not simply that we have a number of individual recommendations, but that the Government now call on, invite and fund the Law Commission to conduct a more comprehensive review of leasehold legislation as a whole. We have made many other recommendations that I do not have time to go into today, but we look forward to the Government’s response to our report. Given the weight of evidence we have had from so many individual people—our constituents—up and down the country, we urge Ministers to take our recommendations seriously.

Sir Peter Bottomley (Worthing West) (Con): May I say that I own a leasehold flat? In a few years’ time, I may own another one, but I have not had any problems.

The Chair of the Select Committee, and his colleagues and advisers, deserve enormous thanks and congratulations. In just three months, they had the innovation of the roundtable—I recommend the conclusion of that roundtable to the BBC, and others, who do not yet seem to have covered the detail of the report.

The hon. Gentleman picked up on issues raised by the National Leasehold Campaign, as well as the knowledge of Bob Besl, a trustee of the Leasehold Knowledge Partnership, who has developed more than 1,500 retirement properties with no ground rents. He knows, as do we, that ground rents pay for nothing that is of benefit to those in their homes.

The report’s suggestion of lease-rental is good. Leaseholders should not think that they actually own anything, because they do not. They are effectively tenants, and as we saw with the Grenfell-style cladding, they were supposedly left carrying the cost of replacing that cladding, which is not good enough.

On behalf of the all-party group on leasehold and commonhold reform, I welcome the campaign to ensure that costs are made equal and that freeholders are not able to put the costs of unsuccessful legal actions on to leaseholders, who then have to pay even though they won a dispute.

It is important that all recommendations in the report are debated in full, and if we have more such reports, the work of those who have campaigned on this issue, particularly the hon. Members for Ellesmere Port and Neston (Justin Madders) and for Poplar and Limehouse (Jim Fitzpatrick)—he is currently in a meeting about leaseholders, but otherwise he would have spoken today—will be carried through to the benefit of leaseholders.

Mr Betts: The point about the costs of legal action not being recoverable from leaseholders is made in our report, and I welcome the idea of a longer debate on that issue—perhaps once the Government have published their response, so that we can take that into account. We ought to pursue the idea of lease-rental more clearly, because people do not wholly own their properties in the way they think they do.

Dr David Drew (Stroud) (Lab/Co-op): As my hon. Friend knows, I am particularly concerned about older people who have been somewhat duped into these schemes. Does he agree that the Competition and Markets Authority could quickly consider that issue and deal with problems in the sheltered accommodation sector?

Mr Betts: Yes. We called for an investigation into mis-selling, as did the Government. Let us hope that, between us, we get that done, particularly for older people who may not have understood some of the difficult complications with those sorts of properties.

Bob Blackman (Harrow East) (Con): I congratulate the hon. Gentleman—I shall call him my hon. Friend—on his chairmanship of the Committee and on steering us towards this excellent report, in which I was pleased to participate. One point that he did not mention, given the time available to him, was the scandal of companies such as Bellway that sell the freeholds of properties to financial companies two years after they built them, without even notifying the leaseholders. Will he urge the Government to close the legal loophole that allows companies to sell properties to subsidiaries or other organisations without even notifying leaseholders and to ensure that leaseholders can buy the freehold at the same price that would be paid by any subsidiary?

Mr Betts: Absolutely. It is a complete scandal, and a number of developers have blatantly admitted that they sold on the property and did not tell the leaseholders what was being done. Ultimately, banning new houses from being built as leaseholds solves the problem, but immediately there ought to be a right of first refusal for leaseholders to buy their freehold at a clear and regulated price. The Law Commission is working on that issue, and we support that.

Justin Madders (Ellesmere Port and Neston) (Lab): On behalf of the National Leasehold Campaign, I congratulate the Chair of the Select Committee and its members on an excellent, comprehensive report. There is, I think, a sense of vindication among all those who have campaigned on this issue, not least myself, the National Leasehold Campaign, the hon. Member for Neston (Justin Madders) and my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick), because the Committee has picked up on all the issues that were of great concern to us. When considering the report, I hope the Government will note that the Leasehold Reform Bill is still on the books, which would make the process of enfranchisement simple.
and easy. Did the Committee come to a view on the agreements that have been reached between some developers and leaseholders for changing the terms of their lease from ground rent doubling to RPI?

Mr Betts: We did consider that, and we said that although such voluntary agreements might be a step forward, they were not sufficient and they were not as good as our proposals to restrict leases on existing properties to 0.1% of the value, or £250. Legislation would overturn the current arrangement, and provide a better one for leaseholders.

Andrew Selous (South West Bedfordshire) (Con): The scandal of new houses being sold on leases, often to first-time buyers, is present in my constituency in Dunstable and Leighton Buzzard, and involves builders such as Galliford Try, which trades as Linden Homes, Taylor Woodrow and Persimmon. I am concerned about how we get speedy and affordable redress for people caught in that situation, including those Taylor Woodrow victims who are not the original purchasers and to whom Taylor Woodrow is offering nothing. The report states that the Law Commission is not due to provide its final report until later in 2019, and the Committee recommends implementation of these measures within 12 months. That cannot come a day too soon. This scandal should never have been allowed to happen, and I say to my good friend the Minister that we need urgent action please.

Mr Betts: The word “scandal” is absolutely right to describe the way some of these developers have behaved. Hopefully action will follow quickly from the Law Commission’s report, and the Committee will keep an eye on that and press for action, as I am sure will other hon. Members. We must keep reminding ourselves that companies are not relying on that money to keep themselves afloat.

Sarah Jones (Croydon Central) (Lab): I apologise, Mr Deputy Speaker, for standing up too soon—just when I begin to think I know what I am doing, I realise that I really do not.

I congratulate the Chair of the Select Committee and its members on an excellent report, as well as the all-party group on leasehold and commonhold reform, and the work of my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders). They have managed to deliver cross-party consensus, and the need for reform is clear. Does the Chair of the Committee agree that following the Law Commission’s detailed work into enfranchisement, it is important that a simple formula is set for leaseholders to buy the freehold of their home, based either on a multiple of ground rent, or on a percentage of the capital value of the property?

Mr Betts: We need something simple, and the Law Commission has been asked to consider that issue because something as simple as a multiple of ground rent might not be fair. The freeholders who would get the biggest benefit from a multiple of ground rent will be those who made the largest ground rent charges, and it would be perverse if those who behaved the worst were to benefit in that way. We want the Law Commission’s report as quickly as possible and a formula that is as simple as possible but also fair.

Huw Merriman (Bexhill and Battle) (Con): I, too, thank the Select Committee for its report, which is long overdue. My constituency has a particular issue with elderly constituents who have moved into blocks for independent living and found that their assets have depreciated hugely. They are not being managed or looked after, but the service charges keep going up, and people cannot afford to leave. They are trapped. Something needs to be done to help those vulnerable constituents, and it seems to me that we need to open up the market for management service companies. Did the Committee consider whether it would be possible to allow leaseholders to set up their own community interest company and take on those responsibilities? Leaseholders would not rip themselves off in the way that they are currently ripped off by some of these unscrupulous companies.

Mr Betts: There are circumstances where leaseholders can do that—ultimately, they could move to a form of commonhold, although that requires substantial agreement among themselves, and many elderly leaseholders might not want to go down that road without lots of explanation and help. One of our concerns was that there is not much help or publicity about that process, and that issue could be looked at. Service charges are often terribly opaque, and proper information is not provided. The right to challenge is not explained, and challenge through a tribunal is difficult. Another thing that would help is a simpler housing court system, which we hear the Government are going to introduce. The quicker they do that, the better.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): I congratulate my hon. Friend and the Select Committee on the report, which is incredibly hard-hitting. My constituents, such as Pamela Rose Canales and other Camellia House residents who contributed evidence, greatly appreciate it. I believe the report is a game-changer. This issue has been bubbling away in this House, and we now have a real opportunity to fundamentally review and change legislation in this area. May I pick up on three very brief recommendations he has made, and ask how quickly he thinks they could be taken forward?

The first relates to the prevention of the ability of landlords to recoup their legal fees from those against whom they lose their case. Secondly, in my experience, paying the service charge has not been the issue. People are happy to pay a fair service charge. As my hon. Friend says, the issue is the lack of transparency and justification, and the unpredictable nature of additional charges that can just appear throughout the year. Perhaps with the housing court that he mentioned, changes could come in quickly.

Finally, how quickly could the Law Commission be asked by the Government to undertake a comprehensive review, bearing in mind that it could take 12 to 18 months? We want the legislative changes to be introduced as quickly as possible.

Mr Betts: On the first point, if a leaseholder at a tribunal asks at the beginning for a ruling that, if they win, costs cannot be passed on to the freeholder, the
[Mr Betts]

tribunal can so rule. The problem is that many leaseholders do not know about that requirement. The Government could do an awful lot immediately to publicise that.

Secondly, on service charges, we recommend that a standard format should be brought in, so that all leaseholders know what to expect and all information is given to them in a proper manner. The Government could publish guidance without having to wait for primary legislation. We hope that they will look at doing that very quickly.

On the Law Commission, I do not know how long it would take it to report, but the Government could make an immediate decision to ask it to produce a report. However, the Law Commission made it very clear to us that it currently does not have the resources in its budget to do that. It would need the Government to offer, and provide, sufficient funding.

Chris Bryant (Rhondda) (Lab): The whole system of leasehold and ground rent is a racket, and it has gone on for centuries. It was invented by aristocrats who had stolen all the land from the monasteries in the 16th and 17th centuries. It is a scandal that we, and successive generations of politicians, have continued to allow the thing to exist. Funnily enough, when it came to a moment when there was a dire shortage of housing, the house builders saw an opportunity. It is no wonder that it was invented by aristocrats who had

Mr Betts: I am tempted to say yes. What we said in the report was that we need to move to a whole new approach, where commonhold becomes the default option for flats, we abolish leasehold for houses, and if we put the sorts of restrictions on ground rents and permission fees that we have been talking about, there will not, ultimately, be any incentive for freeholders and that will drive it out of the market. I think the issue is twofold: stopping it on new properties and removing the incentive for freeholders, so their income streams, which are wrongly obtained now, will not be available in future.

Derek Twigg (Halton) (Lab): I congratulate my hon. Friend and the Select Committee on an excellent report. Like many other colleagues here today, I have many constituents who are affected by this terrible scandal. The Committee rightly addresses how people can get redress and compensation. Clearly, there is still a lot of uncertainty. For those who have already been hit, how they get redress and compensation is a big issue. During his presentation, my hon. Friend said that he does not think retrospective legislation should in any way conflict with human rights legislation. Can he say a bit more about that?

Mr Betts: We took evidence on that. There are caveats and conditions on human rights legislation. If there is a general good to be obtained, that can outweigh the particular interest of private owners of property. The Government have already got around that on enfranchisement. They have asked the Law Commission to recommend a simple enfranchisement that could mean that the freeholder receives less compensation when the leaseholder enfranchises. In that case, the Government are already considering reducing the value of enfranchisement to freeholders. That is no different from a recommendation to reduce the value of ground rents to freeholders in principle. That probably needs further work, but we had advice that it is possible. There will be a requirement for some compensation, but it need not be full-value compensation.

Ruth Cadbury (Brentford and Isleworth) (Lab): I, too, would like to thank the Chair and his Committee, my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders), the hon. Member for Wokingham (John Redwood), the hon. Member for Worthing West (Sir Peter Bottomley) and my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) who have raised this issue consistently in this House, certainly since I have been here.

The Leasehold Knowledge Partnership has been very helpful to leaseholders and to us on the legal issues. I am really pleased that the report says, rightly, that the balance of power is weighted against the leaseholder. The hon. Member for Rhondda (Chris Bryant) said that this is the modern equivalent of the racket that followed the dissolution of the monasteries. Does the Chair not agree that this is indeed a modern racket, whereby developers, solicitors and financiers, many of them offshore, are deliberately running a racket and organising conferences to share knowledge on how to rip off leaseholders?

Mr Betts: Yes. I too thank the Leasehold Knowledge Partnership for its work. My hon. Friend is absolutely right. Houses are being mis-sold in the first place. Then, when people are in a leasehold situation, they are being charged ridiculous amounts for permission fees for things that should be done anyway without the requirement of the freeholder to say yes. Service charges are put in for services that are often not delivered. Freeholders are making money out of that. We heard examples of freeholders contracting for insurance on the property and taking a percentage contribution out of the money they paid over. Those things are completely wrong. The sooner we can change the system, the better.

Mike Amesbury (Weaver Vale) (Lab): I would like to put on record my thanks to the Chair of the Select Committee, every Select Committee member, the all-party group and the campaign. Many of my constituents in the Northwich and Runcorn parts of my constituency have been affected, as people have rightly said, by this mis-selling scandal affecting leaseholders. What more can the Government and the Select Committee do to press the Competition and Markets Authority to investigate and recommend levels of compensation? We need action now.

Mr Betts: Absolutely right. I will take that up, and I think we can write directly to the CMA as well. Obviously, the Government will get a copy of the report and will respond. We will make sure that the CMA gets a copy as well and responds to it. This is a scandal. Many people’s lives are being blighted by this situation. We need to do everything we can as quickly as we can to rectify it.

Mark Tami (Alyn and Deeside) (Lab): I, too, welcome the report. It is a national scandal—that is clear. These people knew exactly what they were doing. These have
been sold as financial products. People are making a lot of money out of this and they are preying on many first-time buyers who are keen to get into their homes. We have already heard about the lawyers who were recommended at a discount. People were hoodwinked. They now tell me that it is difficult to sell their homes. They have told me that they do not feel that they actually own their home, but that somebody else owns it. I recognise that it is difficult when people have signed contracts, but that does not mean that we should not do something about it. We need to sort out this scandal for existing homeowners.

Mr Betts: Absolutely. We have said that we think there ought to be retrospective changes to the permission charges and the ground rents where they are clearly onerous. The Competition and Markets Authority ought to look at whether those contracts are enforceable, because they are, in many cases, unreasonable. There are two ways we can and should approach that. I am pleased to see that the Minister has sat through this statement on the Government Front Bench, because in the end she is the one who is going to have to deliver a lot of these changes. I think she is hearing very clearly from across the House that there is a real demand that this whole matter be addressed properly by the Government and that they implement the Committee’s recommendations.

Matt Western (Warwick and Leamington) (Lab): It has been an honour to serve on the Select Committee, and may I say how well chaired it is? I thank the APPG for its contribution, and indeed all those who have campaigned on the matter for so long. I was the victim of leasehold many years ago, when I found myself in the straitjacket of the costs of the freeholders. What was clear from the evidence we received was just how far-reaching the problem is. What has been going on is a national scam—the words “racket” and “scandal” have also been used—so we absolutely must get to grips with it as quickly as possible.

Over the past two years, buyers on one of the recently built estates in my constituency have been told by the salespeople that they would not have to pay as much council tax as others because they would be paying a separate charge for their verges to be looked after. Local authorities now have a responsibility to address that issue with those estates.

Mr Betts: We made it clear right at the beginning of our report that there should be a clear explanation from the seller of what extra charges there might be for the future maintenance of areas of open space that have not been taken over by the council. If they are to be managed by a private company, its service charge should be open and transparent, but all that information should also be provided right at the beginning. My hon. Friend is absolutely right that this is a scandal. I referred to 700 pieces of written evidence, but every day we are continuing to get leaseholders writing to us, having seen our evidence sessions on the television or read about them on the website, saying, “Me too; we have been badly treated and we want something done about it.”

Sir Peter Bottomley: On a point of order, Mr Deputy Speaker. May I first say that the House greatly welcomes the way the Chair has run this Select Committee statement, because all the Members who could be here today have managed to get in?

There are many other Members representing the 10 million people living in the 5 million homes affected by leasehold, so perhaps the Government would consider making an oral statement next Monday or Tuesday so that others can contribute.

The Government might wish to talk about how they will continue to fund the Law Commission’s work and the extension recommended by the Committee.

None of this would have happened without the work of Sebastian O’Kelly and Martin Boyd of the Leasehold Knowledge Partnership, so I think that we ought to pay our debt to those outside this House as well as congratulating ourselves inside it.

Mr Deputy Speaker (Sir Lindsay Hoyle): Obviously, as the hon. Gentleman knows, that is not a point of order for the Chair, but he has certainly put his comments on the record and thanks have gone to the rightful place, because I do not think there is a constituency in the country that is not affected.
Backbench Business

Services for People with Autism

1.13 pm

Huw Merriman (Bexhill and Battle) (Con): I beg to move,

That this House has considered services for people with autism.

Every year, my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan), in her role as chair of the all-party parliamentary group on autism, moves a motion along the lines:

“That this House notes that World Autism Awareness Week runs from 1 April to 7 April; observes that autistic people continue to face a number of barriers to full participation in society; notes that it is 10 years since the Autism Act became law; and calls on the Government to improve support for children and adults on the autism spectrum, and ensure that the Autism Act is fully implemented across the country.”

My right hon. Friend cannot be with us today. She has asked me to explain that a close family member is critically ill and that she cannot leave their side. Though you, Mr Deputy Speaker, I send the love of this House to our right hon. Friend. She is a formidable champion of this cause, and someone to whom many of us have turned in our own hour of need. The best tribute that I can pay to her is to deliver the speech that she prepared and would have made today. These are her words:

“I welcome the Minister to the Front Bench and look forward to hearing what she has to say. My thanks to the Backbench Business Committee for granting this debate as we look forward to World Autism Awareness Week, a full seven days when people across the UK take part in activities to raise awareness of autism. I also thank the National Autistic Society for its ongoing support for the all-party parliamentary group on autism.

Hon. Members will be aware of my long-standing commitment to improving the lives of people on the autism spectrum, most notably through my role in spearheading the introduction of the Autism Act 2009—which has now been on the statute book for 10 years.

I was proud to introduce that Bill that became the only Act—which is the only Act dedicated to improving support and services for people with autism. It was a landmark in the battle to improve the lives of autistic adults and their families. As a result of the Act, there has been a fundamental shift in how policy is developed and delivered for adults on the autism spectrum. For the first time, legal duties were placed on councils and the NHS to provide support to autistic adults in their local areas. In addition, the Act placed a responsibility on the Government to produce the national autism strategy, to set out its vision—and, importantly, to keep that strategy under review.”

Andrew Selous (South West Bedfordshire) (Con): Like my hon. Friend I pay huge tribute to our right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan) and all that she has done on the issue for so long. I am listening carefully to my hon. Friend’s excellent speech, and I wonder what he would say to a constituent who wrote to me about her son. She writes:

“My son is 21 years old and since leaving education has had nothing to do. He is not disabled enough to qualify for benefits but he is not able to compete for a job. He is caught in the middle.”

What more does my hon. Friend think we can do to help people like that young man with their future?

Huw Merriman: I thank my hon. Friend for his words and for championing his constituents. As he rightly says, some autistic people tend to fall through the gaps. Of course, all local authorities have a responsibility to take note when it comes to autism. We see individuals who are on the autism spectrum but are not receiving help because they might be outside a defined period. The extension of plans up to the age of 25 will go some way towards addressing that, but we still see people falling through the gaps. I will touch on some of the other areas that might address his concerns, or I will at least make calls to those on the Front Bench.

My right hon. Friend the Member for Chesham and Amersham continues:

“This year, it falls on the Government once again to review its strategy and identify what more needs to be done.

Each of us has about 1,000 people on the autism spectrum in our constituencies and it affects one in 100 people. We each will have many autistic people and their family members contacting us to ask for our help on areas from education to adult support, diagnosis to employment…”

Derek Twigg (Halton) (Lab): The excellent speech mentioned the Government’s strategy. A perennial problem—it crops up all the time in my constituency—is the speed of diagnosis. The fact is that so many children with autism simply do not get an education. Surely the strategy must try to address that in a much better way than it has in the past.

Huw Merriman: The hon. Gentleman is absolutely right. Time and again we see that young people have to fail before they can be given the support they need. There are many examples of young people clearly failing when they go to a pre-school, but then they still have to move on to a mainstream school, where they will fail, before they can be given support. It should be blindingly obvious, and councils should look at those plans before children have to start primary school. Often councils say that they are not required to do that, but perhaps they do not know what their obligations really are.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): The hon. Gentleman is indeed making an excellent speech. He also referred to parents. What is his view of the extent to which the needs of parents and family members should also be part of the strategy, not least because sometimes they do not understand the experience of their children and how best they can help? Family members also need respite provision, for example, because of the demands of caring for children with autism. We should also recognise the amazing work that many specialist schools are doing to ensure that children with autism, who also have amazing talents, can express and develop their abilities.

Huw Merriman: The hon. Lady is absolutely right. A couple of years ago I was very proud to co-author the “Autism and education” report, which she also worked on. It showed many worrying statistics. For example, one in two teachers just did not have the confidence to teach autistic children. Unsurprisingly, 50% of autistic children had a miserable time at school and were not looked at.

The hon. Lady is right to give credit to the parents, who are on an incredible journey and are struggling themselves. Battling for the support that they need at the same time as providing care is emotionally draining. We all work with those parents, and we have so much respect for them.
Martin Whitfield (East Lothian) (Lab): I congratulate the hon. Gentleman on securing the debate. I also congratulate the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan) on all the work that she has done on this issue.

The hon. Gentleman is making some important points, but does he share my annoyance about the fact that, unfortunately, autism seems to be one of those invisible disabilities? Many parents talk about the way in which others judge their children, saying that they are just being naughty. That failure of understanding goes to the heart of the problem faced by autistic children and adults, whose contribution to our communities is enormous, individual and highly important. We should be able to open our eyes to all the strengths that they bring to us, and make a space in which they can be understood through the services that the hon. Gentleman is talking about.

Huw Merriman: The hon. Gentleman has put it beautifully. As he probably knows, a recent survey showed that 50% of autistic individuals and families were scared to go out, and did not go out, because they were worried about how they would be judged. That isolation is a huge challenge for us.

Wera Hobhouse (Bath) (LD) rose—

Dr David Drew (Stroud) (Lab/Co-op) rose—

Huw Merriman: I will take two more brief interventions, and then I will make some progress.

Wera Hobhouse: I am pleased that the debate is taking place in the main Chamber. We had a very moving debate some months ago in Westminster Hall, but this is such an important issue that it needed to be raised here. Unfortunately I shall have to leave soon. The debate was meant to start about an hour ago, according to my diary. I am so sorry not to be able to stay, but I am so pleased that the hon. Gentleman is raising the issue now.

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. I do not know who told the hon. Lady. Lady that the debate would start at that time. Someone must have misled her, because there was no set time for it to start.

Wera Hobhouse: In that case, Mr Deputy Speaker, I apologise.

My local authorities have some excellent care providers and support services, including Parent Carers Voice. Does the hon. Gentleman agree that services for children with autism should be financed through council budgets rather than the responsibility being pushed on to struggling families?

Huw Merriman: I think that we all face a real challenge. At a time when local authorities are themselves having to watch their budgets, it is the altruistic services—the support services—that tend to go. The challenge I face is that as authorities look just at their statutory obligations, they may end up spending more money to deliver those than they spent on some of the support services beforehand. I have every sympathy with the point that the hon. Lady has made.

Dr Drew: May I pay my own tribute to the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan)? The hon. Gentleman is doing a very good job of reading her speech.

What parents find most frustrating are instances in which a care plan has been agreed and is in place, and the local authority then tries to renegotiate downwards the sum that has been agreed. That causes problems for the parents and, obviously, for the person with autism, but is also causes problems for, in particular, specialist units. Does the hon. Gentleman agree that that is unfair, and the wrong way to go about dealing with this whole problem?

Huw Merriman: I certainly do. The challenge is to ensure that care plans are flexible enough to be built on, while also including an element of prescription so that there is a proper guide. What must not happen is plans being effectively reneged on when care and support are still needed. The hon. Gentleman made his point very forcefully. He also said that I was doing a good job reading the speech; I will carry on doing my best.

I was talking about the impact on services, as my right hon. Friend the Member for Chesham and Amersham puts it, “from education to adult support, from diagnosis to employment, transition to transport. We know the many ways that an autistic person may turn to the state—and to us—for support, and how vital it is to make sure it is there to meet their needs. The last national strategy ‘Think Autism’ in 2014 included wide-ranging actions. This was underpinned with revised statutory guidance, setting out clear duties on councils and the NHS to deliver on these actions—but we know that many local areas are not meeting all of their obligations. There are also questions about whether the Act goes far enough. As we reach the 10th anniversary of the Act, now is an appropriate time to ask these questions. The All Party Parliamentary Group on Autism, which I am proud to chair, is spending this year doing just that. We are holding an inquiry into what has worked, what happens now and, most importantly, what needs to change. We are looking very broadly, to reflect the needs of autistic people,” including in health and mental health; children, education and transition; employment; access to justice; adult support; and public understanding.

Kevin Brennan (Cardiff West) (Lab): I welcome the APPG’s inquiry, and, in particular, the fact that it will look into the way in which adults with autism interact with the criminal justice system. I think that is an area in which the work of the Act could be extended. I pay tribute to the families who set up an organisation called Autism Injustice, and recommend its website, autisminjustice.org, to other Members and to people watching our debate who are interested in that interaction between autism and the criminal justice system.

Huw Merriman: The hon. Gentleman has referred to adults, but I remember going on a trip with the APPG to a young offenders institution that had tried to establish a wing that was autistic-friendly, and hoped to roll it out across the estate. He is right: a big cohort of the prison population are on the spectrum, and face particular challenges that need to be looked at.

Bambos Charalambous (Enfield, Southgate) (Lab): Will the hon. Gentleman give way?
Huw Merriman: I will give way one more time, but I really should make some progress.

Bambos Charalambous: The hon. Gentleman mentioned the issue of employment, which is vastly overlooked. Many employers do not know what adjustments they should make to become more autism-friendly, and people with autism are deprived of work as a result. Will the inquiry be looking at that issue?

Huw Merriman: A few years ago, Ambitious about Autism produced a big report looking at that specifically. I am fortunate to have in my constituency an organisation called Little Gate Farm, which takes people who have finished their education and makes them work-ready. However, it requires employers to give them a chance, and I am always writing to employers urging them to do so.

Let me give some examples. One young lad was obsessed with washing cars. We matched him up with a garage, and that is exactly what he does. Someone else was given a job in a bookkeeping firm. The big challenge there is ensuring that that young person takes time off, because they have become so used to the routine. The initiative has become so successful that people are throwing themselves into work. We must do all that we can, as Members of Parliament, to pair and support people.

My right hon. Friend the Member for Chesham and Amersham says that we in the APPG “will hold the Government’s feet to the fire to see those recommendations reflected in the new strategy.

Our need to act is clear. Too many people”—as we have just discussed—“still have to wait too long for a diagnosis—more than three years in some parts of the country. Getting a diagnosis can be a crucial milestone, helping to unlock vital support. Delays in being diagnosed can result in people developing more significant needs, or mental health problems.

1 National guidance from the health watchdog NICE state clearly that children or adults suspected of being on the autism spectrum should start their diagnostic assessment within three months of being referred to their local autism team. But we know there is a postcode lottery in waiting times for appointments, with many parts of the country falling far short of the three-month target. Alongside the National Autistic Society, we have been pushing progress on this issue in this very chamber for several years. Valuable research”

carried out by the right hon. Member for North Norfolk (Norman Lamb)—

“on behalf of the APPGA shone a further spotlight on these long waits and called for a mandatory minimum waiting time standard. I am pleased to have him on board again leading our inquiry on health and mental health, which heard evidence last week.

We also know that autistic people too often don’t get the physical and mental health care they need. They face high levels of health inequality, and evidence suggests that people may die early as a result, which has been highlighted by Autistica. It’s vital that all health and care staff receive autism training to ensure that our health service meets their needs and makes the changes and adjustments it needs to—a key part of the Autism Act. I welcome the Government’s current proposals on mandatory training in autism and learning disability to all health and care staff following the dogged campaigning of Paula McGowan, a mother who tragically lost her son Oliver. It’s vital that this proposal is taken forward and that its impact is monitored. I hope the Minister will devote some time to make sure that this programme makes a difference.

I also welcome the inclusion of autism, alongside learning disability, as one of the four clinical priorities in the NHS 10-year plan to improve health services. This is a great step towards ensuring that the NHS supports autistic people as well as it supports everyone else. It sets out actions to reduce children’s diagnosis waiting times, reduce the number of autistic people inappropriately under section in mental health hospitals, and making sure that reasonable adjustments are put in place. But we need more details on how these, and other commitments in the Plan will be delivered (and how they will be funded). I would appreciate if the Minister could update the House on when we can expect to see this much-needed detail.

I am pleased to see the Government already thinking ambitiously about the future of the strategy. I warmly welcome the Government’s commitment to extending the autism strategy to include children and young people, as well as adults, for the first time.”

Mr Philip Dunne (Ludlow) (Con): My hon. Friend is making an exceptionally powerful speech, and I applaud his role as chairman of the all-party group. It is particularly impressive that he has been able to pick up the role in this debate of my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan) in her absence.

Returning to the question of education, my hon. Friend touched on the subject of young people a moment ago. Does he agree that the Government’s recent announcement of an additional 37 schools across the country to provide special needs support for people, including those on the autistic spectrum, is a welcome recognition of the challenges presented to our education system by the increasing prevalence, regrettably, of autism across our communities?

I would like to highlight one story in my constituency that points out the need for such schools. It involves a mother of two autistic children, both of whom have to be schooled over 100 miles away from Ludlow, in the heart of my constituency, where she lives. She has campaigned with a local charity and not-for-profit group to open a new school—Overton school, just outside Ludlow, which is currently awaiting its Ofsted accreditation—partly so that other families who have to deal with the same circumstances will not have to travel 100 miles to visit their children.

Huw Merriman: My right hon. Friend is absolutely right, and I know how much he campaigns to deliver the solution he talks about because I am fortunate enough to share an office with him. He is a great champion of his constituents, and it is welcome news that more schools will be funded. The Minister will have heard his powerful pitch for his constituency. I can also reassure all Members that I am only temporarily sitting in for my right hon. Friend. My right hon. Friend the Member for Chesham and Amersham; she will continue to be the chairman of the all-party group. I will now make progress, as I know others wish to speak.

My right hon. Friend the Member for Chesham and Amersham continues:

“For many families of autistic children, securing the right support for their child at school is a very difficult task—much harder than it should be. I am sure we have all been contacted by constituents who are struggling to get the school provision and support their autistic children need—this may be a place at a specialist school, or support to enable them to thrive and make progress in a mainstream school...

There’s one other very important issue that I want to draw to the attention of the House and the Minister. That is the continued inclusion of autism in the Mental Health Act as a mental disorder.
What this means is that autistic people and those with a learning disability—particularly those who have behaviour that is described as ‘challenging’—can be detained under the Act when they do not have a treatable mental illness. When this is twinned with a lack of appropriate support, particularly crisis support, to prevent someone being admitted to hospital, we see the numbers of autistic people in these hospitals increase.”

I would like the Government to address that challenge and issue.

I will conclude—I have failed to deliver my right hon. Friend’s entire speech, but she will be delighted that we have had a debate about this and raised awareness, so I finish on the following note. She says:

“Autistic people—children and adults—need the right support, at the right time, in their local communities. The wider community needs to have a much better understanding of what autism is and how it affects people. There are things that all of us can do to make our society a more inclusive place for everyone—in World Autism Awareness Week and beyond”. that should be our goal.

Several hon. Members rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. Many Members wish to speak, so there must now be a six-minute limit. I would also like to say that our thoughts are with Dame Cheryl, and she has been missed today but she has certainly been well represented.

1.33 pm

Thangam Debbonaire (Bristol West) (Lab): It is a pleasure and an honour to follow the hon. Member for Bexhill and Battle (Huw Merriman) and, in spirit, the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan), who we truly salute today and all of this year as we mark the 10th anniversary of the Autism Act 2009. Both he and she will agree with me that there is still a lot to be done. I am proud to be one of the all-party group’s officers chairing one of the commissions marking that anniversary and measuring progress; the one I am chairing is on employment and autism and that will be the subject of my remarks today. I also thank my staff Mike Davies and Ravina Shah, who lead for me on autism, and the work of the National Autistic Society, particularly our regional rep Henry and the Bristol Autism Spectrum Service.

According to a recent report by the National Autistic Society, only 16% of working-age people with autism are in full-time employment, and only 32% of people with autism are in any kind of paid employment. That contrasts with the fact that 47% of working-age disabled people are in employment and 80% of working-age people without disabilities are in employment.

Tonia Antoniazzi (Gower) (Lab): Will my hon. Friend give way?

Thangam Debbonaire: I am sorry, but I am going to try to stick to the time limit. A lot of Members want to speak.

The 2017 Tory manifesto pledged to see 1 million more disabled people in work by 2027. However, I am not sure that the Government are currently measuring the employment gap for people with autism, so I ask the Minister whether she is able to record the number of autistic people in work in the labour force survey and if not whether some progress can be made.

More than half a million people in the UK are on the spectrum, which is more than 1% of the population. More and more people are being diagnosed, with a twenty-fivefold increase in recent years. People often, although not always, need specific help to be able to find and keep a job, so I ask the Minister to urge Jobcentre Plus to provide adequate autism awareness training.

The National Autistic Society campaign “Too much information” launched in 2016 was the UK’s biggest ever campaign aimed at improving public understanding of autism. The campaign’s report found that 77% of unemployed autistic people want to work and that 40% currently working part-time wish to work more hours. People with autism want to work in a wide variety of roles and respondents to the survey found that ideal work environments vary hugely, from the arts and museum work to scientific research and development. We need to break stereotypes about autism and employment and recognise that the underemployment of people with autism is an issue as well as unemployment.

More needs to be done to improve the lives of people living with autism. I have changed my own employment practices by altering job descriptions to be more accessible, and I am very proud of the two fantastic members of staff I have employed as a result; they are brilliant. I was also, I believe, the first MP to hold a surgery specifically for people on the autism spectrum. I know others have followed suit, which is fantastic, and no doubt they have done a better job. I am committed to making Bristol an autism-friendly city; I made that commitment when I was first elected.

My constituents tell me that many people on the autistic spectrum encounter barriers to finding employment. It is right that we do everything we can to end social isolation. One way of doing that is to ensure that autistic people have the same access to employment as everybody else. Employers, trade unions and public services can all play a part in this. Unfortunately, that exclusion leads not only to autistic people feeling left out but to us missing out on their skills and qualities. They have potential which is too often untapped. This is also about their families and the wider economy. We should all pledge to do everything we can to increase the employment of people on the spectrum.

However, employers say they feel under-equipped and the National Autistic Society survey found that 60% worry about getting it wrong and do not know where to go for support and advice about this. As an officer of the all-party group on autism chairing the commission on employment of people with autism, I will be involving people with autism but there will also be discussions for us there about practical measures and the ways to get people with autism into employment that make sense and fit their potential, but do not discriminate.

I will continue to campaign for Bristol to become a truly autism-friendly city. I am delighted that so many of Bristol’s employers are so keen to join me in achieving this goal. I have spoken to many employers over the last year and every single time I have met them they have taken various steps to make their employment practices more accessible. So may I ask the Minister what the Government will do in turn to help to close the autism
employment gap? If she is not able to answer that today, will she consider coming to our commission inquiry to discuss it further?

I thank all those people on the autistic spectrum who have not just inspired me but helped me, taught me and frequently challenged me on how I as a politician and an employer can do better. Autism is in my family. My autistic teenage nephew is doing really well and has so much to offer and many talents, but he is going to need employers to understand his autism and that may in turn mean that they need help. So I want every one of us here to take that away from today’s debate: the need to help employers to do better to close the autism employment gap.

1.39 pm

Scott Mann (North Cornwall) (Con): It is a pleasure to follow my south-west colleague, the hon. Member for Bristol West (Thangam Debbonaire), in this important debate. The National Autistic Society says that there are around 700,000 people on the autistic spectrum in the UK, which is more than one in 100. This means that autism is part of daily life for around 2.8 million people, when we include their families. I therefore welcome this debate on services for people with autism, and I would like to raise two specific points in my contribution today.

First, at my surgery last week, I had the pleasure of meeting a chap called Tigger Pritchard, who is the champion for the National Autistic Society in Cornwall. He is running a great campaign to make Bodmin in my constituency the first autism-friendly town in Cornwall, following the example set by the town of Aylesbury in the constituency of my right hon. Friend the Member for Aylesbury (Mr Lidington).

Tigger has been sending letters to businesses in Bodmin telling them of the opportunities that they have to help people with autism and their families to become less socially isolated. For example, if shops were to have a period of time in the day when they turned their music down or off, dimmed their lights, reduced till noise and developed staff knowledge of autism, people on the autistic spectrum would have more access to their services. Tigger has had a great response from businesses in Bodmin in the weeks coming up to April, which is Autism Awareness Month. My team and I will be meeting him again so that we can learn a bit more about autism. Should Bodmin manage to become an autism-friendly town, I hope that it will inspire many other communities in Cornwall and across the UK to become more autism friendly.

The second issue I would like to raise relates to the inquiry into the detention of young people with learning disabilities that is being undertaken by the Joint Committee on Human Rights, of which I am a member. Following the 2011 Winterbourne View abuse scandal, the Department of Health and Social Care’s policy response, “Transforming Care” declared that hospitals were not places where people should live. The “Transforming Care” policy regrettably missed its target to move those who were inappropriately placed in hospital or mental health care to community-based support no later than 1 June 2014. I welcome the renewal of the Government’s efforts to ensure that people with autism are not inappropriately placed in hospital care, and NHS England’s efforts to ensure that a similar scandal does not happen again.

On 9 January, the Committee heard evidence for its inquiry from the deputy chief inspector of hospitals at the Care Quality Commission, as well as from NHS England’s national director for learning disabilities and its current national clinical director for learning difficulties.

In my view, we need to improve diagnosis and help people as quickly as we possibly can, and I welcome the new approach that NHS England has brought to its complaints procedure. It is called “Ask Listen Do”, and it allows feedback from people with autism and their families to be given and received by organisations more easily, and provides opportunities to improve the experiences of people with autism, but there is still more work to do. There is a long-standing problem of families and carers being excluded from care decisions and not given appropriate information, as we have heard from my hon. Friend the Member for Bexhill and Battle (Huw Merriman). Moreover, data from the Assuring Transformation collection shows that, although by the end of October 2018 the number of people in learning disability and autism in-patient settings was down from March 2015, the number of under-18s in those settings had more than doubled, to 250.

I encourage people to submit written evidence to the inquiry, so that we can explore how and where we can improve services for those on the autism spectrum. I also want to take this opportunity to encourage all my colleagues in the House to use Autism Awareness Day on 2 April to learn more about autism and to encourage change in their communities to accommodate people on the autism spectrum and their families better. Tigger has kindly offered to come into my office in Cornwall and give us a half-hour training session so that my office can be much more autism aware, and I hope that colleagues will take similar opportunities.

1.43 pm

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): It is a pleasure to follow the hon. Member for North Cornwall (Scott Mann). I congratulate the hon. Member for Bexhill and Battle (Huw Merriman) on opening today’s debate, and I join him in paying tribute to the fantastic work of the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan). I join others in sending our very best wishes to her and her family today.

I want to focus on children with autism. We know that, from the outset, families face an uphill struggle to obtain the help and support that they deserve, and I pay tribute to the work of a relatively new organisation in Liverpool called Autism in Motion, which seeks to provide a voice for parents. It was set up by three Liverpool mums of children on the autistic spectrum. National guidelines state that people should start their diagnostic assessment within three months of being referred to the autism team, but statistics obtained last year by the right hon. Member for North Norfolk (Norman Lamb) revealed a postcode lottery in waiting times for an initial appointment, with many parts of the country falling woefully short of the three-month target. In some parts of the country, it can take years to receive a diagnosis of autism.
Matt Rodda (Reading East) (Lab): Does my hon. Friend agree that it would be helpful to many families and indeed professionals who are challenged by these circumstances if the Government were able to put more resources specifically into initial teacher training and in-service training to help staff in schools to understand autism better and to better support children with autistic spectrum issues?

Stephen Twigg: My hon. Friend makes an excellent point, and I shall refer later in my speech to the Abbots Lea special school in Liverpool, which is a shining example of the very best practice that exists in our education system.

Delays in diagnosing autism mean that many autistic people do not receive the support that they need, which can really harm their life chances. For too many families, securing the right support for their child at school is a hugely difficult task, and can become an all-consuming battle. The passport to receiving this extra support is an education, health and care—or EHC—plan, which is intended to bring together a child’s different needs in education, health and social care. Autism is the most common type of special need for school pupils who have an EHC plan. However, as budgets have been reduced, local councils often struggle to respond to demand, leading to EHC plans being refused or delayed well beyond the 20-week cut-off date by which a decision on whether to approve an EHC plan should be made.

Mr George Howarth (Knowsley) (Lab): My hon. Friend is making an excellent point. In my experience—and, I suspect, that of others—the delays in getting an assessment are resulting in some parents having to pay between £2,000 and £3,000 out of their own pocket because they cannot afford to wait such a long time for their children to be assessed.

Stephen Twigg: My right hon. Friend makes an important point. This is one of the many aspects of this challenge that makes life very difficult for the families of children with autism, and we really need to do better by them.

Even those families who do get a plan are often not given the support they need. A report published by the all-party parliamentary group on autism found that only one in 10 parents was very satisfied with the process of agreeing an EHC plan for their child, with 60% saying that they were dissatisfied. In Liverpool, a recent Ofsted inspection into how Liverpool City Council and the local clinical commissioning group catered for children with special educational needs and disabilities found “significant concerns” and “long-standing issues” in local practice. In particular, the inspection found serious weaknesses in the EHC planning process as well as in the quality of the plans that were being made. In response to these concerns, the city council is required to submit a written statement of action to explain how Liverpool will tackle the areas of significant weakness identified.

I am pleased that the council is responding with the urgency that that report demands. It has responded positively, but we know that Liverpool is far from unique. In fact, a majority—more than 50%—of the SEND area inspections nationally have resulted in the requirement for a statement of written action. This is a huge national challenge.

Across the country, devastating cuts in local government funding have contributed to a crisis in funding for children with special education needs and councils are struggling to meet their statutory duties for children with autism. Data from freedom of information requests and council reports show that councils are overspending massively. Overspending on SEND has trebled in the past three years, and it is continuing to increase, with councils having to raid their overall schools budget for millions to respond to demand. Cuts to local authority budgets have further reduced the kind of support that used to be in place for social activities for children with autism and additional support for their families.

Despite this challenging environment, there are brilliant examples across the country of great support for autistic children and their families. In Liverpool, we have some truly outstanding special schools, and it is not just me saying that: Ofsted says that they are truly outstanding, too. They include three in my constituency—Redbridge, Bank View and Ernest Cookson—which serve children with autism.

I want to focus on Abbot’s Lea School, which is in fact in the constituency of my hon. Friend the Member for Garston and Halewood (Maria Eagle). The school caters for over 250 students from three to 19 years old, and its philosophy of education is the ASD model. I pay tribute to headteacher Ania Hildrey, who told me this week that she focuses equally on academic progress, specialist therapeutic support and development of life skills. She has transformed its curriculum, and she unapologetically aspires to be the best special school in the world.

Like so many other specialist schools, however, Abbot’s Lea is being held back from being able to provide the very best service, because local government funding does not go far enough to meet the demand for specialist placements or mainstream support. Ania told me that some of the welcome reforms in the Children and Families Act 2014 have not been implemented as planned, leading to poor school planning and a lack of joint commissioning. Delays in autism diagnosis often mean that schools receive referrals much later than they would like, and that limits schools’ ability to transform pupils’ lives.

Abbot’s Lea is keen to engage with both Government and the local authority to help shape the provision of education for children and young people with autism. I urge the Minister and her colleagues in the Department for Education to listen and engage with the concerns of brilliant headteachers such as Ania and with families in Liverpool and elsewhere and to work on a cross-Government basis to improve outcomes for children with autism. We urgently need to improve the quality of services provided to children, young people and their families, but that can be achieved only with proper resourcing and by ensuring that the barriers that still exist between our health and education systems are broken down. If we are truly going to make the progress that we all want to see, it is incumbent on us to listen to children and young people with autism, to their parents and families and to professionals, such as Ania Hildrey, who are working so hard to deliver the best in schools in Liverpool and around the country.
school in Dudley that had a particular focus on autism and Asperger’s. Ten years have passed since my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan) steered the Autism Act 2009 through this House as a private member’s Bill, so it is a good time to reflect on not only all that has been achieved, but all that still needs to be done truly to deliver on the promises of that legislation to improve support and services for people with autism and their families.

In the time available to me, however, I will focus on issues that relate to children with autism. As the hon. Member for Liverpool, West Derby (Stephen Twigg) said, nearly five years after the Children and Families Act 2014 became law, progress on implementing the new SEND system is still patchy at best. According to the National Autism Society, 42% of families are being refused education health and care assessments when they are first requested and more than 70% are waiting longer than six months for support at school.

As of January 2018, there were 825 pupils in Dudley’s special schools. That compares with, according to the Department for Education, 119,910 pupils with autistic spectrum disorder in state-funded schools in England. Of those, more than 70% were being educated in mainstream schools, and that has huge implications for teachers and teacher training. That is why it is so important that, since 2016, the new teacher training framework has made supporting children with special educational needs, but particularly autistic children, a core part of the initial teacher training. That training and support needs to be stepped up, so that everybody can be confident that every teacher in every school up and down the country is competent and confident working with children with autism. If teachers do not currently have a child with autism in their class, they will at some point, probably very soon in their career.

The issues of working with, supporting and educating autistic children are very real. As my hon. Friend the Member for Bexhill and Battle (Huw Merriman) suggested, the behaviour of children with autism can be perceived incorrectly. Children on the autistic spectrum can often find themselves being chastised for not behaving in exactly the same way as other pupils. By not behaving in the way that teachers would expect, they can be punished in a way that may be appropriate for the class as a whole, but completely inappropriate given the special educational needs and medical condition of such children.

Government figures show that autistic pupils are four times more likely to be excluded from school compared with pupils who have no special educational needs. Clearly, there is an ongoing debate about the impact of exclusions, but there can be no doubt that the fact that autistic pupils are far more likely to be excluded has a severe impact on the life chances of children whose life chances are already impacted by their medical condition. That effect is most obvious in opportunities for future work and for training.

In many cases, the Government are making good progress on the target of getting a million more disabled people into work. However, the employment gap for people with autism is far wider. Just 16% of autistic adults are in full-time work, so it is essential that Jobcentre Plus staff and work coaches properly understand autism and that employers have the full range of support and advice they need to employ autistic people confidently.

I will conclude as I have done in similar debates by reflecting on the words of Natalie, who was one of the parent-governors at the school where I was a governor. Natalie said of her son Will, who attended that school:

“Autism is only a small fraction of our son. It is not everything he is. Will is so much more than the label society has given him. We want him to be accepted, and for him to be accepted equally as a citizen of this country as his peers are.”

That is what all parents want for their children. In this 10th anniversary year of the Autism Act, we have a responsibility to do all that we can to make that wish a reality.

1.58 pm

Helen Hayes (Dulwich and West Norwood) (Lab): It is a pleasure to follow the hon. Member for Dudley South (Mike Wood). I pay tribute to the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan) for all her work over the past decade, and I send my best wishes to her and her family at this difficult time. I also congratulate the hon. Member for Bexhill and Battle (Huw Merriman) on starting this debate in her absence.

My interest in autism comes from the many constituents who have had cause to contact me. Some have autism or have a child or family member with autism and have faced a battle to secure the support and access to services they need. Too often, autistic people and their families face significant battles over a long period and across a range of public services, including education, health, housing and the welfare and benefits system. I have supported many families who have had to battle for assessment and diagnosis. Even when they succeed in getting a diagnosis, they often do not receive additional support. I have helped constituents with autism who are struggling to access the benefits they need, because DWP assessment processes are simply not fit for purpose for people with autism. Most heartbreakingly of all, I have supported constituents whose loved ones are in institutions, long-term hospital care or, as in one case, supported housing where their needs are not being met and where they have in fact suffered abuse and neglect.

Autism is not a learning disability and it is not an illness; it is a form of neurodiversity. I commend the work within my own party by Neurodivergent Labour, which is working to ensure policy commitments to create a society that works for everyone living with autism and other forms of neurodiversity. Autistic people often have very special gifts and talents, like the young man who spent time doing work experience in my office after his GCSEs last summer and who completed the most brilliant analysis of crime statistics in my constituency I have ever seen.

My experience is that autistic people are too often being let down across many public services, because schools are often not well enough equipped to meet their needs, because health services are not arranged to be accessible and because there is insufficient supported housing in small community settings, so far too many children and adults with autism are still in long-term hospital accommodation.
We must call out the impact of austerity on school provision for children with autism. Teaching assistants have a vital role in providing additional support in the classroom for children with autism, in helping to shape curriculum content to meet their needs and in helping to explain and mediate to manage their anxiety. Schools that are being forced under this Government to make teaching assistants redundant will run a greater risk of failing their students with autism.

Understanding that challenging behaviour in people with autism is often a symptom of anxiety not a sign of misbehaviour and that the route to addressing it lies in de-escalating and managing fear and anxiety rather than in greater discipline would be transformative in the classroom and prevent many exclusions. The Government have introduced new training in autism awareness for trainee teachers, but there is a huge knowledge gap in the existing workforce that needs to be addressed with properly resourced training for teachers and support staff.

Austerity is also contributing to increased difficulty with diagnosis and in accessing support post diagnosis. Many local authorities are being forced to raise the threshold for support because, across both child and adult social services, they are struggling to discharge even their basic statutory responsibilities. We need additional resources to be put into diagnosis and post-diagnosis support.

It has long been reported that there is a very significant under-diagnosis of autism in women and girls, and there is now emerging evidence that, for far too many women and girls, an autism diagnosis happens only after they have been admitted to hospital due to severe mental illness, whether an eating disorder, depression or an attempt to take their own life. This is simply unacceptable. What practical action is the Minister taking to address under-diagnosis in women and girls and to stop a lack of support on living well with autism resulting in an unnecessary deterioration in mental health?

It is astonishing that, eight years on from Winterbourne View and with “Transforming Care” due to end imminently, we are still living with the scandal of people with autism, a learning disability or both living in long-term hospital accommodation, where far too many of them are still subject to human rights abuses, including prone restraint and neglect.

This Government have failed to implement “Transforming Care”—there is no denying it and no escaping it. Private psychiatric hospitals, which are no place for any young person with autism to live, have been allowed to expand at huge cost to the public purse, while there has been paltry investment in delivering community-based supported housing in which we know people with autism can thrive. Will the Minister commit to renewed funding to deliver “Transforming Care” today?

Finally, my constituents Isabelle and Robin Garnett, whose son Matthew I have mentioned many times in this Chamber following his detention at St Andrew’s Hospital, Northampton under the Mental Health Act 1983, where he suffered appallingly, have launched a new campaign this week. #HumanToo is a campaign to give visibility to people living with autism in our community and against the abuse and neglect that far too many have suffered. Such a campaign should not be needed, but, shamefully, it is. I ask the Minister to support this campaign, not just with words but with meaningful action to ensure that every person living with autism has access to the support, services and understanding they need to live well and to fulfil their talents and potential in our communities.

2.3 pm

Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): It is a pleasure to follow the hon. Member for Dulwich and West Norwood (Helen Hayes), who opened by saying that autism is about neurodiversity. Autism should probably be included on my list of interests, because I talk about it so often. My son is about to turn 20, and he has been diagnosed with Asperger’s. He is in his first year at university, and he is thriving precisely because, along with his personal courage, he had the great fortune to have teachers who took the time to learn how they could help him stay in a mainstream school. He has proved it is absolutely possible for these mostly young men, but some young women too, to thrive in adulthood and be everything they are born to be.

I want to raise three points. First, autism is classified as a mental health disorder in the fifth edition of “The Diagnostic and Statistical Manual of Mental Disorders”—an American diagnostic tool that is used globally—which is simply wrong. The Government need to take on that global network of conversations by saying it is unacceptable.

I have a particular beef about mental health, as everyone knows. Mental ill health is where medicine needs to come in and support people, because mental health is something we all have every day of the week—sometimes it is in good order, and sometimes it is not in such good order. Mental ill health is something specific. Those who are autistic do sometimes suffer from mental ill health because of the pressures put on them by situations they find too difficult to cope with, but they are not suffering from mental ill health by being autistic. Will the Government please do more to take on this international classification, which is simply wrong and drives all the wrong outcomes?

The visible symptoms of autism include difficulty with social interaction and, indeed, a lack of interest in social interaction. There is some interesting research going on at Stanford University’s school of medicine into why that might be, and there is a particular brain pathway, the mesolimbic reward pathway, that causes people to enjoy social interactions. If the pathway is not stimulated, it may not develop at all.

There is also work to identify neurological activity between the left and right sides of the brain, and those who are autistic seem to have much less interactivity between the two sides of the brain, which also reduces the social skills that we consider to be neurotypically normal. It is important we tackle this, because we need to get the classification of autism right. If we identify where autism sits in relation to the bit of us that is not like the rest of us, we will start to make policy that fits those with an autism diagnosis.

Secondly, I am proud to be a member of the all-party parliamentary group on autism, and I am working with the hon. Member for Bristol West (Thangam Debbonaire) on employment, specifically in the military. I am trying really hard to get the Ministry of Defence to let me do some work on why having an autistic spectrum disorder
is currently an automatic disarment from applying to the military in the United Kingdom. I have not looked at whether that is the case globally, but it is a fundamental failure on our part.

There are many senior members of our military who are clearly on the autistic spectrum, and they are brilliant leaders in their field. Many more young people are now being diagnosed, thank goodness, but they are being disbarred because they are listing themselves as having an autistic spectrum disorder, which should not be the case. We are losing the opportunity to employ the brilliant minds with extraordinary focus that we need in some areas of our military for the nation’s good. I challenge the Minister to help me break through that Main Building wall to see whether we can make some progress.

Thirdly, like everything, if we get this right at the beginning, we can make better progress. The diagnostic system is just not good enough. I paid a very large sum of money to get my then eight-year-old boy, James, diagnosed through the private system, which gave him and us a tool with which to work. We were very lucky to have great teachers, too, but that diagnosis gives parents a sense of power that they can look after their children.

We keep struggling on how to make progress, and I raise it again. Will the Minister please sit down with me and others to think about how we could have regional diagnosis centres? It is difficult to ask every single one of our 150 councils to have great teams of psychiatrists and healthcare professionals to get this right. Why do we not have regional centres?

When pre-school teachers see that young children who are not neurotypical have particular attributes and socialisation issues, and so could clearly be autistic, we could send those children to get a diagnosis very early. That would reduce the huge costs of mental ill health and school exclusions that often result, which the state is picking up. By the time these children are 18, they are often unable to interact with society in a constructive way because they have been battered for too long.

Can we please consider having regional centres of excellence for diagnosis to ensure we scoop up these young people much earlier and to ensure that we get the very best out of them? Alongside my son, I see many extraordinary young men and women who will bring great value to our country. We need to make sure that we do not lose any more of these children along the way.

2.9 pm

Kevin Brennan (Cardiff West) (Lab): May I, too, congratulate the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan), who, sadly, cannot be here because of that family situation, on her speech? I also congratulate the hon. Member for Bexhill and Battle (Huw Merriman). I think he would agree that he proved that, as the old song says, there’s nothin’ like a Dame, but he did an admirable job in delivering her speech and in answering interventions from colleagues from across the House.

I take an interest in this subject, as do many Members, through constituency casework, and I have particularly focused on adults with autism. Understandably, there is often a lot of debate about children with autism, but those children grow up to be adults, and often many of the difficulties can arise when that cliff edge comes and children with autism become adults. Sadly, this often ends up with adults with autism coming into contact with the criminal justice system, as happened in the case of one of my constituents, whom I will not name for obvious reasons. The trait of stimming is shared by many people with autism, but it is not generally understood by the general population. It is the repetitive behaviour of some with autism in order to calm a situation, but it can be misinterpreted sometimes as a criminal action.

In the case of my constituent, that led to his being arrested on two different occasions by the British Transport police when he became nervous travelling on public transport. This ended up with his being inappropriately cautioned and that remaining on the record, despite the fact that that caution was later withdrawn, in recognition of the fact that he had not been given the appropriate support that adults with autism are supposed to get when they come into conjunction with the criminal justice system.

Tonia Antoniazzi: What has been highlighted is that travel is also traumatic for people with autism. Will my hon. Friend join me in congratulating Cardiff airport on training its staff to support children and adults with autism when they are travelling through the airport?

Kevin Brennan: I absolutely join my hon. Friend in congratulating Cardiff airport on that. Going through an airport, with its security and everything that comes along with it, is a stressful enough situation for anyone, so the fact that the airport is doing that is very much to be welcomed.

Lord Bradley, a former Member of this House, produced a report in 2009 on how not only people with autism but other individuals with mental health issues come into contact with the criminal justice system. At the end of last year, he and I, along with some families of adults with autism, arranged to meet the new head of the new Independent Office for Police Conduct to talk about the way the police often deal with adults with autism when they come into contact with them, and with the complaints that then come when those adults with autism have been treated inappropriately and not according to the guidelines originally envisaged by Lord Bradley back in 2009.

Michael Lockwood, the IOPC’s new head, is to be given some credit for engaging seriously with this issue. We can see a sea change in attitude on this issue from the new IOPC when compared with the former Independent Police Complaints Commission. For example, he has agreed to meet and engage with the families of those who have had cause to raise complaints with the IPCC and the IOPC, and to involve them in designing the ways in which the IOPC will respond. There is a recognition that often these sorts of inquiries can be confrontational, whereas what is really needed is to get to the heart of the matter and the truth, and to make sure that lessons are learned and spread throughout the criminal justice system, particularly in the police force.

One thing that is being done by the IOPC, which I welcome very much and think should be done in other organisations, is that it is recognising that employees in these organisations will often have children with autism or relatives with autism, and that they can bring some
expertise to the organisation when they are interacting with those with autism. For example, the IOPC recognises that many members of its staff are from families that have experience of autism and that they can bring an expertise within the organisation when looking at these cases where complaints are raised. I welcome that, because that sort of learning is what needs to take place across the police, the courts, the prison system, adult and children’s services across the country, and the NHS.

My hon. Friend the Member for Bristol West (Thangam Debbonaire), who is no longer in her place, was talking earlier about what was going on in Bristol. In the case of my constituent and a couple of other families, I welcome the fact that, as I understand it, adult services in Bristol have agreed to review some of the cases they have dealt with in recent years, with a view to publishing a report, appropriately anonymised, that can provide lessons learned to people right across the country. That is very much to be welcomed.

My constituent has got together with other families to help set up an organisation called autismjustice.org. I recommend that Members look at the stories on the site about the way in which these families have come into contact with the criminal justice system. The organisation’s long-term aims are to ensure: “That criminal justice and care professionals are aware of and follow existing guidelines and policy relating to autistic people in a way that properly safeguards them. That these professionals, as well as the general public, understand autism so that autistic people’s appearance and/or behaviour is not misunderstood and misrepresented in a way that puts them at risk of serious harm.”

Those are very laudable long-term aims.

I appeal to the Minister to engage with those families, with that organisation and with other Departments across Government to make sure that government is working in a joined-up way on this. Those of us who have been Ministers understand that it is not always easy to get out of the ministerial silos that Whitehall imposes upon us, but government works best when Ministers from different Departments get together with a common purpose. Surely on this issue of all issues, Ministers from different Departments get together with that organisation and with other Departments across Government to make sure that government is working best when that organisation and those Departments work together. I urge the Minister to do as much as she can to work across Whitehall on this issue.

2.17 pm

John Howell (Henley) (Con): I, too, wish to start by paying tribute to my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan), and I am glad that all our thoughts are with her.

In my constituency, I am very fortunate in having numerous institutions, be they charitable or, as it were, full-time, and individuals who do a lot to take things forward, examine them and do the research on autism. I wish to make two mentions to start with. First, it was through this issue that I was introduced to Dame Stephanie Shirley, whose work in this area is phenomenal. She has spent a huge amount of her own money taking forward research in this area, and she is a beacon when it comes to providing a focus on dealing with autism and showing us what to do. Secondly, I would like to mention a charity called Music for Autism, which was set up with the Orchestra of St John’s. It uses music to influence the lives of those with autism. Those who have seen it in operation will know that it is a fantastic experience to see how members of the orchestra lap up the opportunity to work with those with autism and help enrich their lives. That is a great achievement.

I wish to concentrate on three areas. First, I want to follow the hon. Member for Cardiff West (Kevin Brennan) in commenting on the treatment of those with autism in the justice system. That needs to be concentrated on in three areas in particular: the police; the courts; and among prison staff, if it eventually comes to that. Only two things need to be done to take this issue forward in a big way. First, we need to identify those with autism at a very early stage, because as the hon. Gentleman said, that helps to make sure that we do not end up in a whole lot of disputes at a later stage. I am aware that the courts have put a lot of effort into making sure that they are autism-friendly for people appearing before them. I am also aware of a number of prisons that support people with autism; I think there is a pilot scheme, and I hope it will be rolled out across the prison system and that we can learn the lessons from it.

The second issue I wish to mention is education. Several Members have already mentioned education, but I wish to cover a particular aspect: the involvement of people with autism in designing training for teachers. Several Members have hinted at that point, but I do not think anyone has tackled it as boldly as I am going to.

The involvement of people with autism in the training of teachers is absolutely essential. They can provide help with training and influence how it is devised in many ways, all of which will lead to more choice and to our paying special attention to the needs of those with autism.

Finally, I wish to comment on autism and jobs. Last year, I was appointed a special envoy for an autistic charity called SPACE—I am never good with acronyms, but I think it stands for Supporting People with Autism into Continued Employment. I became the envoy for that charity to promote the idea of Members taking on staff with autism in their offices. As a way of demonstrating that, I enthusiastically took on a young man from Hornchurch who has autism. When it came to saying goodbye to him at the end of his period with me, I really regretted that he was going. He had been an outstanding worker and made an outstanding contribution to my office. It had been a great experience, not only for him but especially for me and my staff. If we can encourage more of that, we will have a much better way forward for those with autism.

2.22 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to follow the hon. Member for Henley (John Howell), whose contributions are always well worth listening to. I thank the Backbench Business Committee for the opportunity to have this debate, of which I was happy to be one of the co-sponsors. I also thank the hon. Member for Bexhill and Battle (Huw Merriman) for setting the scene on behalf of the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan), who would have been here had she not been detained elsewhere.

The National Autistic Society definition of autism sets the scene: “Autism is a lifelong disability which affects how people communicate and interact with the world. There are approximately 700,000 autistic adults and children in the UK.”
[Jim Shannon]

Without the right support or understanding, autistic people can miss out on an education, struggle to find work and become extremely isolated. As an active constituency Member of Parliament, every week in my office I deal with and try to help people who have autism and their families, including on benefits, educational assessments and family issues and pressures.

The National Autistic Society’s ‘Too Much Information’ campaign highlighted how, in spite of increasing awareness around autism, there is still a significant lack of public understanding, and there genuinely is. Research shows that although 99.5% of people in the UK have heard of autism, only 16% of autistic people and their families think that the public really understand them. Half the autistic people and their families said that they sometimes do not go out because they are worried about the public’s reaction to their autism.

All that is certainly true, but I was also sent a link to a few blogs by a parent in Strangford, who said:

“I don’t have the words to explain it but this is how I feel:”

It read:

“I am not a warrior mom. I am not a superdad. I am tired.

I just want what everyone else has—time to enjoy my kids, without the constant, mind-numbing terror of worrying about their future.

I don’t WANT to be an activist. No-one does.

Nobody woke up one day and said ‘Hey, I want to take time and energy away from my family to fight for someone’s rights.’

Plus, I want to feel the positive effects NOW! I ain’t doing this just for other people, honestly, I am doing it so that I too can benefit from the changes.

So instead of putting me on the head, shaking my hand, congratulating me on how selfless I am, blah di blah blah blah...help a brother out...give a sister a break.

Do SOMETHING DEFINITE to help change things, NOW and for the next generation. Ask me, I have ideas.

Otherwise, miss me with the...platitudes, please.”

That is a heartfelt request from one of my constituents. I want to help this father who contacted me and who feels like that, and all the parents like him. We have a duty not to offer platitudes about rainbows and sunshine or individually unique snowflakes, all of which are lovely and touch the heart emotionally. We have a duty to provide physical support and practical advice. We have a duty to provide respite for parents who are on the brink of a breakdown, and for siblings who feel invisible as they strive not to add to their mum and dad’s concerns because they are dealing with enough. We have a duty to provide respite to the child and to introduce them to people outside their circle in a controlled and helpful way. I do not believe that we are fulfilling our duty.

In Northern Ireland, we are certainly not fulfilling our duty in the way that I would like us to. A number of families with children with challenging behavioural problems—children who have met the criteria to be considered for overnight care, which is so important—have been told that they will have to wait several years before they can access overnight respite care. According to the Northern Ireland Health and Social Care Board statistics for 2014-15, there were 4,031 children in need, known to social services and with a disability, and 1,210 children with a disability who had received respite care. There are 10 respite facilities across Northern Ireland, each of which has between five and eight beds that can be used to care for children overnight, but more than 1,200 children are trying to access those beds.

In my previous job in the Northern Ireland Assembly, I was pleased to be a member of the all-party group on autism. We fought a campaign over a period of time. The Autism Act (Northern Ireland) came into law in 2011, after I had left the Assembly, but I would have had some input into the process through the all-party group.

In the limited time I have left to speak, let me outline what the autism strategy has done in Northern Ireland. The autism strategy for Northern Ireland runs from 2013 to 2020, and the action plan ran from 2013 to 2016. We focused on the following issues: awareness; accessibility; children, young people and family; health and wellbeing; education; transitions; employability; independence, choice and control; access to justice; being part of the community; and participation and active citizenship. We published a progress report on the autism strategy for 2013 to 2020 and the action plan for 2013 to 2016. It is a pity that we do not have a functioning Northern Ireland Assembly, because these issues would fall under the remit of that Assembly, rather than here. The Assembly still has that responsibility, even though it is not functioning in the way it should be.

It would seem that we have got to the breaking point, which concerns me greatly. It would seem better to have in place a preventive scheme for the families of those who struggle and live the daily autism battle, so that they do not have to reach the breaking point. I am particularly pleased to see the Minister in her place; we will have a positive response from her, as we always do, and I look forward to that response. The overwhelming feeling that I get is that parents are weary—weary from lack of sleep; from fighting the same battles with the child every day; from dealing with people’s expectations of how their child should behave; from fighting to get recognition for their child and to have adequate support in place to reach their potential; and from knowing that their other children are not getting the attention they need. They are just weary, and they need more help, right now.

2.28 pm

Kevin Foster (Torbay) (Con): It is always a pleasure to follow the hon. Member for Strangford (Jim Shannon) after a rare opportunity to hear him contribute to a debate. His contributions are always well thought out, passionate and well structured on behalf of his constituents. I definitely agree with him about the need at some point to get the Northern Ireland Assembly back up and running, doing its job again and tackling the issues that need to be tackled on behalf of Northern Ireland. Just ramming business through this place in a day is not what any of us really wants to see. We want to see the politicians who were elected to serve Northern Ireland doing so.

Let me come to the main substance of the debate. I pay tribute to my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan) and to my hon. Friend the Member for Bexhill and Battle (Huw Merriman) not only for securing this debate, but
for the passion that they bring to this issue. Obviously, our best wishes go to my right hon. Friend, who is facing a family situation.

This is an interesting debate. When I was about 12, I sat the Mensa IQ test and got a reasonable rating.

Paula Sherriff (Dewsbury) (Lab): Division!

Kevin Foster: Yes, thank you—and I like the shadow Minister, too!

That was interesting, because at that rating you are not that far off the autism spectrum. A lot of people forget that the dividing line is not very big. Many people around that mark will show some traits. For example, if we go to a talk on this matter and find someone very interested in politics, when we ask them what party they support, they say, “I don’t really support a party, but I love analysing election nights, with all the statistics.” I asked such a person to reel off election results in the local area—I was in Coventry at the time on the city council, and they were absolutely able to do that, because that was their special interest. They were very passionately interested in politics, but when they were asked, “Which party are you thinking of joining with all this interest?” the answer was, “Well, I’m not really into that. I’m into the analysis of politics.” That was their special interest.

This is about having a real understanding of autism. What started changing some of my perceptions about people with autism was when I had a volunteer activist who struggled slightly socially in certain scenarios. However, when we were carrying out—of all things—a telephone canvassing session with an automated dialling system, this guy was an absolute star. The rest of us were struggling. The rest of us were finding the whole process very difficult, but he absolutely engaged with it. It was pushing his mind to run slightly faster, and he had ability enough for the whole team. He was given a script, which enabled him to engage brilliantly with people on the phone. That was where his ability came through. In fact, what would normally be seen as a disability became a huge ability. That is why, as a Member of Parliament, I became very keen to challenge perceptions—for example, as has already been touched on in this debate, when someone is seen as naughty. We need to make it clear to employers that, when it comes to people with autism, it is about how they are supported when they enter employment.

I remember doing some work on this with a team when I was deputy leader of Coventry City Council. We looked at why people had left particular jobs—in programming or in engineering. Their skillset was there, their knowledge was there and their strengths were all in that area. What we found was that they were struggling with things such as the lunch room and the office environment—places where they had to interact with people. Everyone else assumes that such interaction is very simple, but the perceptions of how these people would deal with them were different.

I welcome the fact that support is being provided, but I would be interested to hear from the Minister how much further we can go. We are talking not just about an employer doing a favour, but about an employer sometimes bringing in an absolutely unique talent who may have absolutely unique traits. For example, the ASRUS Group meets at the YMCA in Dartmouth Road, Paignton. It is not just about providing education support, but about providing social support to build skills.

That all means that we need the appropriate levels of support. I do have some concerns over the pressure on higher needs funding in Torbay. I recognise that the Government recently provided some extra funding, but there has been an issue in Torbay. I do not think that we are unique in this, as some of the other smaller coastal unitaries face an issue with the deficit. Traditionally, their funding levels are lower than other areas, which makes it harder for them to deal with such issues. They are paired up with larger—bluntly, more wealthy—counties.

We also need to be clear that this issue is not just about learning, but about having fun. I welcome the fact that support services are available in the Bay. For example, the ASRUS Group meets at the YMCA in Dartmouth Road, Paignton. It is not just about providing education support, but about providing social support to build skills.

This has been a worthwhile debate. I have enjoyed sitting through most of it and listening to the contributions. It will be interesting to hear from both Front-Bench speakers what their thoughts are on this subject. Some people who have absolutely unique talents and some of the greatest minds on this planet may be just on the autistic spectrum, or only just below it. That is where we need to change our perception. It is not about someone with a disability, but about someone who may have a unique ability that we could unlock with the right support.

2.34 pm

Trudy Harrison (Copeland) (Con): It is a pleasure to follow my hon. Friend the Member for Torbay (Kevin Foster), who made many powerful points. I commend my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan) for securing this important debate ahead of World Autism Week and thank my hon. Friend the Member for Bexhill and Battle (Huw Merriman) for his outstanding representation of her in the Chamber today. I also commend the all-party group report, “Autism and Education 2017”, which was written in partnership with the National Autistic Society.

I am a member of the Education Committee, which is also looking into the needs of children and young people with special educational needs and disabilities. The autism APPG’s report contained some shocking statistics. The one that really upset me was that fewer than half of the children and young people on the autism spectrum going to school say that they are happy. It says that a lack of understanding from their peers and their teachers is the main reason for such unhappiness. The thought of any child or young person not looking forward to their day at school is, to me, so incredibly sad and utterly avoidable. We need better understanding and a co-ordinated resourced approach.

John Woodcock (Barrow and Furness) (Ind): I do not wish to take up much of the House’s time, but has the lion. Lady had a chance to meet my constituent, Deborah Brownson, who has created extraordinary facilities through the online autism plan to help parents and children who are facing difficulties? If she has not met her, she should and join the campaign to get Government support for what Deborah is doing.
Trudy Harrison: I thank the hon. Gentleman for his intervention. I have not met Deborah, but I absolutely look forward to doing so. May I ask him with connecting us?

Almost immediately after I was elected to this House two years ago, calls for my assistance arrived from families living with autism. They have told me about living with the daily fight for support, for a diagnosis, for professional advice, for an education and health care plan, for the necessary resources to actually carry out the recommendations in the plan, for reasonable adjustments in school and for flexible working arrangements with parents’ employers. As one of the many parents who responded to my call for information ahead of this debate said, “Everything is a fight. To get help is a fight and to find anything that you are entitled to is a fight.” Each family I met said the same thing over and over again. Families talk of the agonising wait for a diagnosis, in the hope that a diagnosis will bring some certainty and a joined-up forward plan but, all too often, it does not.

We in Copeland live in a rural and remote community, so one may have expected self-sustaining groups to form to support each other; it is what we do. Groups such as Shine for Autism, Autism Around the Combe, the West Cumbrian Autism Society and the award-winning Sellafield Site Autism Support Network have been formed out of absolute desperation and in recognition of the fact that so many people are living with autism and these groups could make a real difference. And they do.

I pay tribute to all the volunteers and parents who selflessly support others. The resilience and concept of helping each other make me so incredibly proud of my community, but it is not fair or right, or sustainable in the long term, because the parents I speak to say that they are “at the end of their tether.”

This fight is resulting in relationship breakdowns and mental ill health conditions, and in parents having to reduce their hours, or having to give up work altogether because of the lack of childcare for families with autistic children. Autistic children are three times more likely to be excluded from school for a fixed period than children who do not have any special educational needs and, with just 16% of autistic adults in full-time work, the UK is missing out on talent and much-needed skills.

Child and adolescent mental health services came up time and again as being a critical but under-resourced source of help in Copeland and across Cumbria. Too many children and young people are being left without education, mental health support or any reassurance of a plan.

My right hon. Friend the Member for Chesham and Amersham introduced the Bill that became the Autism Act in 2009, and 10 years on it is time to recognise the calls for training for school staff, for reasonable adjustments in schools and for guidance and resources for local authorities to provide the full range of educational provision and support. I am delighted that the Academy for Autism will be opening in West Cumbria in September and that the outstanding Mayfield specialist school in Whitehaven will move into its brand-new facility later this year, too.

The Department for Education increased the total high needs budget across England from £5 billion to just under £6 billion in 2018, and funding is set to rise above £6 billion in 2019-20, so there has been much progress, but I urge the Minister to consider a different approach in rural and remote areas, as we are missing out, our children are missing out and the country will miss out on the abundance of talent and skills, which are so desperately needed. My call to the Minister is: please help me to find a way to better help these dedicated groups in the vital work they do.

2.40 pm

David Linden (Glasgow East) (SNP): Like other right hon. and hon. Members, I place on the record my sincere thanks to the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan) and pay tribute to her work. We, like others, are thinking of her at this time. The hon. Member for Bexhill and Battle (Huw Merriman) did an excellent job of putting that on the record and should be very proud.

It is a pleasure to sum up the debate on behalf of the Scottish National Party. It has been an excellent debate, despite the time pressure. It is incredibly annoying to sit through debates knowing that people are having to pack so much in, so I hope that we can have more of these debates. We have heard excellent contributions from the hon. Members for Bexhill and Battle, for Bristol West (Thangam Debbonaire), for North Cornwall (Scott Mann), for Liverpool, West Derby (Stephen Twigg), for Dudley South (Mike Wood), for Dulwich and West Norwood (Helen Hayes), for Berwick-upon-Tweed (Anne-Marie Trevelyan), for Cardiff West (Kevin Brennan), for Henley (John Howell), for Strangford (Jim Shannon), for Copeland (Trudy Harrison) and for Torbay (Kevin Foster). All made very powerful speeches, either about their constituency casework or their experience with family members. I was particularly moved by the hon. Member for Berwick-upon-Tweed, who spoke about her 20-year-old son and how he is thriving. We all wish him well.

On a personal level, I want to thank a constituent of mine, Aileen Orr, who lobbied me to attend this important debate. She was right to say that, as has been backed up today, there is still not enough knowledge about autism and many people can still be quite ignorant about it, which is a point on which we must all reflect. World Autism Awareness Week is a good opportunity to give this issue the focus it deserves. Particularly in a Parliament so dominated by Brexit, such debates remind us that there are other issues that people want us to focus on, and there is a lot of unity in here today.

As Members would expect, I want to focus on the situation in Scotland. We have made good progress, but there is still a lot more work to do, as I will come on to. Last year, the Scottish Government refreshed their strategy for autism, which runs from 2018 to 2021. The review was a good opportunity to listen to people and to look at where we could improve, and I am grateful to our Mental Health Minister, Clare Haughey, who just two days ago announced a complete review of mental health legislation and autism legislation—the hon. Member for Berwick-upon-Tweed made a point about the two things being treated separately. It is good to see that recognised.

Among the themes arising from the review were the need for professionals across various areas to get more training in autism—that point has been made today—and issues of work and employment. The 16% figure that the hon. Member for Bristol West mentioned makes it...
clear that a lot more work needs to be done to get people into employment, and I very much support the work of Leonard Cheshire in that area. There are issues around housing, which I will come back to, and education because of the presumption of mainstream and inclusion.

It was not lined up for this debate, but on Monday I had the pleasure of visiting Aultmore Park Primary School, in my constituency, which is celebrating its 10th birthday this week. There is a language and communication resource on the school complex that works very closely with the school to make sure that the children attend from primary 1 to primary 7 and access the excellent opportunities. There was a lovely and exciting atmosphere in that school on Monday. It is such a pleasure to have it in my constituency.

On education, I know from my constituency caseload that we still have a lot more to do to support families. Like many other Members, I remain incredibly frustrated about the waiting times—in Scotland, they are often between one and two years, which is far too long—and in that regard I pay tribute to East End Carers, based in Shettleston, and the Happy Club, based in Provanhall. So often it is these voluntary charities that provide emotional and practical support for families, particularly in the period immediately after a diagnosis.

Part of the reason for the long diagnosis process is a lack of educational psychologists, which is a major issue in Scotland. There is only one university—Dundee, I think—where people can train to be educational psychologists. I encourage our Ministers north of the border to look at that.

Mr Jim Cunningham (Coventry South) (Lab): Not enough is being done for schools. Teachers can study psychology. Some people teach and are also qualified psychologists. Is that not something that should be looked at?

David Linden: The hon. Gentleman is right to put that on the record. I am married to a primary school teacher and, although aspects of her teacher training dealt with autism, she would probably feel that she has not been given enough support. More often than not, she will be able to say, anecdotally, “This child in the class might have autism but has not had a diagnosis yet.” So he is right to put that on the record.

More often than not, a lot of housing associations do not have a proper understanding of autism. A lot of families come to me and say, “I need a house with a garden so that my child can play safely”. This chicken-and-egg situation, which I see regularly, can be quite frustrating.

I am conscious of the time—there is a heavily subscribed debate after this one—so I will round off by saying that it is of fundamental importance that autistic people and their families are understood and welcomed in their own communities and can be supported to be as independent and active as they wish to be. I thank all hon. Members who have participated in this debate. I hope that, when we debate it next year, we will be able to celebrate some progress because, if we have learned one thing today, it is that we still have a lot further to go.

2.47 pm

Paula Sherriff (Dewsbury) (Lab): Our thoughts are with the right hon. Member for Chesham and Amersham (Dame Cheryll Gillan), who is a true champion for those with autism. I also thank the hon. Member for Bexhill and Battle (Huw Merriman) for securing today’s debate and his excellent speech, which set the tone for a very constructive debate.

This is a timely debate not just because it comes in advance of World Autism Awareness Week, but because this year marks the 10th anniversary of the Autism Act 2009, passed under the last Labour Government, which put a duty on Ministers to publish and regularly review their autism strategy and to produce statutory guidance to implement at a local level. We have heard from several hon. Members on the all-party group on autism, which is holding an inquiry into the Act’s implementation ahead of the Government’s review. Ahead of that formal publication, I hope that the Minister will give us the Government’s views not just on the changes that we have seen over the past 10 years, but on what more can be achieved in the years ahead.

I am sure that the whole House will want to thank the National Autistic Society, Autistica and Ambitious about Autism—and all the other charities that represent and serve people with autism—for the work they do, the support they give and the services that they provide to all those people. There is a charity in my constituency called The Whole Autism Family, which is run by Martin and Anne-Marie Kilgallon in Mirfield, who do phenomenal work. They have two sons with autism, but the support they provide to other families is simply phenomenal and I am very grateful to them for their work.

In responding for the Opposition Front-Bench team, I think it is important to note that, although I am shadow Minister for mental health, autism is not a mental health condition, as the hon. Member for Berwick-upon-Tweed (Anne-Marie Trevelyan) also mentioned. I hope that we all aspire to a society where people with autism have as good mental health as the rest of the population. Unfortunately, however, we are very far short of that aspiration. It is estimated that up to four out of five autistic people develop mental health problems such as anxiety and depression, and four out of 10 children with autism have multiple mental health problems.

In the worst cases, autistic people end up in mental health hospitals, which are usually not appropriate, and they are sometimes there for extended periods. The transforming care programme was aimed at tackling that problem, but we have heard evidence that it has fallen far short of its aims. The NHS long-term plan sets a target for reducing the number of autistic in-patients in mental health hospitals by 2023-24. But if we are to achieve that, there must be investment in better community mental health support that is appropriate for people with autism. The need to tackle this issue has been thrown into stark relief by the appalling cases of abuse of people with autism that have had significant media coverage in recent months, as the hon. Member for North Cornwall (Scott Mann) mentioned.

There are still more than 2,000 people in totally unsuitable in-patient settings, when they should be supported in the community. That is not only unconscionable; it is exorbitantly expensive, with the average package costing £3,500 a week. The Government announced last year that they would be asking the CQC to conduct a thematic review into the exclusion of people with autism in in-patient settings, but this will take far too long to tell us what we already know—that these placements should be ended. Will the Minister
today finally commit to ending placements in assessment and treatment units and to working with her colleagues to provide the kind of community-based support that people with autism deserve? The Minister will also be aware of the call to reform the Mental Health Act 1983, which defines autism as a “mental disorder”, allowing autistic people to be sectioned without having a separate, treatable mental health condition. Perhaps she can tell us what plans there are to address the legislation, as well as to provide the right kind of support services.

Perhaps the obvious starting point regarding support for people with autism is getting a diagnosis in the first place, and a number of hon. Members have quite rightly spoken about that today. The quality standard on autism recommends a maximum three-month period between referral and the first diagnostic appointment, but it is clear that the standard is not being met anywhere near widely enough, with reports of delays of years rather than months. I have certainly experienced that issue in my constituency surgeries.

When I spoke on this subject a year ago, I noted that we were about to implement new standards on data for waiting times, which had been patchy until then. We are now nearly a year on, and we should therefore have data for the first full year next month, with publication due this summer. The long-term plan also contained a welcome and specific commitment to reducing diagnosis times, so I hope that the Minister will update the House on any early findings, on when the final data will be published and on the Government’s plans to make improvements.

Similarly, in previous debates, we have heard about the need for better data on who is being diagnosed. The National Autistic Society found that over three quarters of those using their adult services are male, and there is a concern that the lack of recognition for women with autism may be partly behind those numbers. There are also age effects, given that autism was not a recognised condition when many older people with autism were growing up. In previous debates, the Minister has said that the Department expects GPs to include autism in the primary care register and will be working with NHS Digital to achieve that. Perhaps the Minister could update us on the progress in that regard.

Too often, there are significant barriers to accessing the right services after diagnosis. One recurring theme is the need for better training, which the guidance states all staff should have access to, but the reality sometimes sadly falls short. Last month, the Government launched a consultation on mandatory training, which is welcome, but for this to work it must be co-designed and co-delivered by people with autism. Can the Minister tell us whether this will be the case and, perhaps more importantly, whether her Department will provide funding so that the autistic people providing their experience to this training receive a proper wage for their labour?

Early intervention services are key for communication and language skills, which are closely linked to life chances for people with autism. In education, too, services for children with autism and other special needs have been first in line for cuts, as we have heard from other hon. Members. With the Government taking billions out of the schools budget between 2015 and 2017, I know all too well the pressure that schools in my constituency are under. As the vast majority of school budgets are spent on staff, this is the area of greatest pressure. For example, the support staff, who are so vital to children with special educational needs, are often the first to go, and one-to-one support for children becomes impossible when the money simply is not there. Thousands of children in England with approved education, health and care plans still are not receiving the support they need.

If we let children with autism down in education, the impact is felt when they become adults seeking employment. My hon. Friend the Member for Bristol West (Thangam Debbonaire) spoke with great knowledge about the challenges of employment for those with autism. There is an urgent need for improved in-work support services for disabled people across the board, and the autism employment gap is even wider than the disability employment gap. Over the past 10 years, there has been no real change in the numbers of autistic people in full-time work, and the National Autistic Society found that less than a third of autistic adults are in paid work, even though more than three quarters do want to be in a job.

The NAS has called for an autism employment pathway, an awareness programme for employers and targets for getting people with autism in to work. I hope that the Minister can tell us the Government’s response and address points such as making sure that Jobcentre Plus staff understand autism and responding to the call for autistic people in work to be recorded in the labour force survey. Apprenticeships and other specialist schemes could also provide a route into employment, with tailored support for people with autism. Will the Minister update the House on progress in implementing the recommendations of the taskforce chaired by the hon. Member for Blackpool North and Cleveleys (Paul Maynard) and on what steps the Government have taken to expand the Disability Confident scheme?

Finally, there are the services aimed not just at people with autism but at the rest of us to ensure that we are aware and understand the condition. The research has long shown that most people with autism feel that their condition is not understood, as was recently highlighted by the National Autistic Society’s “Too Much Information” campaign. Only 16% of autistic people and their families think the public understand autism, and half of autistic people and their families are sometimes afraid to leave the home because they are worried about the public’s reaction. The contributions we have heard from Members across the House today show just how much more there is to be done to provide the services that people with autism need. I hope that the Government have heard that message and will now act on it.

2.56 pm

The Minister for Care (Caroline Dinenage): I would like to start by adding my voice to those paying tribute to my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan). It is thanks to her pioneering autism private Member’s Bill that we now have an adult autism strategy. This year, it will be 10 years since that Bill passed into legislation as the Autism Act—10 years during which she has been the most fantastic, stoic and passionate champion for autism and autistic people. I think that I speak on behalf of the whole House when I say that we all send our love and our thoughts both to her and her loved one.
I thank my hon. Friend the Member for Bexhill and Battle (Huw Merriman) for so beautifully representing my right hon. Friend and her words today, and indeed all the other Members who have contributed to the debate, as well as the Backbench Business Committee for selecting it, particularly in the run-up to World Autism Awareness Week next month. Several Members have made some excellent points. I will try to get on to as many of them as possible in the time allowed, but I will write to anybody I miss out.

Much progress has been made to improve the lives of autistic people since the first cross-Government autism strategy. There is now improved diagnosis and greater awareness, and more organisations are ensuring that they make reasonable adjustments. However, 10 years on, it is very clear that there is still so much more that we can do to ensure that public services meet the needs of autistic people. The autism strategy was updated in 2014, but this year we are undertaking a comprehensive review, “Think Autism”, to ensure that it remains fit for purpose. As the hon. Member for Strangford (Jim Shannon) pointed out, it is so important that young people and their families feel supported. We want our autism strategy to work for autistic people of all ages, and that is why, working closely with the Department for Education, we will be extending our strategy to include children. That refreshed cross-Government strategy will be published towards the end of this year.

People with a learning disability and autistic people continue to face significant health inequalities. This must be addressed. It is absolutely that right that learning disability and autism are both now clinical priorities in the NHS long-term plan. Autistic people must be at the heart of any improvements we make to their care and support. That is why last week the Government launched a national call for evidence to hear the views of autistic people, their families and their carers, as well as those of professionals. We want to know what is working, but also what needs to be done to transform care and support. In the week since that call for evidence, we have already had 875 responses. I would urge hon. Members across the House to share our call for evidence in their constituencies and via their social media networks.

I am delighted that so many Members across the House have taken the opportunity to highlight some of the amazing work and fantastic organisations in their communities. Autism-friendly communities such as the one in Bodmin that my hon. Friend the Member for North Cornwall (Scott Mann) spoke about—he wins the prize for the most intriguingly named constituent: Tigger Pritchard—sound like a way to support people much better.

As many Members have said, raising awareness is not enough. It is acting on that awareness that makes a real difference. We recently launched a consultation on mandatory training on learning disability and autism for health and care staff and will report the findings in the summer. Crucially, that applies to not only medical professionals but all health and care staff. For example, we all know that a negative encounter with a receptionist or front of house staff can immeasurably change our experience or perception of services. Work is under way in other sectors such as education, employment, prisons and transport to raise awareness of autism and adjust services to make them more accessible.

The hon. Member for Liverpool, West Derby (Stephen Twigg) and many others talked about the importance of early identification and timely and accurate diagnosis of autism. No one should have to face a long wait for an autism diagnosis, but we hear far too often that the NICE recommendation of a wait of no more than three months is exceeded. There is a geographical disparity, and this postcode lottery must end. The NHS long-term plan commits to testing and implementing the most effective ways to reduce those waiting times. Critically, we are collecting data to support that, which will be published later this year for the first time. This will mean that each area can be held to account and action can be taken.

As my hon. Friend the Member for Copeland (Trudy Harrison) said, it is not just getting a timely diagnosis that matters but having timely information, support and services after that. This summer there will be new and improved guidance for health and care commissioners and a best practice toolkit, to improve diagnosis and post-diagnosis services for autistic people. Health Education England is also developing an autism core skills and competency framework for health and care staff and staff in organisations with public-facing responsibilities.

My hon. Friend the Member for Dudley South (Mike Wood) and a number of other Members highlighted the particular challenges that autistic children face in schools. My hon. Friend the Member for Bexhill and Battle said that children have to fail before they get the support they need, and that is why including children and young people in the autism strategy for the first time is so important.

The SEND reforms that the Government introduced were intended to support all young people to achieve their potential in education. Since 2014, we have invested £391 million to help implement those reforms, but we know that there is more to do. We have funded the Autism Education Trust to provide autism awareness training for more than 195,000 school and college staff—not just teachers, but administrators and support workers— which I hope will go some way to helping diagnose women and girls, who we know are very much under-represented in the diagnosis statistics. We also know that a disproportionate number of autistic children are excluded from school; my hon. Friend the Member for Dudley South mentioned that. Edward Timpson is currently reviewing how schools use exclusions, so that we can better understand why that is the case and what we can do about it.

The hon. Member for Bristol West (Thangam Debbonaire) and many other Members highlighted the need to do more to support autistic people into employment. It is a lost opportunity all round that only a relatively small number of autistic people are in work either full time or part time. Through the Disability Confident scheme, we are helping employers to promote the talents and abilities of autistic people, and Access to Work has a hidden impairments group that gives guidance to employers.

My hon. Friend the Member for Torbay (Kevin Foster) spoke about the huge value of these people in the workplace. My hon. Friend the Member for Berwick-upon-Tweed (Anne-Marie Trevelyan) told me something I did not know—that autism spectrum automatically
disbars someone from the military. I will be raising that with the Minister for the Armed Forces, not least because I fear her infinitely more than I fear the Minister.

My hon. Friend the Member for North Cornwall, the hon. Member for Dulwich and West Norwood (Helen Hayes) and many others spoke about some of the tragic cases where autistic individuals have not received the right care and support in mental health in-patient settings. We are committed to learning from those and working harder than ever to improve how care and support is provided. Some people will need access to time-limited in-patient services, but this should be as close to home as possible for as short a time as possible, with discharge plans in place. When people do need to go into hospital, they must be safe from harm and abuse, and they should never be subject to inappropriate or restrictive practices.

The hon. Member for Cardiff West (Kevin Brennan) and my hon. Friend the Member for Henley (John Howell) spoke about improving the criminal justice system. In the initial police learning and development programme, police officers are already given training, and many police forces have developed their own. Liaison and diversion schemes are being rolled out with 100% coverage expected by 2021. My hon. Friend the Member for Berwick-upon-Tweed also spoke about how autism should not be classed as a mental disorder. We will be keeping this very closely under review, as she made a very good point.

The Government are fully committed to improving the lives of autistic people, but there is much more to be done, and Autism Awareness Week is a great reminder of that. Our refreshed cross-Government autism strategy, which we will publish later this year, will help to deliver this and provide the route map for the years ahead.

3.5 pm

Huw Merriman: Thank you for chairing us this afternoon, Madam Deputy Speaker.

I have heard it said that Parliament is not delivering for the people. May I send a message and invite everybody here to join me in sending a message to people with autism or Asperger’s and their families? With the voices of my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan), the hon. Member for Bristol West (Thangam Debbonaire), my hon. Friend the Member for North Cornwall (Scott Mann), the hon. Member for Liverpool, West Derby (Stephen Twigg), my hon. Friend the Member for Dudley South (Mike Wood), the hon. Member for Dulwich and West Norwood (Helen Hayes), my hon. Friend the Member for Berwick-upon-Tweed (Anne-Marie Trevelyan), the hon. Member for Cardiff West (Kevin Brennan), my hon. Friend the Member for Henley (John Howell), the hon. Member for Strangford (Jim Shannon), my hon. Friends the Members for Torbay (Kevin Foster) and for Copeland (Trudy Harrison), the hon. Members for Glasgow East (David Linden) and for Dewsbury (Paula Sherriff), my hon. Friend the Minister for Care—I thank the Minister for all her commitments this afternoon—and the many others who intervened, the message is that we understand the challenges autistic people have to go through every day, and we will be by your side and will do our best to make sure that you have the services you deserve.

Question put and agreed to.

Resolved.

That this House has considered services for people with autism.
NICE Appraisals: Rare Diseases

Treatments

3.8 pm

Liz Twist (Blaydon) (Lab): I beg to move,

That this House believes that NICE appraisal processes do not properly address the medical treatment needs of people with rare diseases such as muscular dystrophy, phenylketonuria and cystic fibrosis; and calls on NICE to urgently review the appraisal process.

I thank my hon. Friend the Member for North Tyneside (Mary Glindon), who is chair of the all-party group on muscular dystrophy, and the hon. Member for Strangford (Jim Shannon), who is chair of the all-party group on cystic fibrosis, for their help in securing this debate.

My constituent Archie McGovern is 12 years old. He is bright and lively, and full of beans now, but it has not always been like that way because Archie has PKU—phenylketonuria. Putting it simply, PKU is a genetic condition that means Archie and others are unable to handle phenylalanine, which is found in protein—so no meat, no fish and no dairy products. There is a whole range of other things that we would not think had to take a protein substitute drink—if we can call it that, as it is very unpleasant—to keep the balance right.

At present PKU is not curable, and a hugely restrictive diet is the only way of controlling the condition throughout childhood and adult life. The condition is picked up by the pinprick test at birth, and for those identified as having PKU that is the start of a difficult lifetime of dietary control. For children that is especially difficult, but it is also very important because failure to control the condition can lead to serious neurological problems.

That is how it was for Archie until quite recently, but there is a treatment that can help to control PKU. It is called Kuvan, and although it was licensed 10 years ago and is widely available in many countries in Europe, and further afield, it is not available to patients in the UK. Not everyone with PKU responds to Kuvan, but it is believed that more than 20% of people will respond well and see a significant improvement in their life.

James Morris (Halesowen and Rowley Regis) (Con): The hon. Lady makes an important point about Kuvan and PKU. As she will know, last year I and other Members—including the hon. Member for Dudley North (Ian Austin)—took part in the MPs’ PKU diet challenge, so I am well aware of the restricted diet that is required for those who suffer from that condition. The way that NICE evaluates Kuvan does not take into account the social costs associated with the alternative treatment for PKU. That highly restrictive diet impacts on families and wider society, and NICE should consider that point.

Liz Twist: Like the hon. Gentleman, I took part in the PKU diet for a day challenge. It was indeed very restrictive, even though I knew it was only for one day.

Archie is one of those who responds well to Kuvan, and last year, his parents took the difficult decision to pay to buy him the drug. That took a great deal of soul searching on their behalf, and it cost them dear—£25,000 a year, even though Archie is currently on just half a dose. They know that for many people with PKU, or for parents with more than one child who has PKU, it is simply not possible to self-fund, and they are acutely conscious of the unfairness of that. The difference that Kuvan has made to Archie is real and significant: increased concentration and energy, so that he can make the best of his education; no recurring mouth ulcers, which were a real problem; and a chance substantially to increase the number of exchanges he can have, and eat a more normal diet. For Archie, Kuvan has made a real difference.

Archie’s case, and those of many others in other constituencies, prompted us to form the all-party group on phenylketonuria, and to consider how Kuvan could be made available to those who would benefit from it. Nearly 10 years after Kuvan was approved, that treatment does not seem to have been an appraisal, and in England it is still not available on the NHS. Since we set up the group, there has been a move for Kuvan to be appraised by NICE, and discussions have been held with NHS England about a managed access agreement. We were disappointed to learn just before Christmas that no agreement had been reached on that managed access agreement, and that the NICE appraisal was to be via the single technology appraisal route, and not the highly specialised technologies programme. I understand that following a legal challenge, the Department of Health and Social Care is again considering the appropriate appraisal route, and the all-party group has made representations on that point.

When talking about the NICE appraisal system it is easy to get lost in technical details—QALYs, and everything else, that means nothing to people on the street—but what really concerns people is whether or not there is a fair chance that the drugs they need will be fairly assessed and made available on the NHS.

Thelma Walker (Colne Valley) (Lab): I thank my hon. Friend for securing this debate. One of my constituents suffers from Batten disease and is receiving cerliponase alfalfa on compassionate grounds. However, NICE will not now recommend that treatment, which in part is due to cost. Does my hon. Friend share my view that allowing patients on to clinical trials when there is no funding to deliver the treatment, places them and their families in an incredibly difficult and uncertain position regarding their future?

Liz Twist: I certainly agree, and such things happen too often. We need a system that properly evaluates those drugs.

Mark Tami (Alyn and Deeside) (Lab): I have certainly found that NICE sometimes says that the pool of people is not big enough to evaluate, but the clue is in the title: these are rare diseases. NICE cannot carry on doing that, particularly in cases where it is clear that the drug has a really positive effect.

Liz Twist: I agree with my right hon. Friend. Indeed, that is the burden of my speech.

As I was saying, I am not going to get into the fine detail of the process. It seems to us in the all-party group that many conditions, as my hon. Friend have said, face the same problems. The all-party groups for muscular dystrophy and for cystic fibrosis are two that come to mind, but there are many other rare diseases, as
we have heard, that do not have all-party groups but face exactly the same difficulties. Since this debate was announced, some other organisations have contacted me to ask me to make sure that we do not forget their concerns.

We found that there are a number of aspects of the NICE appraisal system that are problematic in assessing Kuvan and many other rare drugs. The existence of just two appraisal routes for treatments to be assessed by NICE results in the likelihood of two or more treatments being stuck in the middle by not meeting the restrictive criteria of the highly specialised technology route and therefore being assessed under a single technology appraisal route. Some of them are rare but not rare enough. As we have heard, the majority of treatments for rare diseases are likely to be assessed within the single technology appraisal, which is designed for non-rare treatments. This impacts on both the cost threshold and the approach to evidence, which are all designed for more common diseases.

On lifelong chronic conditions, NICE’s approach values the lifelong cost of treatments. It looks for near future benefits as well. That means it is difficult for chronic diseases such as PKU and treatments that produce lifetime and life-enhancing effects to get access to new treatments. NICE cost appraisals assume that patents do not expire. NICE will assume the existing price of the drug will stay the same. That is illogical as, particularly with older drugs such as Kuvan, the drug will soon go off-patent. This affects the benefits assessment. On non-health costs, NICE performs its calculations based on costs paid and saved by the NHS. That ignores the wider cost to society and individuals caused by diseases like PKU.

I do not seek to criticise NICE staff. They work within a system that we have given them, but it is clear from the many questions to Ministers, debates in this Chamber and in Westminster Hall, the creation of all-party groups, and correspondence with Ministers about individual cases that there is a very real issue here which must be addressed. That is why we are asking, in this motion, for NICE to review its processes to reflect the current issues we face.

Many drug companies have been in touch since this debate was granted to send me briefings. They have been keen to explain their side of the argument and to point out what they see as the problems in the NICE appraisal process for their drugs. There is some overlap with patient concerns, but I am here today to speak on behalf of the community of people with rare diseases, not on behalf of the drug companies. Let me be clear, the fact that this debate is about NICE appraisal processes does not excuse the pharmaceutical companies from their responsibilities. There is a balance to be struck between their need to recover the cost of the development of drugs and make a reasonable profit, and a huge responsibility on them to make their drugs affordable for our NHS.

In this debate, I have focused on PKU and Kuvan. With no other drug treatments for PKU on the horizon, Pegvaliase, there is a real worry that even with a drug that may produce really life-changing results for a wider group of patients, those with PKU will again be left without the treatment they need, even when it exists. There are treatments for other rare diseases, too: Spinraza for spinal muscular atrophy and Orkambi for cystic fibrosis, which are not only life-improving but life-extending.

This is quite simple. There are drugs available that can drastically improve the lives of those affected by rare diseases. When I hear that NICE’s appraisal process is an obstacle to improving lives, I feel really angry. We are reducing the lives of children and adults to a cost-effectiveness analysis. We need to find a way forward to amend the appraisal system so that we do not let people fall through the cracks or fall behind. The drug companies must also do their bit to ensure that their drugs are affordable for the NHS, especially when early access via a managed access agreement is being discussed.

That is why today we are calling on NICE to review its appraisal processes and make the necessary changes to stop people falling through the cracks and make available these drugs, which can make such a difference to patients—to people such as my constituent Archie McGovern, whose mum Barbara set me on this path as a new MP.

Several hon. Members rose——

Madam Deputy Speaker (Dame Rosie Winterton): Order. There is obviously some pressure on time, so we will start with an eight-minute time limit.

3.20 pm

Crispin Blunt (Reigate) (Con): I am delighted to support the motion standing in the names of the hon. Members for Blaydon (Liz Twist) and for North Tyneside (Mary Glindon). This is a life-changing issue for thousands of our fellow citizens who simply do not have time on their side. A number of my constituents, including the parents of my young constituents battling with cystic fibrosis, have brought to my attention the weaknesses in the current NICE appraisal model. I look forward to reinforcing the arguments of the hon. Member for Blaydon with some details that they have provided.

NICE’s appraisal model has led to a horrendous block on life-changing cystic fibrosis drugs being made available to those young people. Vertex’s three approved medicines and investigational triple regimen may be able to treat the underlying cause of cystic fibrosis for up to 90% of patients. There is currently no cure for cystic fibrosis, and half of people with the disease will die before they are 31. I recommend that my hon. Friend the Minister instructs NICE to review its current single technology appraisal, which is used to appraise inherited rare diseases, in order to come to a solution that can work best for all parties. The current model, which specifically affects Vertex drugs such as Orkambi, is fundamentally flawed. It directly affects the lives of not only my young constituents suffering from cystic fibrosis, but those with spinal muscular atrophy, Batten disease and PKU, to name but a few.

NICE’s single technology appraisal has been used for the past 20 years, and although it served as an important new way to assess the cost-effectiveness of new treatments, it has failed to keep pace with advances in science. No model should be biased towards favouring specific medicines, but there remains an unwillingness to accept that new precision medicines that treat the underlying cause of disease and have the potential to extend life are fundamentally different from the medicines that existed.
when NICE’s processes were first developed. The idea of working on an innovative new model for appraising rare diseases is also supported by the Genetic Alliance.

When performing a single technology appraisal, NICE applies the same methodology and cost-effectiveness criteria regardless of whether it is appraising a single-use medicine for an acute condition or a lifetime medicine for an inherited, progressive, incurable, life-limiting disease. The current evaluation process turns on the incremental cost-effectiveness ratio, measured in quality-adjusted life years. With acute conditions resulting from shorter-term treatment, the ICER is moderated even if the drug is very costly. Conversely, with chronic and lifelong conditions, the drug must be taken every day for life, and the cost of lifelong treatment prevents downward moderation of the ICER. That means that, when evaluating medicines that extend life, those that treat conditions from which patients would die within a short period are favoured over those that would extend life far into the future.

That unfairness is doubly compounded by the fact that, when computing the number of quality-adjusted life years attributable to a treatment, NICE usually applies a “discount rate” of 3.5% per annum, based on the Treasury’s Green Book, on both the costs and health effects of the medicine by reference to how far into the future those life years will be added to the patient’s life. In essence, the longer a patient lives, the more expensive they are to the system and the higher the cost per quality-adjusted life year.

Let me give an example. If a treatment were projected to extend the life expectancy of a six-year-old cystic fibrosis patient from 47 to 57 years, the “present value” of those additional 10 years would be less than two once they were discounted. By comparison, an oncological orphan medicinal product may add five life years, starting immediately, to a patient’s life expectancy, so discounting would reduce those five years to 4.66 for the purpose of calculating quality-adjusted life years. That approach cruelly fails to account for the fact that every year of additional survival, regardless of whether it is gained in the short or the long term, will be valued equally in the mind of a cystic fibrosis patient and his or her family.

To add insult to injury, NICE currently does not take into account the fact that when medicines lose their market exclusivity after patent expiry, their cost to the NHS falls dramatically, typically by 80% to 90%. It is unrealistic to assume that a medicine would remain at its currently listed price over the entire model horizon, particularly when that can be upwards of 40 years. There is no reason why NICE could not model the effect of a post-patent expiry price reduction by reference to available evidence from the pharmaceutical market. That is yet another example of NICE’s discrimination against treatments for chronic and incurable conditions in favour of those for acute conditions.

Finally, while NICE recognises that medicines for very rare diseases—ultra-orphan medicines—need a higher threshold and more discretion in the way in which they are appraised, it does not allow cystic fibrosis medicines to be judged against that threshold. That is because, although cystic fibrosis is a rare disease globally, its prevalence in England is such that NICE insists that it is appraised via the conventional approach.

Vertex is not the only manufacturer of precision medicines for rare diseases to experience challenges with NICE. Both the Bioindustry Association and the Association of the British Pharmaceutical Industry have, on behalf of their members, repeatedly highlighted the need for NICE to be reformed, to “take a broad view of the value of new treatments and innovations to the health service” and to incorporate a wider range of factors and flexibilities, beyond the standard cost per quality-adjusted life year gained. It is right for us to ensure that NICE processes are modern and up to date with the evolution of precision medicines.

My constituent Sharon Cranfield is a bit disappointed with a letter sent to the Minister by the Chairman of the Health Committee, outlining the conclusions of the Committee’s public hearing on 8 March. She says that the points that I had raised on her behalf “appear not to have been considered and the findings of the Committee seem to tie with continuing to defend the NICE model that has been used for the last 20 years and an unwillingness to accept that they need to be re-evaluated to reflect the current and near term developments in precision medicines.”

I understand that the Committee may have advisers who were associated with the setting up of NICE. I think that Ministers, NICE, and everyone who is engaged in this should look forward to a model that will actually work for the people whom we represent.

NICE must re-evaluate the way in which it values rare disease medicines. I sincerely hope that following today’s debate, it will do more to achieve alignment on value, evidence and price for the sake of patients, and will address, once and for all, the limitations of the current NICE STA process for diseases such as cystic fibrosis. That would also benefit all the other patients who already suffer enough after being diagnosed with a rare disease.
it. It has been so positive for children with type 1 that over two years ago Biogen opened its global expanded access programme to provide the drug free to type 1 patients.

Spinraza is currently available across 24 European countries and in the US, but for patients in this country access to the drug is being held up by lengthy delays to the NICE appraisal process.

Mr Jim Cunningham (Coventry South) (Lab): Does my hon. Friend agree that the hon. Member for Reigate (Crispin Blunt) is right that there needs to be a new model, and more importantly that something must be done about the cost of drugs? We cannot carry on with the escalation of the cost of these drugs because, as the hon. Gentleman said, that affects many families in different ways.

Mary Glindon: That is true, and I think it will be highlighted again and again in this debate. The delay for patients in this country is made all the more frustrating because the Scottish Medicines Consortium approved Spinraza for children with SMA type 1 last May, and it now has a new ultra-orphan pathway and has speedily reassessed Spinraza, and as a result children and adults with SMA types 2 and 3 will be able to access the drug from next month.

In England the Spinraza appraisal has already been going on for 14 months. In January last year NICE announced that the pathway for the drug would, sadly, be the single technology appraisal, used for common diseases, rather than the highly specialised technology appraisal, which has been spoken about and is used for rare conditions. On 14 August, all hopes were shattered when NICE announced that it did not recommend funding by the NHS as the clinical effectiveness of the drug was not proven and the price was too high.

NICE launched a consultation and held a committee meeting in October to review all responses. There was still no progress for patients. Then, following a previous announcement, on 1 November Biogen closed the expanded access programme for type 1 to all new infants, so although 80 children remain on the programme, any child born after that date with type 1 has no access to this life-saving drug. The process drags on, and NICE had its third committee meeting earlier this month, but as yet no information has been published.

Biogen maintains that the STA process is not appropriate for rare disease medicines, because the smaller patient populations in rare diseases make it inappropriate to expect treatments to achieve the same cost-effectiveness thresholds as medicines in disease areas with much larger patient populations. It has also pointed out that it is very difficult to measure the quality of life in a young paediatric population. However, that is a major determining factor in the STA process, so it is a stumbling block in approving Spinraza. The company still hopes that a managed access agreement can be reached with NICE and NHS England.

The truth is that NICE’s emphasis on cost-effectiveness stands in contrast to the focus on more flexibility and data gathering for future review, which has allowed Spinraza to be approved in Scotland and across Europe. A recent report by MAP BioPharma, “Access to orphan medicines”, highlighted that 75% of rare disease medicines recommended by NICE through an STA between 2013 and 2017 were due largely to rare diseases that are covered by the cancer drugs fund, and none of the only six non-cancer orphan drugs reviewed by NICE through an STA has received a recommendation in line with full marketing authorisation.

The report makes five recommendations for the NICE STA methods review: making changes to the evidence requirements for orphan medicines; drawing from the HST methodology to consider introducing a sliding incremental cost-effectiveness ratio up to £100,000; considering adapting the evidence review group for orphan medicines; embedding formal opportunities for negotiation between companies and NHS England; and considering interim recommendations in line with the cancer drugs fund and the new Scottish ultra-orphan pathway. MAP BioPharma points out that those adaptations would help to level the playing field so that patients, clinicians and companies could be sure that all treatments for rare diseases would be considered under a fair appraisal and that access would not be held back as a result of treatments being referred for an inappropriate appraisal. I hope that those recommendations will be given due consideration by NICE, NHS England and the Department.

Meanwhile, for those awaiting a decision on Spinraza, the anxiety continues. They include families such as that of my seven-year-old constituent, Sam McKie, who has type 2 SMA. Sam loves playing wheelchair football and has played since he was three. He now plays for the Newcastle Magpies wheelchair championship team and is as good as many of the adult players. In fact, he is so good that, in November, the Newcastle United Foundation named him as its disability player of the year. Sam’s dad, Gary, wrote to me, and his words reflect the views of everyone affected by SMA. He said that “children are facing an agonising and uncertain wait for approval whilst their condition deteriorates. Gaining early access to this drug could see Sam get stronger and gain new abilities. The SMA community would love to be able to access this drug to give our babies and children a chance, a chance they surely deserve. This drug is available now, and timely procedures are stopping our children from accessing it, this is wrong. Please help us.”

Will the Minister hear Gary’s words? Will he take action to ensure that delays do not happen in future? And will he work with Muscular Dystrophy UK and other charities towards making NICE take on board MAP’s recommendations, to help to create a new and fairer system, like that in Scotland, that will deliver for patients like Sam and, as Gary McKie says, give them the “chance they surely deserve”?

3.36 pm

Eleanor Smith (Wolverhampton South West) (Lab): It is an honour to follow my hon. Friend the Member for North Tyneside (Mary Glindon), and I also thank my hon. Friend the Member for Blaydon (Liz Twist) for bringing the debate to the House.

I first heard of the drug Spinraza last year when Katie Prescott contacted me about her 10-year-old daughter, Heidi. She wrote:

“I have a daughter, Heidi, with a rare muscle wasting disease called Spinal Muscular Atrophy (SMA). SMA ranges from the very severe type 1 through to type 4. Heidi has type 3 and she is...”
I also asked the Prime Minister this question: 

When I wrote to NICE for clarification, it said: “for me to comment on its guidance”.

about this. He replied: and negotiate an agreement that has the SMA community 

at its heart.

In January 2019, I wrote to the Health Secretary about this. He replied:

“NICE is an independent body, and it would be inappropriate for me to comment on its guidance”.

When I wrote to NICE for clarification, it said:

“I fully accept that we, the company and NHS England have a responsibility to bring this matter to a conclusion quickly. We are working hard to do this through discussions with the company and I am hopeful of reaching a positive outcome.”

I also asked the Prime Minister this question:

“Why can this treatment not be accessible to my constituent Heidi and other children in England with this disease?”—[Official Report, 20 February 2019; Vol. 654, c. 1462.]

She answered that the next meeting between the parties would take place in March. Since then NICE, NHS England and Biogen have met, on 6 March in Manchester, and we now await their next judgment. That comes after 14 months of appraisals, with months between the stages of the negotiation process. What is it about this country that makes it so different from Scotland and the 22 other countries in Europe that have approved the drug? What have they done to be able to do that? How have they negotiated it?

When a child is born with a condition such as SMA, there is hope in every parent’s heart that a cure will be found—that a new drug will be developed to treat it. This is an example of that, but the drug has been denied to children suffering with SMA, and we must find a mechanism to resolve the problems. I understand that there are structural issues within NICE, which means that the treatments of conditions such as SMA end up being assessed in the same way as more common conditions, therefore making it extremely difficult for treatments to be assessed as being cost-effective. In the meantime, Heidi’s health continues to deteriorate. When I met her recently in my office, I was deeply impressed with her bravery and optimism, but her mother said to me:

“It is very frustrating that still no decision has been made. Heidi cannot walk unaided anymore and even then can only take a few steps. To know there is something that can help her, but she can’t access it, is very difficult and Heidi finds that hard to deal with too.”

Up and down the country, families like Heidi’s are fighting for treatment. Surely NHS England, NICE and the company have a duty of care and a moral obligation to give treatment to patients like Heidi when it is available. We must remember that there are human beings behind the statistics—curing families who are suffering because a medicine has been denied in this country.

3.41 pm

Kerry McCarthy (Bristol East) (Lab): I will be brief because I have spoken on this topic many times, specifically about cystic fibrosis, but before I get on to that I congratulate my hon. Friend the Member for Blaydon (Liz Twist) on her speech about PKU. I popped into the PKU drop-in event a few months ago purely by accident when I was doing one of those classic MP things where we are asked to go here, there and everywhere to be photographed holding up a sign or wearing a silly hat. I knew nothing about PKU, but I talked to an 11-year-old boy there about his diet. I am somebody who chooses to have a fairly restrictive diet in that I do not eat meat, dairy or fish, but I look for protein alternatives, and I was struck by the sheer difficulty that the boy has in functioning and by the fact that he is unable to enjoy the normal life of an 11-year-old. My heart went out to him, and I do not need to add any more, because my hon. Friend made such an excellent speech.

We have also had excellent speeches about the difficulties of obtaining Spinraza. I do not claim to be an expert, as some other Members are, but constituents have been in touch with me with similar problems. I would therefore support any efforts to get the drug approved, because that would make a huge difference to their lives.

As I said, I am here to talk about cystic fibrosis, and I have a personal interest in that my 14-year-old niece Maisie has CF. She must be the most mentioned niece in Parliament, because she gets name-checked quite a lot. Before I talk about Maisie, I want to mention the recent evidence to the Health and Social Care Committee from Oli Rayner, who lives with cystic fibrosis. He has just turned 40 and had a lung transport around 18 months ago, so he is at the healthier end of the spectrum, and he talked about being quite lucky until he reached his thirties, when his health started to deteriorate.

However, many cystic fibrosis patients are not as lucky. My constituent Lee Partridge lost both his daughters within eight months when they were both in their late teens, and it is common for people to start to deteriorate when they reach their teens. Luckily, my niece is very much at the healthier end of the spectrum, but that does not influence my judgment; I want to make the case for Orkambi to be available not just for her when it is needed, but for everybody else with the condition.

I have been trying to get my head around quality-adjusted life years, how the calculations are made, whether NHS England is doing the right thing and whether NICE is using the right sorts of calculations compared with other countries. NICE says the calculations factor in societal benefits, but it is not clear how they do that.

The hon. Member for Reigate (Crispin Blunt), who made an excellent speech, spoke about the cost of hospital treatment to society as a whole. If a person has to go into hospital several times a year, there is the cost of care, but there is also the cost of lost work time, the cost of care by family members and even the cost of transportation to hospital if they live in a rural area. There are so many factors. Although NICE says it takes those things into account, I cannot quite see them. Was it Hugh Dalton or Clement Attlee who was called a “desiccated calculating machine”? Anyway, the system seems to be based on desiccated calculations.

It may be incredibly naive of me, but why cannot the system just think of the impact on people’s lives and of the hell they are going through? It is incredibly difficult
for teenagers to come to terms with discovering that they have a life-limiting condition, and there is also the issue of the availability of mental health support and counselling.

It is striking that everyone who gave evidence to the Health and Social Care Committee said that the drugs work. There is no question but that this would be of benefit to people. Kalydeco, the first drug, helped only 5% of patients, and it was funded in part because not many people would benefit and, therefore, the costs were lower. We now have Orkambi, and there will soon be a successor that will benefit about 40% of patients. For the future we are looking at triple therapies that will cover about 90% of the cystic fibrosis community. If 90% of people can benefit, of course the overall cost will go up, but the decision should not be made on the basis that we fund one thing because not many people will benefit.

I am concerned that Vertex and other companies would be deterred from exploring further therapies and treatments if they cannot get a commercial deal. The line that jumps out of the Health and Social Care Committee’s letter to Vertex, which it wrote shortly after the meeting, is:

“Vertex appears to have decided on the pricing of its therapies on the basis of the return it wants to make, rather than the value which they bring. NHS England is right to continue to take the wider patient population for whom it is responsible into account.”

The Minister has previously responded to such debates, so can we have an update on where the conversations have got with Vertex, including the Secretary of State’s meeting? There are so many cystic fibrosis patients waiting to hear the outcome. Last time I looked, the petition was up to about 80,000 signatures. Can we try to get some answers soon?

3.48 pm

Lyn Brown (West Ham) (Lab): I am sure hon. Members will not be surprised to hear me talk again about baby Maryam, my seven-month-old constituent with spinal muscular atrophy type 1. Without treatment, Maryam will have only a few more months to live. She is waiting for NICE to announce a decision to allow access to Spinraza, the drug that she and other babies with the condition so desperately need.

I start by thanking my hon. Friend the Member for Blaydon (Liz Twist) for securing this important debate; the Newham Recorder, especially Pippa Crerar, for telling the stories of SMA families; the Newham Recorder, the campaigning newspaper, for its continued coverage and encouragement; and the amazing members of the local community in West Ham for their support. Councillor Mas Patel has been brilliant, as has Kevin White and many others who have taken the plight of this little baby into their hearts.

Most of all, I pay tribute to Shakil, Maryam’s father, and all Maryam’s family who have steadfastly campaigned despite knowing that, when we finally get access to Spinraza in England, it could so easily be too late for Maryam.

As we know, SMA1 is an awful disease. It is a progressive muscle-wasting condition, and for a baby it causes difficulties with breathing, swallowing and gaining weight. Babies with SMA1 may not even be able to cry aloud. Spinraza is an effective treatment for SMA. With this treatment, babies and children are living longer; they are even crawling and walking. I am told by last August, when NICE first met to consider funding Spinraza on the NHS, none of the babies who had been treated with it in the UK had died as a direct result of their SMA. The drug was so effective that the trials stopped early, yet NICE refused to approve Spinraza at that August meeting, or at the second meeting in October or in November.

In November, the expanded access programme, which allowed treatment with Spinraza while negotiations were ongoing, was closed—Biogen, the drug company that developed Spinraza, closed it. So when Maryam was diagnosed in December last year, she had no access to this drug. Even if it could have been afforded privately and even if my community in West Ham had fundraised for it—I can tell Members that an awful lot of people have wanted to do just that—she could not have got it. We are not talking about huge numbers; we are talking about fewer than 100 babies a year. Treating this condition should not break our bank—it could not, surely.

NICE met again two weeks ago—we held a vigil while it was making its decision—but I am told it could be three or more weeks yet before that decision is known. This is callous. Making families, making Maryam and making the other babies wait this long is callous. The NICE approvals process for Spinraza has now taken 14 months. That is longer than many of the babies with SMA1 can be expected to live without the treatment. At the same time, agreements have been reached on Spinraza in the United States and in 25 European countries, including Scotland, Germany, Italy, Lithuania and Romania.

NICE has failed Maryam and all the other babies with SMA, but others are culpable, too. The closure of the access programme no doubt saved Biogen some money, but I am sure that it was closed to increase pressure on NICE as well. I cannot say that that is definitely true, but what I will say is that if it is true, the suffering of tiny babies, and the pain and suffering of their families, too, has been used in the service and pursuit of profits. I now believe that our whole system of for-profit medical research combined with public healthcare encourages this kind of brinksmanship, it encourages delaying tactics and it encourages the exploitation of sick children and their families.

Let us also consider the actions or inaction of the Government. I am sure hon. Members will recall how in the spring statement the Chancellor talked of a “proud, successful, outward-looking nation, with no limit to our ambition and no boundaries to what we can achieve.”—[Official Report, 13 March 2019; Vol. 656, c. 352.]

He bragged about “the single largest cash commitment ever made by a peacetime British Government.”—[Official Report, 13 March 2019; Vol. 656, c. 346.]

This was for the NHS. Surely we can afford to help these babies, too. Currently, we are the fifth richest country in the world, yet we are withholding vital medical treatment from babies. This is medicine that 25 other European countries, including many much poorer than we are, are willing to provide. What does that say about us? What does that say about our values? What kind of a country have we become?
I have asked the Prime Minister to act—twice. I have asked the Health Secretary to act. As far as I can see, nothing has happened. I hope that Conservative Members will forgive me when I say that I thought the Prime Minister’s response to me last week was cold; it was more about defending an outdated process than about understanding and empathising with the desperate plight of Maryam and her family. Let us remember that 25 European countries already have access to this drug. We do not, yet it seems to be nothing to do with the Prime Minister.

Neil O’Brien (Harborough) (Con): The hon. Lady is making a good and powerful speech. Two of my constituents, Mark and Panna Wilson, are in a situation similar to that of her constituents: their son Aadi is only three years old and is regressing every day because he, too, has SMA, which is a terrible condition. They told me that “without access to new treatments, each and every day is a step, not towards an exciting future, but towards a painful and dark place.”

The hon. Lady is right, and I hope that we will find a new route to the approval of Spinraza in this country. The route it is currently going through is intended for much more generic medicines and it has not been put through the route for rare medicines. We need either to put it through the route for rare medicines or to find or invent a new mechanism so that we can get treatment for these people. As she points out, this is a rich country: we must be able to save these babies and toddlers.

Lyn Brown: The hon. Gentleman is absolutely right. This is a political issue—what we are discussing today is political. It is about which of our constituents get access to which medicines, and when; who our public healthcare service helps with our public money; and who we allow to die without help.

Members on both sides of the Chamber have recently urged the Government to use their Crown use licensing powers in the case of Orkambi. Those powers can get around medicine patents when pharmaceutical companies are simply refusing to deal honestly with the NHS, and they are an option. There are always options for the Government if they wish to use them, but they seem to be content with voicing frustration. They do not do anything—they will not even threaten to do anything that might help. If the Patents Act 2004 is not working, as Ministers have said, we need to do something to replace it. Maryam’s family and others want action now. They need Spinraza now; when will they get it?

3.56 pm

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): It is a pleasure to follow my hon. Friend the Member for West Ham (Lyn Brown), who made her case with great power and passion. I congratulate my hon. Friend the Member for Blaydon (Liz Twist) and for North Tyneside (Mary Glindon) on securing this important and timely debate.

Until recently, I had the pleasure of chairing the all-party group on rare, genetic and undiagnosed conditions, which receives secretariat support from Genetic Alliance UK. The all-party group aims to raise awareness in Parliament about such conditions and to ensure that patients and families can access appropriate care and support. My hon. Friend the Member for Hornsey and Wood Green (Catherine West) has taken over as chair of the all-party group. Unfortunately, she had prior commitments today, but otherwise would have been here to take part in the debate.

My constituency in Liverpool is home to the fantastic Alder Hey Children’s Hospital, which works in close partnership with the University of Liverpool and the charitable sector to provide more research opportunities for children with rare diseases and their families. For example, in the rare neuromuscular diseases, Alder Hey has worked with patient-advocate groups and national charities to increase capacity and resources to offer access to clinical trials of new disease-modifying agents. Since 2016, Alder Hey has opened 19 new clinical trials for Duchenne muscular dystrophy alone, enrolling nearly 100 boys in these important trials. By providing excellent, world-class clinical and research expertise and working in partnership with the charitable sector, Alder Hey has been able to provide more opportunities for children with rare diseases to take part in research studies.

In my role as chair of the all-party group, it was a privilege to get to know the rare diseases community. During that time, the issue that was consistently raised with me by patients and their families, clinicians and pharmaceutical companies was the challenge they face attempting to navigate NHS England and NICE’s appraisal processes for rare disease treatment. As other Members have said, patient access to new orphan medicines in the UK lags behind many other European countries, including Germany, France and Spain. The Office of Health Economics found that the UK is slower at making access decisions and approves far fewer medicines for reimbursement than other European countries. According to the recent MAP BioPharma report, which used data from a four-year period, almost a quarter of licensed orphan medicines have not been appraised at all by NICE or NHS England. This can prevent rare disease patients from having any opportunity to access treatment.

The lack of capacity to appraise orphan medicines is just one of the systemic flaws—we have heard about others—with the current NICE appraisal system. The multiple pathways through which medicines can be appraised create further complications and delays. It is often unclear why one route is chosen over the other, so very similar orphan medicines can be subject to vastly different assessment criteria. We also know that patients are often stuck in limbo waiting for the results of private negotiations about price between companies and the NHS years after the market authorisation of their potential treatment.

It is against that backdrop that the all-party group asked Genetic Alliance UK to propose a method of making decisions about rare disease medicines that would be more effective, transparent and fair. The project is called “resetting the model” and it aims to develop a flexible new vision for getting access to rare disease medicines for the UK, and it will be delivered in the coming months. It is absolutely clear that the current NICE appraisal process is simply not fit for purpose and is acting to restrict many rare disease patients from having the opportunity to get access to potentially life-changing treatment.

Let me address a related issue. NICE has been consulting on guidelines for cannabis-based products for medicinal use. On Tuesday, I had the pleasure of meeting my
4.3 pm

Liz McInnes (Heywood and Middleton) (Lab): It is a pleasure to contribute to this important debate. I thank my hon. Friends the Members for Blaydon (Liz Twisit) and for North Tyneside (Mary Glindon) for obtaining this debate, and the Backbench Business Committee for granting it.

Before I was elected to this House I worked for more than 30 years as a clinical scientist in our NHS. During that time, I developed a healthy scepticism for politicians advising on medical treatments, as it is a field that is best left to clinicians. However, I did want to take part in this particular debate because I know that issues around the availability of life-saving drugs and treatments for rare diseases are important to many people. My constituents have made me particularly aware of the unavailability of Orkambi to cystic fibrosis sufferers and of Kuvan to those affected by phenylketonuria.

Today’s debate is also extremely valuable because it focuses on the way NICE operates and questions whether that operation is appropriate for those suffering from rare diseases. A rare disease is generally defined as one affecting fewer than five people in 10,000, but many people are affected by rare conditions. The UK strategy for rare diseases estimates that, in the UK alone, more than 3 million people will suffer from a rare disease at some point in their life.

Given, however, that relatively few people are affected by a particular rare disease, there are specific challenges in ensuring speedy diagnoses and access to appropriate services and treatments. NICE’s technology appraisal process involves looking at evidence from clinical trials and peer-reviewed research showing how well a medicine or treatment works, including its likely impact on mortality and quality of life; at the economic evidence of how much it costs the NHS; and at the views of clinicians, patients and other stakeholders.

As well as looking at the clinical effectiveness of a treatment, single technology appraisals and highly specialised technology evaluations also assess its cost effectiveness, which, as many speakers have said, is usually measured in terms of the cost per additional quality-adjusted life year, and this is assessed by looking at how many extra months or years of life of a reasonable quality a person might gain as a result of treatment.

Following changes introduced in April 2017, NICE set a maximum additional quality-adjusted life year threshold of £300,000 for highly specialised treatments. Under that threshold, they would automatically be approved for routine commissioning. This is 10 times higher than the standard NICE threshold of £30,000 for non-specialised treatments. Owing to the nature of lifelong genetic diseases, however, the required quality of life improvements are likely to be unobtainable. The charity Genetic Alliance UK highlights that no ultra-orphan treatments—drugs used to treat extremely rare diseases—currently used by the NHS would pass this test.

It is clear that an urgent rethink is needed on these policies, which are focused almost exclusively on price, to the detriment of patient outcomes. Genetic Alliance UK has argued that these policies will halt future access to innovative treatments for rare genetic conditions in England and that they contrast with the stated aim of the UK strategy for rare diseases to ensure appropriate procedures for evaluating the costs and benefits of treatment for patients.

The problem with the current NICE appraisal process is that certain treatments, particularly those designated as orphan medicines, are neither eligible under the narrow criteria of the highly specialised technology process nor appropriate for the single technology appraisal process. The reason could be that the treatment’s patient population is marginally higher than the maximum size considered through the highly specialised technology process, while the single technology appraisal process is inappropriate for most orphan drugs because of limited trial data.

The accelerated access review, which aims to speed up access to innovative drugs, devices and diagnostics for NHS patients, recommends that NICE undertake a review of its methods and processes to ensure that they are fit for purpose, which I think everyone in the Chamber would agree is long overdue. The review warns that it is important that no groups of products can ‘fall between the cracks’ and struggle to find a decision-making process’.
We have heard heartfelt speeches today from my hon. Friends that have illustrated that some products are falling through the cracks and that families and young children are suffering.

The views of the accelerated access review are in line with those of the NHS five year forward view, which includes a recognition of a broad measure of value that goes beyond price alone. I have combed through the latest NHS long-term plan, and I cannot find any reference to this important issue. When the Minister responds, I would be grateful if he pointed out to me where the issue is mentioned in the most recent iteration of the plan.

NHS England and NICE need to reconsider how they account for rarity in their assessment process to support the NHS in its mission to provide a comprehensive service that is available to all at the point of need, including to those with rare conditions.

4.10 pm

Ian Austin (Dudley North) (Ind): I thank the hon. Members for Blaydon (Liz Twist) and for North Tyneside (Mary Glindon), and the Backbench Business Committee, for arranging this debate. I am here to speak up for people in Dudley with cystic fibrosis, phenylketonuria—or PKU—and spinal muscular atrophy.

I have been campaigning with others to make Orkambi and other new treatments available for people with cystic fibrosis because I was contacted by Carly Jeavons from Dudley, who took part in the clinical trial for Orkambi, and by Samantha Carrier, whose baby daughter Daisy was diagnosed shortly after birth. Samantha has given up her career and now devotes her life to campaigning for access for these life-changing drugs. While listening to this debate, I have been receiving emails, texts and other messages from people around the country—heroic parents of children with cystic fibrosis who work so hard and campaign tirelessly for the treatments that their children need. I know that the Minister has met some of these parents, and I hope he will have some new answers for them today, because they have worked so hard to raise these issues, which really do need to be sorted out.

Before the clinical trial, Carly Jeavons had to take 90 tablets and do two hours of physiotherapy a day. She had a lung function of around 44% and spent two weeks in hospital every three months. She had to choose between the financial hardship of leaving work or her health being made worse as she struggled on at work. She told me:

“Orkambi has changed my life. My health has remained stable. I only need one or two courses of IV’s per year instead of the four previously, hospital visits have been massively reduced and admissions are non-existent.”

Since having Orkambi, she has been able to go on holiday abroad for the first time with her family, and she has got married. She has also started a business and is employing people, so she is making a much bigger contribution to the economy. The Government need to look at the contribution that people who get these drugs can make to the economy, not just at the costs of providing the drugs. I believe that NHS England and NICE are with Vertex this afternoon for yet another meeting about whether these cystic fibrosis drugs can be provided. But this comes three years after NICE appraised Orkambi. I really hope that the Minister will explain how this situation can be resolved and how other situations like it can be avoided, so that patients can get can get access to these drugs.

Let me turn to the issue of treatments for people with PKU. Some of the people who have been leading this campaign are sitting in the Public Gallery, watching this debate. Again, I hope that the Minister will have some good news for them today. As we have heard, PKU is a rare metabolic disease that leaves people unable to metabolise protein properly, leading to a toxic build-up of material that can cause irreversible brain damage. The only existing treatment is a strict diet of extremely low protein, meaning that almost all normal foods are off limits. The diet is lifelong, and sufferers find it stressful and difficult to cope with. I had never heard about this condition until a woman in Dudley called Kirsty Thornton got in touch with me. Since then, I have met the campaigners and taken part in a PKU diet challenge. I have also joined the cross-party parliamentary campaign led by the hon. Member for Blaydon to ensure that people with PKU get access to the treatments and supplements they need.

It is heartbreaking for parents of young kids with PKU who do not understand why they cannot go to their friends’ birthday parties in case they eat the wrong foods that will make them tired, sick and ill for the rest of the day, or for longer. Students say how difficult it is to go to university and the people they share a flat with are ordering in pizzas and so on, or they cannot go out on a date because they do not know what they are going to be able to eat or not eat. This must be really tough for young people.

Kerry McCarthy: My hon. Friend will probably be aware that the Government are looking at a new food strategy, and one of the things under consideration is better food labelling. A lot of people think that those who make certain dietary choices do it almost to be trendy, or just because it is the fashionable thing to do, but there are people whose lives are at stake if they cannot get the information on food that they need. Food manufacturers and anyone else involved in the provision of food need to be alert to the fact that it is important that people know what they are going to be eating.

Ian Austin: That is a really important point. The PKU campaigners have explained to me that on some occasions when manufacturers have changed the ingredients in food or drinks, that has had a terrible impact because people with PKU have not necessarily known about it, so they have continued to drink or eat things that they have consumed without any problems in the past, but because the ingredients have changed, it has caused them a big problem.

For many people with PKU, taking Kuvan considerably increases the amount of protein that they can safely eat. We are therefore urging the Government, the NHS and BioMarin, which manufactures these supplements, to agree a deal so that people with PKU can enjoy a normal healthy life. I spoke to the National Society for Phenylketonuria this morning, and it told me that the whole PKU community are demoralised. They say that they are working hard but feel that not much progress is being made. What is the Minister going to do today to
give these people, some of whom are in the Public Gallery, and others who are sitting at home with their kids watching this debate, to give them hope of this situation being resolved?

My next point is about Spinraza treatment for people with spinal muscular atrophy, or SMA, which affects an estimated 1,300 people across the UK. It can cause irreversible loss of a child’s ability to crawl, walk, breathe and swallow. In the most severe cases, it can cause death. Spinraza is the first possible treatment for those who have SMA types 1, 2 and 3. It can slow its progression and prolong life. From April, this treatment is going to be routinely available in Scotland, and it is already available in 24 other countries in Europe, yet it is still stuck in the NICE process for England, Wales and Northern Ireland.

That is why, in the end, the purpose of this debate is to ask the Government to look carefully at the way that NICE works. New drugs are being developed, and technological changes are happening, so rapidly that the Minister needs to be able to tell us how the way drugs are assessed and licensed, and then approved, will work in future. How is he going to ensure that these ground-breaking drugs are made available to the people who need them, when they need them? In 2016, NICE was not able to recommend the use of Orkambi because of uncertainty around its long-term value, impact and cost-effectiveness. But this drug is available in the USA, across Europe, and, more recently, in Scotland, so when do the Government think patients in England are going to get it? This is really urgent. The system has not worked and patients are being let down.

On PKU, NICE decided to start an appraisal of Kuvan in 2018, but this has since been suspended. NICE is currently reconsidering which appraisal process to use to access Kuvan, and the NHS is considering whether to fund an interim policy for the use of the drug. But, again, this is not enough, and not quick enough. The NICE process sees PKU as rare, but not rare enough. As we have heard, the majority of PKU treatments are assessed by the STA process, which is designed for non-rare treatments. NICE’s approach evaluates the lifelong costs of treatment, meaning that the cost thresholds and the approach to evidence are all designed for more common diseases than PKU. SMA sufferers are waiting for NICE, NHS England and Biogen, which manufactures Spinraza, to come to a deal. I hope we will hear better news on all those things. The system has not worked and patients are being let down.

It is my job to listen to people in Dudley who are living with cystic fibrosis, PKU, SMA and other rare diseases, to come down to London and speak up for them in Parliament and to demand, as we are doing this afternoon, that the Government ensure that they get access to the treatment they need and deserve.

4.19 pm

Mrs Emma Lewell-Buck (South Shields) (Lab): I would like to thank my hon. Friends and neighbours from the glorious northeast, the Members for Blaydon (Liz Twist) and for North Tyneside (Mary Glindon), for securing a debate on this important topic, and the Backbench Business Committee for granting it.

I want to focus my comments on phenylketonuria, which is classed as a rare disorder and has stark impacts for sufferers. If left untreated, PKU can result in brain and nerve damage, behavioural difficulties, vomiting, tremors and epilepsy, yet some of the impacts can be mitigated to a degree, if only the NHS would allow the drug Kuvan to be readily available.

PKU sufferers cannot metabolise protein and, as such, are kept on a strict diet and take a large number of supplements to ensure that they do not become deficient in anything that we would normally get from the foods they are unable to eat. Many sufferers also need to take an unbelievable number of tablets each day—tablets that are large and difficult to swallow. My constituent Harvey Parker has PKU. He is 15 years old and takes a staggering 65 of these tablets every single day. Although it is a distant memory for some of us, I am sure we all remember how difficult it is being a teenager, with that want to fit in and not stand out. Harvey told me that Kuvan would help him lead a more “normal” life.

Eating out and sharing food with others is an important part of socialising and something that most of us do without thinking, but many places do not cater for Harvey’s needs, and he ends up feeling “embarrassed”, “isolated”, “angry” and a “burden”. He said that when he has been out with his mates on a weekend, he tells his mam and dad that he has not eaten because he was not hungry, when really it was because he could not find anything that he could eat. Harvey told me:

“I don’t really talk to any of my friends about PKU as I get embarrassed and when I’m with my friends with no tablets to take, blood tests to endure or bland, unpalatable foods then I am just Harvey, one of the lads and not that boy with the rare invisible condition that no one has ever heard of.”

It is clear to see how access to Kuvan and the more relaxed diet that would follow could improve Harvey’s life. It has improved the lives of others who have taken it, so why is it being denied to so many sufferers?

Kuvan is used by more than 2,000 patients worldwide and is commonly used in 23 other European countries, but not England. Some sufferers have had access to the drug on the NHS after costly and lengthy court battles, but most are not that lucky. At an estimated annual cost of up to £50,000, the drug remains out of reach for so many sufferers. An adult with PKU’s protein-restricted diet costs the NHS £12,000 per year. Many sufferers get prescriptions for their food, which has a high price tag: a packet of pasta is £7.20, and a loaf of bread is £7.48. Our NHS was created on the principle that good-quality healthcare and medication should be accessible to all and free at the point of need, regardless of income, but time and again under this Government we are seeing the destruction of our NHS by stealth, with creeping privatisation and a rolling back of that principle.

Constant wrangling led to a situation where, four years ago, NHS guidance said that there was not enough evidence to prescribe Kuvan, and it then referred the issue to NICE to see whether Kuvan could be made readily available on the NHS. As we have heard, NICE has two methods of appraising medicine: the highly specialised technology appraisal for rare diseases, and the single technology appraisal route for common diseases. NICE decided to assess Kuvan using the same route as for common diseases, despite the fact that only one in 10,000 people has this illness—hardly “common”.

Thanks to campaigning by the National Society for Phenylketonuria and the National PKU Pals, Harvey’s dad joined me in Parliament in June 2017 to highlight the challenges of living with PKU, and to demand access to Kuvan. I am pleased to report, however, that they have not given up, and they are now working very closely with the Department of Health and Social Care and my hon. Friends in this House to ensure that Harvey and many others will have access to Kuvan.

It is clear that the Government need to address the delays that are preventing access to this crucial treatment. Harvey and his family have shown great resilience and determination in seeking access to Kuvan, and it is long past time to support their continued fight.
Phenylketonuria, NICE then suspended the appraisal and decided to reconsider, but the new process has yet to be started. However, as other Members have already noted, the HST route is not ideal for rare diseases, and a whole new different approach is needed.

The NHS also decided to prescribe Kuvan, then changed its mind due to costs. In short, it decided that it was too expensive. That is what happens when privatisation and outsourcing are prioritised over patients’ care and wellbeing. Harvey’s mam, Diane, said to me, “How can you put a price on my son’s health?” I sincerely hope the Minister will let Diane and Harvey know.

4.25 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to follow the hon. Member for South Shields (Mrs Lewell-Buck), with her passion for the subject matter and on behalf of her constituents, so well done to her. I thank the Backbench Business Committee for enabling this debate to take place. I was very pleased to go along to it with the hon. Members for Blaydon (Liz Twist) and for North Tyneside (Mary Glindon)—two formidable, diligent ladies who have put down their marker on this subject matter. I was very pleased to be the third in the trio involved, and well done to them for giving us the opportunity, on behalf of our constituents, to express our concerns today.

I am sure that, like me, most Members in the Chamber have been inundated with emails from people begging to be helped, and begging for the drug that they need to be made available. Every one of them has said that, and I do not believe that anyone can ignore it. It is not only in the emails, but in the interaction we have with our constituents when we hear their stories face to face.

I want to start with a good story and to say what happened—not, I have to say, through this Minister, but through the Home Office. I fought very hard to get medicinal cannabis legalised for my beautiful young constituent Sophia Gibson, and what a difference that has made in her life, as it has to the lives of others. Her parents had no option other than to uproot their family and move to Holland to get the treatment that Sophia needed. At the same time, they were respectfully knocking on doors and following the system through to a Home Office Minister, the Minister for Policing and the Fire Service, and getting clinical assistance in order to bring about a change. Eight months later, their daughter has been at school more than ever before in her whole lifetime. She has had substantially fewer admissions to hospital, and has attended school parties that were impossible—they were too much for her—without this medication. She is a very different young girl today because her parents, Darren and Danielle, fought the battle in the right way and in the right place. Today, we have all presented our cases for the right battle, in the right place, at the right time and with the right request.

Since that time, I have had many other parents coming to me and asking me to help secure the drug that their child needs. A mother in my constituency has an absolutely gorgeous two-year-old son—Lorcán they call him—who Orkambi would help. Orkambi is a second precision medicine, which targets the root cause of the disease, and it would benefit about half the people with cystic fibrosis in the United Kingdom of Great Britain and Northern Ireland. Cystic fibrosis is a terrible illness that affects the lungs and digestive system of people with the condition, who have a median life expectancy of just 31 years old.

I say this very respectfully, and I hope it will be taken into account: Vertex Pharmaceuticals, NICE and NHS England must end the protracted negotiations for the drugs Orkambi and Symkevi. We must break the stalemate between the three parties and provide access to these drugs, which could so vastly improve the quality of life of my constituents and those of everybody here, as they deserve. They want and need that drug desperately.

I have often spoken about the need to allow people to access Orkambi on prescription, and I have often been beyond frustrated with the lack of movement between the drug company and NICE. There must be—indeed, there has to be—something that can be done to find a way forward, and I believe that it must be done in this House. Today, we look to our Minister and our Government to give us answers and, respectfully, the answers that we need. We must instruct the Department to negotiate a way forward to ensure that my young constituent and so many others like him can live a better life.

I was contacted by the Muscular Dystrophy Association regarding spinal muscular atrophy—other hon. Members have spoken about that condition on behalf of their constituents, and I will do the same. SMA is a rare inherited neuromuscular condition that affects lower motor neurons in the spinal cord. It leads to the gradual loss of someone’s ability to walk, crawl, move, breathe and swallow, and it requires complex medical support. About 100 children are born with the condition each year, and around 2,000 children and adults in the United Kingdom are living with SMA. Spinraza is the first and only treatment for patients with spinal muscular atrophy. It is meant to increase the body’s ability to produce a protein called survival motor neuron, which is essential for motor neuron health. The treatment is administered through an injection into the spinal canal. It is never an easy treatment, but if it provides an opportunity for better health, people should take it.

For children with SMA type 1, life expectancy is rarely longer than two years. Some children who have received Spinraza have seen their muscle strength improve, and have lived long enough to crawl and even walk. For those children, Spinraza has been a lifeline—perhaps I should say that Spinraza has been life itself, as that is the level we are talking about. Spinraza proved so effective in clinical trials for children with SMA type 1—the most severe form of the condition—that the trial was stopped early so that all children affected by it could potentially access that treatment.

The Spinraza appraisal took almost 14 months, and currently 25 European countries—including Scotland in the United Kingdom of Great Britain and Northern Ireland—have already made it available, nearly two years after the European Medicines Agency granted it a licence. Although Translarna was eventually approved by NICE in July 2016, that was more than two years after the European Medicines Agency gave it a licence. Such lengthy delays to a process that could and should be significantly shorter have resulted in frustration and anxiety for many families who see a life-changing treatment within touching distance. They can almost reach out for it, but they can never get it, and that is where frustration creeps in. That group of people see a better life but are
[Jim Shannon]

prevented from accessing it. There must be a better way of dealing with these issues, and we must find it or instruct the Department to find it.

My heart aches as a father and grandfather who would do anything for his children and grandchildren, and other right hon. and hon. Members would do the same for theirs. The block on life-changing drugs affects not only the child but the entire family. If a child or adult has a physical disability, their family also feel that and live with it every day. Many families in the UK do not have access to life-changing medication, and I wholeheartedly and sincerely urge the Minister and his Department to enter into talks, find a way forward, and do better so that people can live better. The Government have set aside £40 billion for extra health support. I welcome that, as do all hon. Members. And I gently suggest that some of that money should be set aside for life-saving drugs.

4.32 pm

Marion Fellows (Motherwell and Wishaw) (SNP): It is a pleasure to follow the hon. Member for Strangford (Jim Shannon), and I congratulate the hon. Members for Blaydon (Liz Twist) and for North Tyneside (Mary Glindon), and the Backbench Business Committee, on securing this debate.

This is not the first time that I have spoken in such a debate, and I declare an interest because my two-year-old granddaughter, Saoirse Fellows, has cystic fibrosis. We are very fortunate because she is pancreatic sufficient, but it is a real worry for our family. I should also say that I am waiting for granddaughter No. 4 as we speak, so if I am a bit lightheaded that is why. I have never listened to a debate in either Westminster Hall or the Chamber in which so many people have cited Scotland as a great example of how to do things. That is normally my job in these debates, so I am grateful to hon. Members who have already done part of that job for me.

An estimated 7,000 rare diseases affect about 3.5 million people in the UK, and around 80% of those are genetic. It has been reported that 95% of rare diseases have no approved treatments available. The default NICE referral route for the majority of orphan medicines is the single technology appraisal, but many will be close to meeting the selection criteria for NICE’s highly specialised technology programme, which has already been mentioned. Stakeholders are frequently sought to make the case for an HST referral, which is a more appropriate route for orphan medicines.

The Government have maintained the position that it is appropriate for orphan medicines to be considered under NICE’s standard STA and that orphan medicines have been successfully reviewed under the STA programme. However, many Members have said how that is not working for their constituents. The Scottish Medicines Consortium has adapted its processes to increase the input of clinicians and patient group experts in decisions for certain orphan medicines.

Mr Deputy Speaker, I am cutting my speech because I want to allow more time for both the Opposition spokesperson and the Minister. Scotland and the SMC has led from the front, and NICE has adopted many of its methods in the past. I encourage the Minister to look again at what Scotland is doing. We are a small country and a devolved nation, but we can do it, so I can see no reason why the England NHS should not be getting the same medicines as we do. We have a higher approval rate: 69% in Scotland to 55% in England. We have a new medicines fund specifically for orphan drugs, which is instrumental in helping to secure access to medicines for rare diseases. That does not exist in the other devolved nations. Both Scotland and Wales have taken a proactive approach to addressing concerns about the applicability of the standard processes for orphan treatments.

The new medicines fund has really helped to deliver better medicines more quickly to Scotland. The fund has covered the cost of orphaned drugs for individual patients where the condition affects fewer than one in 2,000 people. A total of £21 million was made available for the fund by the SNP Scottish Government. The Scottish Government have since made further improvements, reforming access to new medicines by creating the peer approved clinical system tier 2. The system allows clinicians, on behalf of their patients, to ask a PACS panel whether they can access a medicine that has not yet been recommended by the Scottish Medicines Consortium. That is exactly why Orkambi and Symkevi can be used in Scotland. I would suggest it is absolutely imperative that this is looked at in England. Spinraza, which has been mentioned in the debate, is already being used in Scotland. I ask the Minister this: why is it not possible for NHS England to use those drugs in England to the same extent that they are in my own country?

I do not want to bring too sour a note to the end of this debate—there is real consensus across the House, and Members have spoken sincerely and passionately on behalf of their constituents and others across the country—but I worry, and I think many other Members across the Chamber will be worried, that we are heading towards Brexit. No one knows where it is going or the impact it will have on the availability of medicines generally, and, more importantly for this debate, medicines that are not yet even available in England as they are in Scotland.

4.38 pm

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): It is a real pleasure to take part in this very important debate. I start by thanking my hon. Friends the Members for Blaydon (Liz Twist) and for North Tyneside (Mary Glindon). We are part of the north-east massive, so I am very pleased to be joining them in this debate today. I thank them for their very passionate and heartfelt contributions. I should also mention, as part of the north-east massive—it goes without saying—my hon. Friend the Member for South Shields (Mrs Lewell-Buck). I thank all other hon. Members. Members who spoke for their excellent contributions. They know who they are and I do not need to name them. They were all fantastic.

Throughout the debate we have heard of the heartbreak experienced by patients and their families when they are unable to access life-saving drugs on the NHS. We have heard of their determination to continue fighting to access those drugs, whether by writing to their MP or even by protesting in Parliament square. I was happy to join my hon. Friend the Member for Bristol East (Kerry McCarthy) there just two weeks ago for the Cystic Fibrosis Trust rally, where people were calling, “Orkambi now!”—they were so loud that we could hear them over the crowds chanting, “No Brexit!” or whatever the shout was at the time.
We must hear patients’ voices in this debate, as it is they and their families who are affected the most by the appraisal process, which is not fit for purpose. The Minister has heard about the real-life experiences of patients throughout this debate, and I am sure that he will continue to listen to them afterwards. I know that he is also in regular communication with patients. In my role as shadow Public Health Minister, I regularly meet patient groups and campaigners, so I know just how important access to these life-saving drugs is to them.

As a constituency MP, I recently met young Riley and his mum Michelle. Riley has phenylketonuria—PKU—and needs Kuvan. He is now 11 and at secondary school. He just wants to blend in with his mates and to be able to go on those first excursions out to the Metrocentre, and perhaps to get something unhealthy to eat from a takeaway, but obviously he cannot do any of that. I asked him about his life and how he felt not having access to Kuvan. He said that it was not fair and that it made him mad. Well, I agree with Riley.

It can take years to get the right diagnosis for a rare disease, so once patients get the diagnosis they are excited and feel that there has been a breakthrough, because they think that they will finally get the treatment they need and deserve. Instead, as we have heard today, they are back at the beginning of the fight, because the life-saving drugs that do exist are not available to them on the NHS. It is one hurdle after another for patients with rare diseases. That is why the Opposition strongly believe that patients should have fast access to the most effective new drugs and treatments. I am therefore pleased to support the motion.

As we have heard, a rare disease is generally considered to be one that affects fewer than five people in 10,000. According to the 2013 UK strategy for rare diseases, it is estimated that in the UK more than 3 million people will suffer from a rare disease at some point in their life. All those patients must have access to the drugs and treatments that they need. However, they are being failed by the NICE appraisal process, which is just not fit for purpose when it comes to assessing the suitability of drugs and treatments for rare diseases.

Patients with rare diseases are squeezed in the middle of two appraisal routes: the highly specialised technology evaluation programme and the single technology appraisal route. The HST evaluation programme is selected for most non-cancer rare disease medicines and is designed for evaluating medicines of that nature, with small patient populations. However, the HST evaluation programme currently lacks the capacity or capability to effectively appraise all new licensed orphan medicines. Since the HST evaluation programme was established in 2013, it has published guidance on eight medicines, which is much fewer than the 45 orphan medicines for non-cancer indications that have been licensed in the same period.

The STA route is designed to appraise treatments for more common conditions and those with existing treatments. This route is poorly suited to considering rare disease medicines, which tend to have small patient populations, a limited evidence base and benefits beyond direct health benefits—something the appraisal process just does not take into account. Some rare diseases are not rare enough for the STA route, and only a handful of medicines are being approved by the HST route. Yes, it is complicated, but it is clear that neither route is working for patients with rare diseases, so patients are missing out on crucial medicines.

Kuvan was licensed in 2008 to treat PKU patients, but it is still not available to patients in England. Orkambi was appraised by NICE in 2016 through STA, but was recommended for use. Three years later, as we have heard, people with cystic fibrosis still have no access to it. That has caused physical and psychological harm to patients and their families. Every day without the drugs that they need makes their condition worse. We must have an appraisal process that captures rare diseases effectively.

Medicines to treat rare diseases are often found to be cost-ineffective, which is why they are not approved for routine commissioning. However, establishing value for money is not straightforward, especially when population groups are small. It does not sit comfortably with me—or, I am sure, with any of us—that cost-effectiveness is prioritised above clinical need, or, as we have heard, the lives of children. Manufacturers want to make a reasonable return on their investment, although some of the figures are huge, but I do not think that that should be a priority. Manufacturers must not hold NICE or NHS England to ransom for their own financial gain.

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): Or the Government.

Mrs Hodgson: Exactly.

Behind profit forecasts are thousands of people and families who need access to life-saving drugs, and they simply cannot wait any longer. We must not put businesses before patients. Because of the NICE appraisal process, patients and their families are being left in an awful limbo. The processes can be long-winded, confusing and difficult to navigate. Some medicines can undergo multiple assessments while others are not assessed at all, and that creates an unpredictable and unattractive system. As a result, patients are left in the dark about when, or if, they will have access to innovative treatments for their conditions.

When a drug is being appraised, patients live in hope that this time it will be approved for use by NICE—as in Maryam’s case, which was described so powerfully by my hon. Friend the Member for West Ham (Lyn Brown)—but they are almost always left to feel disappointed and helpless. Patients and their families must be involved in the processes, and the processes must be transparent.

The wait for access to drugs is excruciating, especially when the drug is available in nearby countries, or even—as we have heard—in Scotland. Spinraza is available to patients in Scotland, but not to those in England. My hon. Friend the Member for West Ham spoke passionately on behalf of her constituents and their seven-month-old baby Maryam. This sounds blunt, but she is dying, because she has been denied access to medication that could extend and enhance her life.

The pain and anguish that the parents of a critically ill child must feel when they are told that there is medicine available that will help but it is not available for their child are unimaginable. Knowing that if your child lived a few hundred miles away, in Scotland or perhaps somewhere in Europe, the drug would be available is heartbreaking and infuriating. Patients in England should not be left behind. We should be working to find ways to get these medicines to the patients who need them, on the NHS.
I hope that the Minister will consider the motion seriously, for the sake of patients with rare diseases and their families. They cannot be left behind any longer: they must have access to these life-saving drugs now.

4.48 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): Let me add my congratulations to the hon. Member for Blaydon (Liz Twist) on securing the debate. I was not familiar with the north-east massive, although I am now. I was familiar with the individual component parts of the north-east massive, especially my shadow, the hon. Member for Washington and Sunderland West (Mrs Hodgson), but I have not seen them as a collective before. I must say that they hunt well as a pack.

I know the work of the hon. Member for Blaydon, who chairs the all-party parliamentary group on phenylketonuria. We have discussed these matters before, in Westminster Hall, and I do not doubt that we will discuss them again.

Other Members have spoken passionately today, on behalf of their constituents, about the importance of access to new medicines. As the hon. Member for Dudley North (Ian Austin) rightly said, Members are doing their job, and I am doing mine: as requested, I have listened very carefully to the debate. I thank my hon. Friend the Member for Reigate (Crispin Blunt), and the hon. Members for Wolverhampton South West (Eleanor Smith), for Bristol East (Kerry McCarthy), for West Ham (Lyn Brown), for Liverpool, West Derby (Stephen Twigg), for Heywood and Middleton (Liz McInnes), for Dudley North, for South Shields (Mrs Lewell-Buck)—part of #massive—for Strangford (Jim Shannon) and for Motherwell and Wishaw ( Marion Fellows), who speaks for the Scottish National party.

The hon. Member for Liverpool, West Derby touched on the subject of cannabis, and I will happily write to him about that in more detail if he wants. As he knows, the all-party group report came out yesterday. I have not had a chance to look at it yet; I am aware of it, obviously. The Government changed the law and specialist doctors can now provide cannabis-based medical products where there is clinical benefit. To support doctors in this—because the politicians are ahead of the clinicians on this one—we asked NICE to develop new clinical guidelines and we asked Health Education England to provide additional training, while encouraging more national research to develop the evidence base in this. I have said before and I shall say again that I am very clear that we need to provide more support and encouragement to commissioners in this space because, as I said, politicians are ahead of the clinicians on this one.

Everyone has spoken incredibly passionately and there has been very little politics in the debate, which has been excellent, at the end of this week. It is very good to hear Parliament discussing something else, which of course it does all the time; it is just that that is never reported—I dare say this will not be, either.

The Government share the view of everyone in the House that it is in the interests of all NHS patients that we have a system in place for making evidence-based decisions on whether new medicines are routinely available. Of course it is easier when one is on the Back Benches to just say the system is hopeless, but we have to work with the system we have, or change it. We inherited the NICE set-up. It was mentioned in the first Labour Queen’s Speech, in ‘97. It was created in 1999 in a Delegated Legislation Committee by then Health Minister of State John Denham, who is a good man. He set it up. When he did so, he said it was set up to make independent, evidence-based recommendations for the NHS on whether drugs represent an effective use of NHS resources.

NICE is widely recognised as a world leader in the field of health technology assessments. Its methods and processes have been developed and continuously refined over the last 20 years through periodic review and engagement with stakeholders. Politicians are not in the middle of those decisions, and rightly so; that is how the system was set up by the aforementioned Mr Denham. Maybe the hon. Member for Heywood and Middleton was right to trust her instincts—

Lyn Brown: Will the Minister give way?

Steve Brine: No, because the hon. Lady has had her say and I am going to have mine in the short time I have. If I have some time—

Lyn Brown: It is on behalf of my constituents.

Steve Brine: Mr Deputy Speaker, I think the hon. Lady has spoken on behalf of her constituents a lot today, and very well. [ Interruption. ] I do not think, given the tone of this debate, we need to get unpleasant in here. [ Interruption. ] I will address the points in my speech and, if the hon. Lady does not like that, I am sorry, but I do not think anybody watching this, least of all the families affected, need to hear that tone.

As a result—

Lyn Brown rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. Whether the Minister wishes to give way is up to the Minister and we must let him finish his speech.

Steve Brine: Indeed, Mr Deputy Speaker; some people just cannot help themselves.

NICE operates two separate programmes for the assessment of new medicines. First, there is a technology appraisal programme through which NICE assesses the vast majority of new medicines. Secondly, as has been said, there is a highly specialised technologies, or HST, programme that is reserved for the evaluation of very high-cost drugs for the treatment of the very small number of patients in England treated in a handful of centres in the NHS. Decisions on whether a medicine should be routed to NICE’s mainstream technology appraisal, or the HST programme are taken through an established topic selection process that includes consideration against published criteria and engagement with a wide range of stakeholders. When NICE recommends a drug for use through either route, NHS organisations are legally required to provide funding so that it is made available to patients.

Today, we have heard concerns that NICE’s technology appraisal programme is not suited to the assessment of medicines for rare diseases, with some calls for individual drugs to be appraised through the HST programme instead. We have also heard calls for a third appraisal route for rare diseases not eligible for the HST programme. I have listened very carefully to all of them and will
reflect on them all. There is some sense in a lot of what has been said. Indeed, over the last 20 years, NICE has made positive recommendations in 75% of its appraisals of orphan medicines. By comparison, NICE recommends around 80% of medicines for more common diseases.

I shall give the House two recent examples, because of course we only ever hear about the examples that are stuck or refused. NICE has been able to recommend orphan medicines for neuroblastoma, a cancer of the nerve cells that affects children—this has been widely welcomed—and for primary biliary cirrhosis, a progressive liver disease. Moreover, through its HST programme, NICE has to date been able to recommend a further eight medicines for NHS patients outside of the standard appraisal route. In each case, NICE’s recommendation is subject to a managed access agreement negotiated between the drug company and NHS England.

There will always be cases where NICE is unable to recommend a medicine because the price set by the company does not reflect the benefits that it brings. That is a fact. Hon. Members have of course spoken about the rare diseases of people in their constituencies—they are doing their job—but NICE is an independent body and it should be allowed to develop its guidance free from politicians. The hon. Member for Heywood and Middleton said that that was her initial instinct before she became a politician. That is the foundation of NICE’s reputation as a world leader in its field, and it is in the best interests of patients that it does that.

The hon. Member for Blaydon, introducing the debate, raised concerns about Kuvan, the treatment for phenylketonuria. NICE has initiated an appraisal of Kuvan, and officials from NICE, NHS England and our Department have been reconsidering the appropriate assessment route in the light of the new available information that the hon. Lady mentioned. Riley is right: we have to make this fair. I am told that a final decision will be taken promptly—I urge that again from the Dispatch Box today—and with the minimum impact on the timescale for NICE’s assessment.

The hon. Members for Strangford, for Bristol East and for Dudley North have all spoken about the issue of Orkambi so many times and so well. It is incredibly frustrating and disappointing to Ministers, just as it is to them and everyone else, that Orkambi is not available to NHS patients in England at the moment. I understand and share that frustration. This is why my right hon. Friend the Secretary of State held a meeting with Vertex, NHS England and NICE a couple of weeks ago. I was at that meeting, at which the parties again discussed how best to reach a conclusion. I am pleased to say that they are meeting again today to continue the discussions and decide on the next steps. Decisions about the availability of drugs in Scotland are of course a devolved matter, and that is up to Scotland. I understand that no decision has been taken on routine funding for NHS patients in Scotland, but the hon. Member for Motherwell and Wishaw asked me to look again at the Scottish system. I will do that and I will ask the Minister responsible for this policy area to do so.

The hon. Member for North Tyneside and others raised the issue of the drug Spinraza for the treatment of spinal muscular atrophy. I understand that NICE’s independent appraisal committee met earlier this month to consider its recommendation on Spinraza following new evidence being put forward by the company. NICE wrote to the company and patient groups last week to say that it was not yet able to provide an update on the outcome of the meeting, but that it would provide an update soon. Again, I encourage that to happen even sooner. I recognise that the protracted process in this instance is hugely frustrating for patients and their families and, whatever our differences across the Dispatch Box, of course I feel the deep hurt that the hon. Ladies who spoke on the subject have laid out. I hope they will appreciate that a final decision has not yet been made and that NICE must be allowed to complete its work free from political interference.

I do not have time to go into a huge amount of detail. I have been asked lots of questions during the debate, but I have little more time than the people who have spoken today. I thank Members for speaking so passionately and I hope that they will welcome the forthcoming review of NICE’s methods and processes over the course of this year for both its technology appraisal and its highly specialised technologies programme, which is at least partly what today’s motion calls for. It would not be appropriate to pre-empt the review by commenting in detail on what it should look at, but I will ensure that it is directed towards the motion before us today and to the transcript of today’s deliberations. I now want to give time to the hon. Member for Blaydon, who introduced the debate, to close it in the time that we have left.

4.58 pm

Liz Twist: I hope that hon. Members will forgive me if I do not list them all, but I want to respond to the Minister. First of all, Minister, it is not easy for us on the Back Benches to criticise and lobby. It is really difficult for us, because these are our constituents. They are real people who have real conditions. We have tried to be constructive in the debate and said that we have identified issues around the NICE appraisal system that we think need to be addressed urgently. I notice that he mentioned the review and said that our concerns would be drawn to its attention, but will he ensure that there is dialogue and input before the review takes place to ensure that it is not just technical, but addresses the concerns that we have raised?

Steve Brine: indicated assent.

Liz Twist: I see the Minister nodding, so perhaps that can be recorded in Hansard. He also said that he has heard from us about these issues before, but I can tell him that he will hear from us again—

5 pm

Motion lapsed (Standing Order No. 9(3)).
Valproate Pregnancy Prevention Programme

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

5 pm

Cat Smith (Lancaster and Fleetwood) (Lab): I am raising the issue of the valproate pregnancy prevention programme today as a result of tireless campaigning by my constituent Janet Williams. Along with her friend Emma Murphy, Janet, who is here today, launched the Independent Fetal Anti-Convulsant Trust, or INF ACT, in November 2012, and they have almost single-handedly kept the issue of disabilities caused by anticonvulsant medication on the political agenda since then. Despite both living in the north-west of England, they regularly travel to and from London to demand action from drug companies, politicians and civil servants, and they simply will not take no for an answer. Mr Deputy-Speaker, you may know that when a woman from Lancashire gets her teeth into something, she is not going to let go. The campaign for justice and to ensure that no families are similarly affected continues, but the fact that progress has been made in recent years is largely down to Janet and Emma.

It may help if I first provide some background to sodium valproate. The drug, a trade name of which is Epilim, is manufactured by Sanofi, among others, and has been prescribed in the UK since the 1970s. Despite its effectiveness for treating certain types of seizures, research has demonstrated that it carries a higher level of risk to the exposed foetus. Around 27,000 women are currently taking sodium valproate in England and Wales. Scientific data demonstrates that around 10% of children exposed to sodium valproate will be born with a major congenital malformation and their IQ is likely to be lower, with 29% requiring additional educational support and 6% being diagnosed with significant social communication difficulties such as autism.

Estimates of the number of children still being affected by this drug vary. In February 2016, the right hon. Member for North Norfolk (Norman Lamb), the then Minister for Life Sciences, stated that 336 children are exposed to valproate every year. Figures from the Clinical Practice Research Datalink suggest that the figure could in fact be 176. However, even the lower number would imply that 7,000 children have been harmed by valproate since it first came on the market in 1973, with a further 28 a month still exposed to it.

Sodium valproate received its licence to be prescribed in the UK in 1973. The first case reporting the effects of sodium valproate during pregnancy appeared in 1981. By 1987, the damages caused by the drug in pregnancy were recognised throughout the medical professional, being given the title of foetal valproate syndrome in 1995. National Archive documents show that the Committee on Safety of Medicines was aware of the dangers of valproate when taken in pregnancy at the time of licensing, but it decided to inform medical professionals while keeping the women taking the medication in the dark. The patient information leaflet for sodium valproate was only changed to highlight the risks during pregnancy in 2000, and the information was sparse even then.

Women and children have been let down by the pharmaceutical industry and successive Governments over many decades, and I hope that they will one day be compensated for the failures that were allowed to occur. However, I want to focus the remainder of my time on addressing how we can ensure that all women of childbearing age taking sodium valproate today are aware of the risks it poses and are able to make informed decisions about their future.

The valproate toolkit was introduced in March 2016 and gave healthcare professionals the opportunity to inform patients voluntarily of the dangers of taking valproate in pregnancy. Sadly, the toolkit failed to achieve its aims. It took the form of a patient booklet, pharmacy cards that were received on collection of a valproate prescription, a healthcare professional booklet and a checklist for specialists.

INF ACT surveyed patients and pharmacists, and the two surveys found that around 85% of patients were not receiving the patient booklet and 90% were not receiving the pharmacy card. In a letter from Sanofi on 27 May 2016, INF ACT was informed that the patient booklets were not given to GPs, as had previously been indicated by Ministers, but instead had to be downloaded by GPs from the Sanofi website. In designing the pregnancy prevention programme, what lessons have been learned from the failure of the valproate toolkit?

The pregnancy prevention programme, as a mandatory action, was introduced in April 2018 following the failure of the valproate toolkit, which gave healthcare professionals the opportunity to discuss the dangers of valproate with their patients. It was stated:

“To protect public health, the Medicines and Healthcare products Regulatory Agency (MHRA) has changed the licence for valproate medicines (Epilim, Depakote and generic brands). Valproate must no longer be prescribed to women or girls of childbearing potential unless they are on the pregnancy prevention programme (PPP).... Healthcare professionals who seek to prescribe valproate to their female patients must make sure they are enrolled in the PPP. This includes the completion of a signed risk acknowledgement form when their treatment is reviewed by a specialist, at least annually.”

As with the valproate toolkit, the PPP included a booklet to enable patients to understand the risks and a small, credit card-sized information card for pharmacists to provide on dispensing the drug. However, the PPP was strengthened by the addition of an “acknowledgment of risk” form, which was to be signed by the doctor and the patient on the communicating of the risks. For the pharmacist, there was the addition of ensuring that every dispensed prescription of valproate included the patient information leaflet, the credit card-sized information and warning stickers on the white chemist boxes, all of which had been supplied by Sanofi on the instruction of the MHRA.

To get to this stage, numerous meetings had been held over a five-year period to discuss how the information would be designed to be most instructive both to the healthcare professional and the patient, working through the valproate stakeholder network meetings and the expert working group meetings at the MHRA. Following the failure of the first toolkit, patient groups are understandably on guard to ensure they are aware of problems. Worryingly, over a 10-month period INF ACT found that the majority of women were not receiving the new pregnancy prevention programme from their doctor or pharmacist.

From December to February, INF ACT collected information through a survey of 74 women, which showed: 80% received the white chemist boxes; 40% never received...
the patient information leaflet, and 41% received it only some of the time; and 78% had never received the small credit card-sized information, with the majority of them never having had warning stickers on their white boxes. During appointments with healthcare professionals, approximately 40% had never discussed the PPP with their doctor, more than 60% had never been asked to sign the “acknowledgment of risk” form, and 73% had never had alternative medication suggested to them.

Those figures indicate that women continue to be failed by their healthcare professionals and pharmacists on the PPP, even though its legislative status has been recognised, with instructions given by the General Pharmaceutical Council to pharmacists and by the MHRA to healthcare professionals.

In the autumn of 2018 proof of the failure, in the form of videos and photographs, was passed to the MHRA and, in turn, to the enforcement agency for investigation, yet we are still awaiting a response to those investigations. The consequences of these findings are deeply troubling. They indicate that women and girls aged between 15 and 45 may still not be being given an informed choice about their medication. They are not being given any information about alternative medications that may be suitable for them, and they are not being asked to sign the “acknowledgement of risk” form by their GP or specialist. On collection of their valproate prescription, they are not receiving any instruction from the pharmacist, nor are they receiving the small credit card-sized information, the patient information leaflet or any warning stickers on the white boxes.

It is worth reiterating that approximately 27,000 women of child-bearing potential are still prescribed sodium valproate every year; that 70% of them have not been offered a change in their medication since April 2018 and the introduction of the PPP; and that approximately 19,000 women are therefore still at risk of becoming pregnant while being prescribed valproate with no instructions from either their doctor or their pharmacist.

In addition to the risks outlined earlier, INFACT has been made aware that folic acid does not have the desired affect when taking sodium valproate and that the dangers to the foetus are no longer dose-related, making it a possibility that all those exposed to valproate in the womb will be affected by it. I would therefore like to ask the Minister to clarify: what assessments have been done to ensure women prescribed valproate receive the PPP and are offered an alternative medication where possible? What assessments are taking place to calculate how many healthcare professionals, including GPs in surgeries and those in pharmacies, complete the PPP with their valproate patients? And what the enforcement agency intends to do to ensure those failing to comply with the PPP have penalties imposed to ensure they do not continue to do so? Finally, I would like to request that the Minister meet me and representatives from INFACT to discuss how we can make sure the PPP works for women, allowing them to make informed choices about their own health and the health of potential future children.

5.11 pm

The Minister for Health (Stephan Hammond): It is a pleasure to respond to this debate on behalf of the Government, and it is an honour to follow the hon. Member for Lancaster and Fleetwood (Cat Smith), who has secured an important debate. I wish to pay tribute to her and her constituents from INFACT, whom she mentioned.

The hon. Lady has rightly set out that, as Members of this House will be aware, valproate is a very effective treatment for epilepsy and bipolar disorder. For a few women with epilepsy, it may be the only effective treatment, and she rightly recognised that in her speech. However, its use is associated with serious side effects in children exposed to it during pregnancy; there is a 40% risk of persistent developmental disorders and a 10% risk of physical birth defects. Valproate should therefore be used to treat women of childbearing age only if alternative drugs are ineffective or not tolerated.

In April 2018, strengthened regulatory measures for valproate were introduced. They include a pregnancy prevention programme that aims to rapidly reduce and eventually eliminate pregnancies exposed to valproate. The hon. Lady asked a number of questions about the PPP. The challenge is to ensure that valproate is used by only those who need it, that they are fully informed about the risks in pregnancy and that treatment is closely monitored. Let me emphasise that it is vital that no woman stops taking valproate or any other antiepileptic without discussing it with her doctor. Valproate has always been known, since the time it was first licensed, to carry serious risks if taken during pregnancy. However, important questions have been raised about the extent to which women have been informed about the nature and magnitude of those risks over the decades. At the time valproate was first marketed in 1974, animal studies had shown that there may be a risk of birth defects. Health professionals were made aware of that and were expected to weigh the benefits against the risks. They were expected to prescribe valproate only in severe cases or those where there was resistance to other treatments. Difficult prescribing decisions sometimes had to be made.

Campaigners have highlighted minutes of a meeting of the Committee on Safety of Medicines in 1973—the hon. Lady referred to that—where it concluded that it would be best not to mention the risk of birth defects following the use of anticonvulsants in the information supplied with the medicine, but that doctors should be informed. At that time, it would have been the doctor’s responsibility to pass on information on side effects. Today, patients and doctors are expected to make decisions jointly, based on open communication about all the risks and benefits of a treatment.

Over the years, warnings have been issued to prescribers by the regulator when new evidence on risks in pregnancy has become available. In 1983 and 1993, communications went out to update prescribers on the growing evidence of the risks in pregnancy. In 2003 prescribers were warned about a possible risk of developmental delay in children exposed to valproate during pregnancy. Warnings were extended to include a risk of autism in 2010, and a further bulletin was issued in 2013. It was around that time that the full magnitude and nature of the risks of valproate in pregnancy first became known, following the long-term follow-up of cases of affected children.

Given the seriousness of the accumulating evidence, the Medicines and Healthcare Products Regulatory Agency initiated a major Europe-wide safety review of valproate in pregnancy, which was completed in November 2014. The conclusion was that the balance of the benefits and
risks of valproate in epilepsy and bipolar disorder remained favourable in women of childbearing potential only when other drugs were ineffective. The MHRA went further than updating the statutory information, as required by the EU review, and developed the valproate toolkit for healthcare professionals and women, which consists of a set of clear and informative materials. More than 100,000 healthcare professionals have received the toolkit.

As the hon. Lady referred to in her speech, in the autumn of 2015, given the importance of the issue, the then Life Sciences Minister, my hon. Friend the Member for Mid Norfolk (George Freeman), brought together all the relevant healthcare bodies to support the promotion of the toolkit and ensure that co-ordinated messaging was given out to health professionals and patients. The MHRA further developed this group into a 39-strong stakeholder network of health system organisations, health professional bodies, charities and campaign groups, which has been convened 11 times to date, to raise awareness and to help to embed the new measures in practice.

Despite extensive work to communicate the risks of valproate, concerns about the limited impact of the action in the UK and other member states led to a further EU review, which in 2018 resulted in a strengthened regulatory position stating that valproate must not be used in women of childbearing age unless they comply with the requirements of a pregnancy prevention programme. All healthcare professionals who prescribe valproate to female patients must ensure that they are enrolled in the pregnancy prevention programme. That ensures that women must use effective contraception throughout their valproate treatment and have an annual review with a specialist, which includes the consideration of alternative treatments, and must sign an annual risk acknowledgement form.

I am sure the hon. Lady will know that in February 2018 the then Secretary of State, my right hon. Friend the Member for South West Surrey (Mr Hunt), announced that he had asked Baroness Cumberlege to lead the independent medicines and medical devices safety review, which is exploring what happened in the cases of valproate, Primodos and mesh and considering the robustness of processes, the quality of engagement with and response to patients’ concerns, and any wider lessons. As I am sure the hon. Lady does, I welcome that important matter this afternoon.

The hon. Lady raised a number of issues with the pregnancy prevention programme. The MHRA has monitored the impact of the programme closely since its introduction last year. Monitoring is being done via data from the clinical practice research datalink and national databases, which link data from community drug dispensing and maternity services. The MHRA is also accessing data from clinical audits run by healthcare professional organisations and information on patient experience via surveys.

Patient input and engagement with the patient group INFACT, to which the hon. Lady referred and which was started by her two constituents, has been invaluable throughout the process, as a source of both evidence and feedback on the implementation of action. The data shows a decline in the use of valproate in women of childbearing age, but we recognise that there is local variability. I am also aware of evidence of non-compliance by some healthcare professionals, which is of great concern. Non-compliance with the pregnancy prevention programme is not acceptable, and those concerns are being investigated to ensure that people are brought back into compliance. I can inform the hon. Lady that enforcement action will be taken as and when necessary.

The concerns that were raised in the survey that the hon. Lady referred to have led the UK chief pharmaceutical officers to contact all pharmacists to stress their responsibilities when dispensing valproate. This was reinforced by messages from professional regulators to their members and by articles in the MHRA’s electronic bulletin “Drug Safety Update” in September and again in December, making sure that all healthcare professionals recognise that they need to examine whether they are prescribing in compliance with the new measures.

Achieving full compliance with the valproate pregnancy prevention programme will require concerted action across the healthcare system. I recognise that there is more to do, but I stress again that healthcare professionals who prescribe the drug must make sure that their female patients are enrolled in the pregnancy prevention programme. As I have said, non-compliance is not acceptable.

The hon. Lady asked a number of other questions, some of which I hope I have answered during my speech. My noble Friend Baroness Blackwood specialises in this area and will take the lead in it. I know that she would be delighted to meet the hon. Lady and members from INFACT.

I thank the hon. Lady for highlighting this issue and pay tribute not only to her constituents, but to many other women who have spoken powerfully about the effects that valproate has had on their lives and the lives of their children. Their tireless campaigning has been vital in highlighting the further action that is needed to ensure that women know the risks and are helped to make an appropriate judgment about their treatment. It is vital, therefore, that all healthcare professionals work together rapidly to reduce and eliminate the exposure of pregnancies to valproate.

I hope that the action I have outlined today shows that steps are being taken to ensure that the necessary assessment, monitoring and, where necessary, enforcement action will be taken. In commending the hon. Lady, I hope that she, like me, will look forward to Baroness Cumberlege’s review, which, as I said, should be published later this year. I thank her once again for raising this important matter this afternoon.

Question put and agreed to.

5.22 pm

House adjourned.
**House of Commons**

**Friday 22 March 2019**

*The House met at half-past Nine o’clock*

**PRAYERS**

*[MR Speaker in the Chair]*

9.34 am

**Kevin Foster** (Torbay) (Con): I beg to move, That the House sit in private.

*Question put forthwith (Standing Order No. 163).*

The House proceeded to a Division.

**Mr Speaker:** I ask the Serjeant at Arms to investigate the delay in the No Lobby.

*The House having divided: Ayes 0, Noes 84.*

**Division No. 372**

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*Question accordingly negatived.*
Speaker’s Statement

Mr Speaker: As I imagine most right hon. and hon. Members present are aware, there will be a service in memory of and in tribute to our departed colleague Paul Flynn. That service is due to take place in the Chapel of St Mary Undercroft, and will begin at 10.30 am. However, I want to reassure the House—I do so on the authority of my Chaplain, the Right Rev. Rose Hudson-Wilkin, who will lead the service—that it will conclude well in time for colleagues to return to the Chamber for the one-minute silence at 11 am. The one-minute silence is of course to mark the second anniversary of the terrible events of 22 March 2017, when lives were lost.

After the one-minute silence at 11 am, we will have urgent questions. When those have been disposed of—I am using the parliamentary term “disposed of”—we will resume the debate on the Bill. I hope that that is helpful to colleagues as a roadmap for how we are going to proceed today.

Overseas Electors Bill

Consideration of Bill, not amended in the Public Bill Committee

New Clause 1

Prompt to register as an overseas elector

‘(1) If the registration officer receives information that leads him or her to believe that a registered elector has moved, or is going to move, outside the United Kingdom, the registration officer shall contact that elector to prompt him or her to register as an overseas elector.

(2) The Electoral Commission may issue guidance for contact under subsection (1).’—(Philip Davies.)

Brought up, and read the First time.

9.54 am

Philip Davies (Shipley) (Con): 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 3—Report on awareness of how to participate in elections as an overseas elector—

‘(1) The Minister for the Cabinet Office or the Secretary of State must publish a report on levels of awareness of how to participate in parliamentary elections as a UK elector among—

(a) persons entitled to vote as an overseas elector under the provisions of this Act, and

(b) overseas electors in general.

(2) The report shall consider awareness of—

(a) the law governing entitlement to qualify and vote as an overseas elector,

(b) the processes of registering and voting, and

(c) other matters as the Minister for the Cabinet Office or the Secretary of State sees fit.

(3) The report shall set out any steps the Minister for the Cabinet Office or the Secretary of State intends to take to increase awareness of—

(a) how to participate in elections as an overseas elector, and

(b) the provisions of this Act.’

New clause 4—Report on effects of extension of franchise—

‘(1) The Minister for the Cabinet Office or the Secretary of State must publish a report assessing the likely effects of the extension of the franchise in section 1 of this Act and any measures necessary in response to those effects.

(2) The report must contain assessments of—

(a) how many British citizens currently resident overseas are eligible to register as overseas electors, and how many are likely to be eligible if the 15-year time limits under sections 1(3)(c) and 1(4)(a) of the Representation of the People Act 1985 were removed;

(b) any possible increased risk of electoral fraud by those purporting to be overseas electors related to the provisions in this Act;

(c) whether current election timetables are of sufficient duration to enable the full participation of any increased numbers of overseas electors.’

New clause 5—Report on the representation of overseas electors—

‘(1) The Minister for the Cabinet Office or the Secretary of State shall, within 12 months of this section coming into force, lay before Parliament a report on the representation of overseas electors.
(2) That report shall include—
(a) consideration of how well overseas electors are represented by their MPs and any related consequences of the provisions of this Act,
(b) an assessment of any additional demands that may be placed on MPs and their resources as a consequence of the provisions of this Act,
(c) any plans the Government has to monitor the representation of overseas electors, and
(d) an assessment of alternative models of representation of overseas electors, including the creation of overseas constituencies.

New clause 6—Review of absent vote arrangements—
'(1) The Minister for the Cabinet Office or the Secretary of State shall—
(a) review absent voting arrangements to consider whether they allow sufficient time for overseas electors to participate adequately in parliamentary elections, taking into account the likely effects of the provisions of this Act;
(b) consult the Electoral Commission, local authorities and the Association of Electoral Administrators as part of the review; and
(c) lay before Parliament a report on the review and any steps to be taken as a result.'

New clause 7—Report on postal voting arrangements for overseas electors—
'(1) The Minister for the Cabinet Office or the Secretary of State shall publish a report on postal voting arrangements for overseas electors.

(2) The report shall set out—
(a) any barriers to the participation of overseas electors in parliamentary elections, including in—
(i) the availability of pre-paid postal services for returning ballot papers,
(ii) the financial resources of returning officers, and
(iii) capacity in the specialist print and production markets to meet absent vote and ballot paper requirements;
(b) whether any such barriers are likely to become more significant or widespread as a result of the extension of the franchise in the provisions of this Act, including in particular countries and regions;
(c) any steps to be taken to make it easier for overseas electors to participate in parliamentary elections.

(3) The report shall, in particular, consider the effectiveness and cost of the International Business Response Licence for postal votes and any associated implications of the provisions of this Act.'

New clause 9—Evaluation of the effects of the Act—
'(1) The Minister for the Cabinet Office or the Secretary of State must, within 12 months of the provisions of this Act coming into force, lay before Parliament a report evaluating the effects of the Act and the extent to which it has met its objectives.

(2) That report must include assessments of the effects on numbers of overseas electors registered in each parliamentary constituency.'

New clause 10—Closing date for electoral registration applications by overseas electors—
'(1) The Representation of the People (England and Wales) Regulations 2001 are amended as follows.

(2) In regulation 56, after paragraph (7), insert—
“(8) This regulation does not apply to applications by overseas electors.”

(3) After regulation 56 insert—
“56A Closing date for electoral registration applications by overseas electors
(1) The provisions in this regulation relate to applications to vote by post or proxy by overseas electors in parliamentary elections.

(2) An application by an overseas elector under paragraph 3(6) or (7) of Schedule 4 shall be disregarded for the purposes of a particular parliamentary election and an application under paragraph 4(3) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the eighteenth day before the date of the poll at that election.

(3) An application under paragraph 3(1) or (2), or 6(7) or 7(4) of Schedule 4 shall be disregarded for the purposes of a particular parliamentary election if it is received by the registration officer after 5 p.m. on the thirteenth day before the date of the poll at that election.

(4) An application under paragraph 4(1) or (2) or 6(8) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the thirteenth day before the date of the poll at the election for which it is made.

(5) An application under paragraph 7(7) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the eighteenth day before the date of the poll at the election for which it is made.

(6) An application under—
(a) paragraph 3(5)(a) of Schedule 4 by an elector to be removed from the record kept under paragraph 3(4) of that Schedule, or
(b) paragraph 7(9)(a) of Schedule 4 by a proxy to be removed from the record kept under paragraph 7(6) of that Schedule,
and a notice under paragraph 6(10) of that Schedule by an elector cancelling a proxy’s appointment shall be disregarded for the purposes of a particular parliamentary election if it is received by the registration officer after—
(i) 5 p.m. on the eighteenth day before the date of the poll at that election in the case of an application by an elector who is entitled to vote by post to be removed from the record kept under paragraph 3(4) of Schedule 4, and
(ii) 5 p.m. on the thirteenth day before the date of the poll at that election in any other case.

(7) In computing a period of days for the purposes of this regulation, the same rules shall apply as in regulation 56.”

(4) The Representation of the People (Scotland) Regulations 2001 are amended as follows.

(5) In regulation 56, after paragraph (7), insert—
“(8) This regulation does not apply to applications by overseas electors.”

(6) After regulation 56 insert—
“56A Closing date for electoral registration applications by overseas electors
(1) The provisions in this regulation relate to applications to vote by post or proxy by overseas electors in parliamentary elections.

(2) An application by an overseas elector under paragraph 3(6) or (7) of Schedule 4 shall be disregarded for the purposes of a particular parliamentary election and an application under paragraph 4(3) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the eighteenth day before the date of the poll at that election.

(3) An application under paragraph 3(1) or (2), or 6(7) or 7(4) of Schedule 4 shall be disregarded for the purposes of a particular parliamentary election if it is received by the registration officer after 5 p.m. on the thirteenth day before the date of the poll at that election.

(4) An application under paragraph 4(1) or (2) or 6(8) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the thirteenth day before the date of the poll at the election for which it is made.
An application under paragraph 7(7) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the eighteenth day before the date of the poll at which election for which it is made.

(6) An application under—

(a) paragraph 3(5)(a) of Schedule 4 by an elector to be removed from the record kept under paragraph 3(4) of that Schedule, or

(b) paragraph 7(9)(a) of Schedule 4 by a proxy to be removed from the record kept under paragraph 7(6) of that Schedule;

and a notice under paragraph 6(10) of that Schedule by an elector cancelling a proxy’s appointment shall be disregarded for the purposes of a particular parliamentary election if it is received by the registration officer after—

(i) 5 p.m. on the eighteenth day before the date of the poll at which election in the case of an application by an elector who is entitled to vote by post to be removed from the record kept under paragraph 3(4) of Schedule 4, and

(ii) 5 p.m. on the thirteenth day before the date of the poll at which election in any other case.

(7) In computing a period of days for the purposes of this regulation, the same rules shall apply as in regulation 56.”

(8) In regulation 57, after paragraph (6), insert—

“(7) This regulation does not apply to applications by overseas electors.”

(9) After regulation 57 insert—

“57A Closing date for electoral registration applications by overseas electors

(1) The provisions in this regulation relate to applications to vote by post or proxy by overseas electors in parliamentary elections.

(2) An application under section 6(1) or (5), 8(6) or 9(4) of the 1985 Act shall be disregarded for the purposes of a particular election if it is received by the registration officer after 5 p.m. on the twenty-first day before the day of the poll at that election.

(3) Subject to paragraph (4) below, an application under section 7(1) or (2), 8(7) or 9(7) or (8) of the 1985 Act shall be refused if it is received by the registration officer after 5 p.m. on the twenty-first day before the day of the poll at the election for which is made.

(4) Paragraph (3) above shall not apply to an application which satisfies the requirements of either paragraphs (6) and (7) or paragraph (8) of regulation 55 above; and such an application shall be refused if it is received by the registration officer after 5 p.m. on the thirteenth day before the day of the poll at the election for which it is made.

(5) An application under—

(a) section 6(4)(a) of the 1985 Act by an elector to be removed from the record kept under section 6(3) of that Act, or

(b) section 9(11)(a) of that Act by a proxy to be removed from the record kept under section 9(6) of that Act, and

and a notice under section 8(9) of that Act by an elector cancelling a proxy’s appointment shall be disregarded for the purposes of a particular election if it is received by the registration officer after 5 p.m. on the twenty-first day before the date of the poll at that election.

(6) In computing a period of days for the purposes of this regulation, the same rules shall apply as in regulation 57.”

New clause 11—Offence of registering to vote as overseas elector in more than one constituency—

‘(1) A person commits an offence if he or she is an overseas elector and is simultaneously registered to vote in more than one constituency.

(2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.’

New clause 12—Report on electoral offences, overseas electors and the extension of the franchise—

‘(1) The Minister for the Cabinet Office or Secretary of State must publish a report on electoral offences, overseas electors and the extension of the franchise.

(2) The report must include assessments of—

(a) the effects of the extension of the franchise under the provisions of this Act on the incidence of—

(i) reports of electoral offences under the Representation of the People Act 1983, and

(ii) prosecutions for such offences,

(b) the capacity of appropriate authorities to investigate and prosecute such alleged offences,

(c) the number of reports of electoral offences under the Representation of the People Act 1983 alleged to have been committed by overseas electors—

(i) in the period since the provisions of this Act came into force, and

(ii) in a comparable period before the provisions of this Act came into force,

(d) the number of prosecutions for electoral offences under the Representation of the People Act 1983 by overseas electors—

(i) in the period since the provisions of this Act came into force, and

(ii) in a comparable period before the provisions of this Act came into force,

(e) any steps to be taken to reduce the incidence of such electoral offences.’

New clause 13—Expiration of Act after five years—

‘This Act shall expire five years from the date on which it receives Royal Assent.’

New clause 14—Expiration of Act after three years—

‘This Act shall expire three years from the date on which it receives Royal Assent.’

Amendment 40, in clause 1, page 3, line 23, at end insert—

‘(5A) An overseas elector’s declaration shall be disregarded for the purposes of registration to vote in a particular parliamentary election if it received by the registration officer after 5pm on the nineteenth day before the date of the poll at that election.’

Amendment 49, page 3, line 42, at end insert—

‘(ea) state that the declarant is a ware of the voting offences under sections 60 and 61 of the Representation of the People Act 1983 and associated punishments under sections 168 and 169 of that Act.’

Amendment 50, page 3, line 42, at end insert—

‘(ea) state whether the declarant intends to make absent voting arrangements or to vote in person at a polling station,’

Amendment 66, page 6, line 15, at end insert—

‘(da) state that the declarant is aware of the voting offences under sections 60 and 61 of the Representation of the People Act 1983 and associated punishments under sections 168 and 169 of that Act,’

Amendment 67, page 6, line 15, at end insert—

‘(da) state whether the declarant intends to make absent voting arrangements or to vote in person at a polling station,’

Amendment 75, in clause 3, page 8, line 11, after “State” add

‘but no sooner than 12 months after section 3(5) comes into force’. 
Amendment 23, page 8, line 11, at end insert—

‘(2A) No regulations may be made under subsection (2) until the Secretary of State or Minister for the Cabinet Office has laid before Parliament a report setting out the effects of the provisions of this Act on processes for controlling political party donations.

(2B) The report under subsection (2A) shall consider—

(a) the ability of political parties and campaigners to determine the permissibility of donations from persons resident overseas;

(b) the ability of the Electoral Commission to take enforcement action where the rules on such donations have been breached.’

This amendment requires the Government to prepare a report on processes for controlling political party donations before the provisions of this Act can come into force.

Amendment 24, page 8, line 11, at end insert—

‘(2A) No regulations may be made under subsection (2) until the Secretary of State or Minister for the Cabinet Office has laid before Parliament a report setting out on the likely effects of the provisions of this Act on the number of registered electors.

(2B) The report under subsection (2A) shall consider—

(a) the number of overseas electors registered to vote in Parliamentary elections in each constituency and the policy implications of any such changes;

(b) whether any differential effects on the electorates of constituencies necessitates a review of constituency boundaries; and

(c) the merits of creating one or more overseas constituencies.’

This amendment requires the Government to prepare a report on the effects on the number of registered electors before the provisions of this Act can come into force.

Amendment 25, page 8, line 11, at end insert—

‘(2A) No regulations may be made under subsection (2) until the Secretary of State or Minister for the Cabinet Office has laid before Parliament a report setting out the effects of the provisions of this Act on the extension of franchise.

(2B) The report under subsection (2A) shall consider—

(a) likely demand for online registration services and how this demand should be met;

(b) the effects of removing the 15-year time limits on the workloads of local authorities, including demands on electoral registration officers, and how any consequent resourcing requirements should be met;

(c) how the electorates of existing UK constituencies will be affected; and

(d) how the electorates of new constituencies recommended by the most recent reports of the Boundary Commissions for England, Wales, Scotland and Northern Ireland will be affected.’

This amendment requires the Government to prepare a report on the effects of the extension of the franchise before the provisions of this Act can come into force.

Amendment 26, page 8, line 11, at end insert—

‘(2A) No regulations may be made under subsection (2) until the Secretary of State or Minister for the Cabinet Office has laid before Parliament a report setting out the representation of overseas electors by MPs.

(2B) The report under subsection (2A) shall consider—

(a) how well overseas electors are represented by their MPs and any related consequences of the provisions of this Act;

(b) an assessment of any additional demands that may be placed on MPs and their resources as a consequence of the provisions of this Act;

(c) any plans the Government has to monitor the representation of overseas electors; and

(d) an assessment of alternative models of representation of overseas electors, including the creation of overseas constituencies.

This amendment requires the Government to prepare a report on the representation of overseas electors by MPs before the provisions of this Act can come into force.

Amendment 27, page 8, line 11, at end insert—

‘(2A) No regulations may be made under subsection (2) until the Secretary of State or Minister for the Cabinet Office has laid before Parliament a report setting out the effects of the provisions of this Act on the creation of a consolidated register of overseas electors.’

This amendment requires the Government to prepare a report on the effects of creating a consolidated register of overseas electors before the provisions of this Act can come into force.

Amendment 68, page 8, line 11, at end insert—

‘(2A) No regulations may be made under subsection (2) until the Secretary of State or Minister for the Cabinet Office has laid before Parliament a report on awareness of how to participate in elections as an overseas elector.’

Amendment 69, page 8, line 11, at end insert—

‘(2A) No regulations may be made under subsection (2) until the Secretary of State or Minister for the Cabinet Office has laid before Parliament a report on absent vote arrangements.’

Amendment 70, page 8, line 11, at end insert—

‘(2A) No regulations may be made under subsection (2) until the Secretary of State or Minister for the Cabinet Office has laid before Parliament a report on postal voting arrangements for overseas electors.’

Amendment 76, page 8, line 16, leave out “on the day on which” and replace with “12 months after”.

Philip Davies: I am sorry that my duties here will prevent me from attending the memorial service for Paul Flynn, but I am sure we all remember him with a great deal of affection and fondness.

I hope you, Mr Speaker, and Members of the House will forgive me if I come across at any point during these proceedings as being a bit disorganised. I only got the selection of amendments at just after 8.30 this morning, and given that there are so many down, it has been a bit difficult to get them all marshalled into the right groupings. If there is a delay or anything can like that, it is simply because I am trying to work out which are the right amendments in the grouping, and I hope you will be patient with me in that regard.

Before I begin with new clause 1 and get into the nitty-gritty, I should congratulate my hon. Friend the Member for Montgomeryshire (Glyn Davies) on his success in the private Members’ Bills ballot and on getting his Bill to this stage. We all know that it is not an easy task to get a Bill even to this stage, but my hon. Friend has done it with his customary charm and panache, and I congratulate him on doing so and on securing the support of the Government for his Bill up to the present.

Unfortunately, this has not been a total triumph, as far as I can see. While I am not opposed to the principle of the Bill, which is laudable in many parts, I have concerns about the way it is drafted in particular areas. In Committee, the hon. Member for Nottingham North (Alex Norris) said something with which I entirely agree, and which is therefore worth repeating. He said that “we should always be very sure about the changes we make to our democracy. Anybody who knows anything about the rules of political parties knows that the little amendments that are made for whatever reason at some point have a habit of creating all
sorts of different conclusions later down the line. We ought to ensure that we play out the scenarios that they might present, but also ensure that the changes we make are proportionate to achieving the goal. If we can achieve the same goal by being more surgical, we should seek to do so.”—[Official Report, Overseas Electors Public Bill Committee, 17 October 2018; c. 22.]

I agree with those sentiments entirely not just for this Bill, but, I might add, for many other Bills that come to the House on a Friday.

I have looked through the amendments tabled by others at earlier stages of the Bill and, as far as I could see, some of them seemed worth exploring again to see whether the whole House shares the view of the Committee. I believe that some of my amendments are absolutely critical to making this Bill supportable, and some affect issues that should be examined more closely. I accept that it was a manifesto commitment of the Conservative party to change the overseas voting rules, but this Bill extends not just to the existing set-up to remove the 15-year time limit and give votes for life, but the range of those eligible for votes for life. There is a problem in that, because it goes beyond what we said in our manifesto.

I will turn to the new clauses and amendments in a bit more detail. What is now new clause 1 was actually discussed in Committee. I am delighted to see the hon. Member for City of Chester (Christian Matheson) in his place. If I may say so, he did an excellent job in Committee in tabling some amendments that were very worthy of debate and are worthy of further consideration today, and this was really one of his greatest hits, so to speak.

Christian Matheson (City of Chester) (Lab): There have been many.

Philip Davies: As the hon. Gentleman says from a sedentary position, there have been many, and I am certainly not going to disagree. We probably should not have a Division on that, because I am certainly not going to disagree. In all seriousness, I think he made some very good points in what is now new clause 1. When he suggested the change in Committee, he said that the purpose behind it was “to ensure that people register at the outset so that we avoid spikes in registration in the immediate lead-up to an election period when, given everything else that is going on, electoral registration officers are at their busiest, their work is at its most hectic and they are under the most careful of examinations.”

He pointed out that as we very much saw “in constituencies across the UK at the previous general election, there was not just a flurry of late registrations, but in certain constituencies there were complaints afterwards that people had not been allowed to vote, even though...they had registered in time.”—[Official Report, Overseas Electors Public Bill Committee, 31 October 2018; c. 103-104.]

He also said that, in some circumstances, they had confirmation that they had been registered, but then found that they were not on the register, and that the new clause is intended to avoid those problems happening again.

Neil O’Brien: My hon. Friend makes a good point, and I do not argue with much of what he said. If he thinks that the registration officer will not have much information, that is not a problem with the new clause. His argument seems to be that there is not much point to the new clause—in the second part of his remarks he did not point out a problem with new clause; he said that he did not think it would be used very much, but that is not an argument against it. He might be surprised at what the registration officer finds out. The fact that the provison might not be used often does not mean that it is bad to slot it into the Bill—it just might not be used very often.

Neil O’Brien: I must have expressed myself badly. My second question was about what would need to change the forms and the things that we use to get people’s information. If someone is a new tenant in a property and the previous tenant has moved out and gone overseas, unless we have some other process or forms, often those new tenants will not know that the previous tenants moved to another country. They will therefore have no way of providing the information that the registration officer needs to provide the prompt suggested in new clause 1. My question was about the process that would be needed to support the new clause to make it work.

Philip Davies: Just as the hon. Member for City of Chester did in Committee, I have avoided being too prescriptive about what should be involved. The new clause will be used if someone becomes aware of something, although that might be something we cannot currently envisage. New clause 1 advocates the principle that, should someone become aware of something—I do not necessarily know how, and I cannot be prescriptive about such things—there should be a mechanism to try to make the system easier, and to avoid the problems that we all accept took place in the previous general election, when people were turned away—it was a shambles in many constituencies. This may not be the most important piece of legislation the House has ever passed, and it might not be used a great deal, but it cannot do any harm. Even if it does a little to alleviate some of the problems that we faced previously with late registrations, it cannot be a bad thing.

Neil O’Brien: My hon. Friend is generous with his time. Will he address my first point about the repercussive nature of new clause 1? He says that it cannot do any harm, but it will surely prompt people to say, “Ah, we now need similar prompts for those who turn 18 or who are new citizens of this country”.

Philip Davies: I do not accept that that is a necessary extension. We are dealing with new clause 1 of this Bill, and if somebody wanted to extend it to something else, they would have to find a Bill in which to do that, and argue for that extension. That would be a matter to
consider at that time, and it has nothing to do with this Bill. My hon. Friend could be right—I do not say he is wrong—but I ask Members to consider the new clause in the context of this Bill, rather than thinking about its repercussions on other legislation.

Julian Knight (Solihull) (Con): My hon. Friend is generous, as ever, in taking interventions. Is it the case that the earlier people register, the less of a bottleneck and a jam there is, and the more likely we are to ensure a robust system, and that those who register are bona fide and legitimate? We have seen in more recent elections that people voted in one place when they should have been in another.

Philip Davies: I am delighted to be scoring more runs with my hon. Friend than I did with my hon. Friend the Member for Harborough (Neil O’Brian), and I welcome his intervention.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op) rose—

Jo Stevens (Cardiff Central) (Lab) rose—

Philip Davies: That intervention appears to have prompted a stampede from across the House, so I will give way to the hon. Member for Cardiff Central (Jo Stevens).

Jo Stevens: One way round the problem would be to have automatic voter registration linked to the issue of a national insurance number at age 16, so I hope the hon. Gentleman will support the Automatic Electoral Registration (No. 2) Bill.

Philip Davies: I am accused of many things when discussing private Member’s Bills on a Friday, but I think it best if I stick to one at a time. If we get on to the tabled by the hon. Member for City of Chester that the Registration (No. 2) Bill.

Mr Speaker: The hon. Gentleman should have been telling us that rather than disrupting the debate on the Bill.

Philip Davies: I am grateful to my hon. Friend. I am more faith in the amendment tabled by the hon. Member for City of Chester that the hon. Gentleman does. I do not seek to take over the responsibility of people who are more expert in these matters than me. It is not the job of hon. Members to be prescriptive to experts in this field about how they should go about their job—I am happy to leave it to them. The hon. Member for City of Chester can correct me if I am wrong, but I see this as a matter of principle, and not really about the nitty-gritty and practicalities, which I am happy to leave to the experts.

The hon. Member for Stoke-on-Trent Central (Gareth Snell) may or may not be right to say that the new clause will not make a massive difference, but that is not a reason not to include it, because it might help. Indeed, as he acknowledged, the new clause will help with one group of people, and that is an argument for taking a step forward, rather than saying, “Let’s not bother because I don’t know how many people it will benefit or how it will be used”.

John Howell (Henley) (Con): My hon. Friend is generous in giving way. Has the new clause taken into account the situation of people such as those who work in the City who have to move at short notice? What he has described admirably covers those who are planning to move quite a long time in the future, but it does not take into account those who need to move at short notice. How will he deal with that?

Philip Davies: The new clause does not exclude that category of people, and the same principle applies. My hon. Friend seems to suggest that perhaps the new clause does not go far enough, and I am happy to take that criticism on board. Others say that we should not include it at all—I think I now have the full gamut of opinion in the House. Some say it is a bad new clause, some say it is good, and some say that it does not go far enough.

Mr Speaker: Is the hon. Gentleman suggesting—if so, it will be a first—that he is now a fully signed up practitioner of the third way?

Philip Davies: I had not looked at it at that way, and I would be slightly horrified if that is how it was perceived. New clause 1 is merely enhancing my reputation as a moderate; I will put it no stronger than that. I appear to be slap-bang in the middle of the debate, as I so often find myself.

Rachel Maclean (Redditch) (Con): I wholeheartedly agree that my hon. Friend is a moderate on this issue. [Interruption.] On this issue. Does he agree that, for example, members of the armed forces will welcome this Bill? When I have visited members of the armed forces serving overseas, as part of the armed forces parliamentary scheme, they have told me how disconnected they felt from the franchise in this country. Does he agree that such a system could be a simple way for them to continue to take part?

Philip Davies: I am grateful to my hon. Friend. I am going to take her comment that I am a moderate on this issue as a compliment. I am not sure whether it was meant as such; I would like to think that I am on all issues, but it is best that we do not have a Division on that, too. I am sure that my hon. Friend is right, but if she will forgive me, we will come to the merits of the Bill as a whole on Third Reading. I am rather anxious to get to the merits or otherwise of my amendments.
David Hanson (Delyn) (Lab) rose—

Neil O’Brien rose—

Philip Davies: My hon. Friend has had a good knock so far, so if he will forgive me, I will give way to the right hon. Gentleman.

David Hanson: The point that the hon. Member for Redditch (Rachel Maclean) made is surely erroneous, in the sense that members of the armed forces will not be overseas for 15-plus years. They will be serving overseas for short periods. The people overseas for 15-plus years are those who have divorced themselves from the United Kingdom for a long period.

Philip Davies: I think the right hon. Gentleman is also referring to the merits of the whole Bill, and I had just said that I did not really want to get into that at this stage. Third Reading is probably the best time to deal with that. Indeed, I am sure that we can save up all these points for then. I am rather anxious to get back to new clause 1, but I will first give way to my hon. Friend the Member for Harborough.

Neil O’Brien: My hon. Friend is further burnishing his credentials as a centrist with new clause 1, so I hesitate to introduce a European dimension into the debate, but is he confident that it is compatible with the general data protection regulation? He is imposing a new duty on registration officers. Let us suppose that someone comes to an electoral registration officer and says, “My next-door neighbour is planning to move to another country. You should contact them and send them the forms to register overseas.” Can such information, not gleaned by the registration officer for any particular purpose, be turned into a list under GDPR and used for a different purpose, such as to send the prompts that my hon. Friend is proposing? Is that compatible with European law?

Philip Davies: My hon. Friend makes a good point. I am not a lawyer and I do not know the answer, but I am sure that we have plenty of qualified people in this place—we tend not to be short of them—who may be able to offer an opinion. However, new clause 1 is not limited to the registration officer finding out from a third party. It will apply if they find out from the person themselves, so my hon. Friend might be right about that circumstance and he might be wrong—I do not know; that might need to be tested by the courts—but the new clause is not limited to that group.

Maggie Throup (Erewash) (Con): I appreciate the sentiment behind the new clause, but I have moved house on numerous occasions and have never found a way to tell anybody in authority where I was moving to, nor would I have wanted to. Will my hon. Friend explain a bit more how the new clause would work in practice?

Philip Davies: I am sure that many other people are like my hon. Friend in that regard. It is not a question about how the new clause will work in practice. It seems to me that it is self-explanatory, in that it says:

“If the registration officer receives information that leads him or her to believe that a registered elector has moved, or is going to move, outside the United Kingdom, the registration officer shall contact that elector to prompt him or her to register as an overseas elector.”

How it would work in practice would seem self-explanatory. If the registration officer finds something out, he will contact the person concerned and say, “Will you register as an overseas elector?” I am not sure that I can add much to what the new clause already says.

10.15 am

Julian Knight: I thought earlier during my hon. Friend’s speech about the GDPR issue, which our hon. Friend the Member for Harborough (Neil O’Brien) has raised, but the truth of the matter is that, throughout government, people find ways to comply with GDPR. I do not think it is beyond the wit of registration officers to find a way for my hon. Friend’s new clause 1 to be operable within the confines of GDPR. We should not fear GDPR in that respect. We should always try to find ways to work within it, but at the same time it should not stop us making law.

Philip Davies: My hon. Friend is right. The other point is that if we find that the new clause is useful but is being stymied by the general data protection regulation, there would be nothing to stop this House amending it to make it easier for the new clause to operate, so I agree with him. I do not think we should fear doing anything because there might or might not be a problem further down the line. If there is, we can deal with it when it appears.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): I acknowledge the important point that the hon. Gentleman is making: it is important that we properly scrutinise legislation that comes before us. However, it appears from the interventions that there is not much explanation for these new clauses, nor has any thought been given to their implications. For instance, has he thought through the practical implications of amendment 50 in this group and what it might mean for returning officers?

Philip Davies: If I could come on to my new clauses, the hon. Gentleman might get to hear my explanations. To be perfectly honest, I have not yet had a chance to get going on my explanations of my new clauses, so it is bit curious to be accused of not giving them before I have even started. That is a new one. However, I am delighted to hear at least one Labour Member state clearly on the public record that it is important to scrutinise Bills that come before us on a Friday. I am sure that is welcome, and I hope that view will spread like wildfire across the Opposition Benches, because we are regularly told that we should not scrutinise them all, so that is a step in the right direction. If we keep going, we will be on to a winner.

I am also surprised to hear the hon. Gentleman make what I consider to be a criticism of his hon. Friend on the Front Bench, the hon. Member for City of Chester. He is my best mate!

Christian Matheson: He’s my best mate!

Philip Davies: Well, with friends like that, Mr Speaker, you do not need many enemies in this place. The hon. Member for Oldham West and Royton (Jim McMahon) basically stood up and said that the hon. Gentleman’s amendments were a load of old cobbler, and then the hon. Gentleman says that he is his best friend. Goodness! I knew things were bad in the Labour party, but I did not know they were that bad, with infighting even among friends.
Jim McMahon: I will give way again. Perhaps the hon. Gentleman can explain himself a bit better this time.

Jim McMahon: I am very happy to explain myself in more detail, but I should also say that my hon. Gentleman for City of Chester (Christian Matheson) has many friends in this place. In amendment 50, the hon. Gentleman is asking electors to declare whether they intend to be an absent voter or to vote at a polling station. What are the practical implications of somebody saying, “I won’t be an absent voter abroad; I want to vote at a polling station.”? Which polling station would they vote at? What are the practical implications of amendment 50?

Philip Davies: I knew it was a mistake to give way to the hon. Gentleman for a second time after his first effort. I am not entirely sure which new clause he was referring to, but I am still on new clause 1, and new clause 1 is not about whether someone should vote here or vote there or vote at a polling station. It is about what a registration officer should do if he finds out that someone is going to move abroad. Perhaps the hon. Gentleman was ahead of me or somewhere else, but let me say, just for the record, that I am still on new clause 1. I hope that that is helpful to Members.

Kirstene Hair (Angus) (Con): It is indeed new clause 1 that I wish to discuss. Does my hon. Friend think that the information that registration officers would be able to obtain could then be available to political parties to further encourage people to sign up and to vote? In the past, parties have, for example, sent cards encouraging people who have just turned 18 to do so.

Philip Davies: I am grateful to the hon. Gentleman. I appreciate that he has a great deal of interest in a wide range of potential amendments. Does he agree that there is a certain rich irony in the fact that he is devoting so much effort to considering issues relating to overseas electors—and, as my hon. Friend the Member for Oldham West and Royton (Jim McMahon) mentioned earlier, there are deep technical problems for local registration officers trying to take ballot boxes to a large number of overseas locations—that he may be neglecting the much more pressing need of local British residents who move house regularly, such as the young people who move regularly in my Reading constituency?

Philip Davies: I am not entirely sure what is up with that part of the Opposition Benches. The hon. Members for Oldham West and Royton and for Reading East (Matt Rodda) seem determined to talk about anything other than the Bill and the new clause that we are discussing. The hon. Member for Reading East appeared to be saying that it was all very well for me to talk about new clause 1—and I took it from what he said that he agreed with it, not least because it is the new clause that his hon. Friend the Member for City of Chester introduced in Committee. So I would like to think that even on that basis he has a bit of trust in it—but that, notwithstanding the merits or otherwise of new clause 1, I should be talking about something completely unrelated to the Bill, namely the issue of domestic voters. I am sure, Mr Deputy Speaker, that if I launched into a speech about how we should deal with UK voters who happen to move to another UK location, it would not be long before you told me, “You are out of the scope of the Bill, and you are deviating from the subject,” and I am surprised that the hon. Gentleman is encouraging me to do so.

Mark Tami (Alyn and Deeside) (Lab): Will the hon. Gentleman give way, on that point?

Philip Davies: I will give those on that Bench one last go.

Mark Tami: It is clear that a great deal of effort and money is going into dealing with overseas voters, while the large number of people in this country who could be registered much more easily are being totally ignored. Thousands of people have completed part of the forms and have not been included in the large number of people in this country who could be registered much more easily are being totally ignored. Thousands of people have completed part of the forms but may not have included their national insurance numbers, for instance, but little effort has gone into ensuring that they get on to the register.

Philip Davies: It was clearly a forlorn hope to expect the right hon. Gentleman to stick to the Bill. All I can say, to try to clear the matter up, is that I did not table this Bill. It is not my Bill. Whether he thinks that we should be concentrating on this Bill or that some other Bill would have been a better use of the House’s time, this is out of my control. I found out that this Bill was top of the pops for today, and I decided to try to do what I think is the duty of Members. Explanations are usually aimed at people outside the House, but it seems that today we are having to give them to people inside the House. The purpose at this point—the Report stage—is to scrutinise the merits or otherwise of this Bill and to see whether it can be improved in some way. It is not to
decide whether or not this Bill should be first on the agenda, which is a question over which I have no control.

Whether or not this is the most important Bill that should come before the House is a matter of debate that is not particularly relevant on Report. It is not my Bill. I did not choose for it to be debated. I am simply picking it up and trying to make the best of it and trying to improve it, and the improvements that I am suggesting have largely been suggested by Labour Members. I should have thought that the right hon. Gentleman would be encouraging me to try to improve it in the way that his own party wants it to be improved.

Jim McMahon rose—

Gareth Snell rose—

Philip Davies: I am certainly not going to give way to the hon. Member for Oldham West and Royton again. I will give the hon. Member for Stoke-on-Trent Central another go.

Gareth Snell: My question pertains to new clause 1.

Philip Davies: Thank you!

Gareth Snell: In this country, 17-year-olds can currently register as attainers so that they will be on the register when they turn 18. Is the hon. Gentleman suggesting in the new clause that those who are prompted to become overseas electors will be able to register as such while they are still resident in the United Kingdom and that the registration would only become active if they choose for that to happen? How will he get around the double registration issue if they are already registered as domestic voters?

Philip Davies: I am grateful to the hon. Gentleman. That was a very good and sensible intervention, if I may say so. I do not envisage people registering before they have moved, because something might change and they might not do so. I think that that would be quite improper. The purpose of the new clause is to prompt them to be sure to register as soon as they have moved overseas. However, I thank the hon. Gentleman for his intervention, which I think was very helpful.

Alex Burghart (Brentwood and Ongar) (Con): I am grateful to my hon. Friend. Friend for giving way. He is being customarily generous with his time.

May I return to the point made by my hon. Friend the Member for Harborough (Neil O’Brien), who raised the prospect of helpful neighbours sending information to registration officers about people moving? Is not the more pertinent issue that some parts of the Government machine—Departments and officers—may become aware that someone is moving away for work and may choose to share that information with a registration officer, and new clause 1 would then give that registration officer the agency to act?

Philip Davies: I agree with my hon. Friend. He has made a very good point. I think it has long been a policy of everyone in the House—certainly a policy of Members on both sides of the House—that we should do what we can to encourage more people to register to vote. I have never known anyone to argue against that principle. As my hon. Friend says, this measure could easily help more people to register, which I would expect to be a welcome move.

The hon. Member for City of Chester touched on this when he moved his new clause in Committee. He said that it was likely to engage more people in voting. He referred to the Electoral Commission’s overseas voter day on 10 May 2016, which was supported by embassies and consulates around the world and which was intended to encourage British citizens who were eligible to register as overseas voters to do so in time to vote in the EU referendum. The commission ran a public awareness campaign for overseas voters between 17 March and 9 June, and more than 135,000 overseas voters registered during that period.

As the hon. Gentleman made clear in Committee, the new clause could go some way towards making overseas voters aware of their voting rights at an early stage. I think we should all welcome that, because presumably we want more people to register and we think that the earlier they do so, the better.

Leo Docherty (Aldershot) (Con): On that point, surely it might also be a function of our diplomatic teams abroad fulfilling their consular duty in that when a family moves abroad they tend to register with British embassies in order to receive consular support and such a prompt could easily and ordinarily be set up from the British embassy.

Philip Davies: My hon. Friend is right.

10.30 am

Neil O’Brien: My hon. Friend the Member for Brentwood and Ongar (Alex Burghart) has done a better job than me of teasing out one of the problems this new clause might cause for registration officers. My example of the helpful neighbour was in one sense unhelpful, because a more real difficulty for ROSs would be on the question of what it is to be aware that someone is planning to move overseas, but as my hon. Friend pointed out, many other parts of Government might hold information that implies someone is about to move overseas.

My fear is that there will be differences in practice around the country in that some ROSs will be quite effective and determined to seek that information from other parts of Government, including local government, while others will not be, at which point there will be a row, because this is not an entirely unpolitical subject: some people are keener on registering overseas electors than others. We can imagine a world in which people say, “Look, in Rutlandshire we are using a data sharing system to pull information from this part of local government that people are about to move overseas in order to send out these prompts, but you over in Blodchester are not doing that. Why are you not doing that? You are failing in your duty to send prompts to people who parts of Government have become aware are about to move overseas.”

Philip Davies: My hon. Friend makes a good point, but I do not agree with the thrust of where he is coming from. I am sure he will correct me if I am wrong, but it seems to me that he is criticising the fact that there
could be a postcode lottery, to put it in common jargon. Therefore, it seems to me that he is basically advocating that, to avoid that, he would rather nobody could do something, rather than have some people doing something. I would sooner some people did something and we encouraged the others to follow suit than say, “Because I can’t guarantee everyone is going to do it I would rather nobody did it.” So I have a slight difference of principle.

Neil O’Brien: My fear is not so much that there would be a postcode lottery—I do not necessarily have a problem with differences in treatment around the country—but that there would be a legal problem for ROs who might be told by ROs elsewhere in the country, “You are not following best practice; you are not following the duty set out in new clause 1, and therefore you are legally failing in your duties.” What would their response be?

Philip Davies: If an RO was failing in their duties they absolutely should be pulled up on that. If this new clause were to enter into law and an RO was made aware that somebody was about to move overseas or had done so and did nothing about it, in effect they would be in breach of what was expected of them, and it would not be unreasonable for them to be pulled up for that. I would like to think that if this was put into law, ROs would be more than capable of complying with it.

Kirstene Hair: I want to return to the question of a future referendum, because although we do not have any of our Scottish nationalist friends here today they are continually pushing for a future independence referendum in Scotland. The last time we had a referendum there were 800,000 Scots disenfranchised because they were living either south of the border or in Wales or overseas. Does my hon. Friend think this new clause could be used in the future to ensure that Scots who chose for a short or longer period to live in another part of the UK would be included in a future independence referendum in Scotland?

Philip Davies: My hon. Friend makes a good case. I had not given that point a great deal of thought before now, but I am finding her very persuasive; I always find her very persuasive, but particularly on this point—and it is great to see her in her place doing her duty, which is to represent her constituents in Parliament, unlike those who occupy the Scottish Nationalist party Benches opposite, who are absent without leave. She could teach us how to do things from the SNP a few things about how best to represent their constituents in Parliament.

We could be in for a long morning here because I have only just covered new clause 1 and have barely got going to be perfectly honest. We still have quite a few new clauses to go through as colleagues will see from this group, and we have three groups of amendments to go through, notwithstanding the urgent questions and so on, so if Members will allow I will—

Alex Norris: The hon. Gentleman has been very generous with his time and I am grateful to him for quoting what I said in Committee. He has mentioned on a couple of occasions his confidence, which I share, in electoral administrators’ abilities to fulfil what he lays out in the new clause, but does he have any concerns about their resourcing to do so? There is only £8.8 million in this for implementation and 10 years of operating. Would new clause 1 bring any other financial burdens?

Philip Davies: The hon. Gentleman raises a fair point, and clearly if we are placing requirements, particularly on public bodies, it is only reasonable that they are given the resources to implement them. I am not entirely sure that this would be an onerous burden on ROs, however, although he and his hon. Friends might have a different view; I am pretty sure ROs could readily do this.

I agree, however, that if my new clause were brought into law and it proved to be more effective and popular than even I had anticipated, it would be right for the Government to follow that up with the resources needed to make sure its requirements were followed effectively. There is no point having good ways to help people to register and then ROs just not having the wherewithal to do it, so I would sooner do it that way. We should see how it goes, but the hon. Gentleman is right that if it proved to be effective ROs should get the resources.

Leo Docherty: I thank my hon. Friend. I share his confidence that ROs and administrators in local government would be fully capable of implementing new clause 1 if it were put into law. I used to have great confidence in Andrew Colver in Rushmoor who was given an OBE for his contribution to democratic services in Rushmoor. Does my hon. Friend agree, however, that the burden of this new clause should fall not just on the point of departure, but on the point of arrival, and that if this is to be done effectively consular officials and our diplomatic teams will need to have a public awareness campaign, so when people arrive at their new place of residence they are encouraged to register?

Philip Davies: My hon. Friend is absolutely right, and I certainly do not see this new clause as an excuse for embassies or people abroad to say, “We don’t need to do anything now.” On the contrary, I think it would complement the work they already do, and hopefully assist them in that, because he is right that that is just as, if not much more, important.

Mike Wood: I am anxious to move on, but I will give way to my hon. Friend.

Leo Docherty: I thank my hon. Friend. I share his confidence that ROs and administrators in local government would be fully capable of implementing new clause 1 if it were put into law. I used to have great confidence in Andrew Colver in Rushmoor who was given an OBE for his contribution to democratic services in Rushmoor. Does my hon. Friend agree, however, that the burden of this new clause should fall not just on the point of departure, but on the point of arrival, and that if this is to be done effectively consular officials and our diplomatic teams will need to have a public awareness campaign, so when people arrive at their new place of residence they are encouraged to register?

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Mike Wood: We did go to the same school and I certainly do not see this new clause as an excuse for embassies or people abroad to say, “We don’t need to do anything now.” On the contrary, I think it would complement the work they already do, and hopefully assist them in that, because he is right that that is just as, if not much more, important.

Mike Wood: Yes, we did go to the same school and I was at the prize-giving last summer where I was reminded by the chairman of governors that in my final year I had won the Philip Davies prize for debating no less—so very big shoes to fill.
I have no doubt that my hon. Friend’s new clause would be both effective and popular. In the third line it says “the registration officer shall contact that elector”; it does not say “may” contact or, as our right hon. and learned Friend the Attorney General might put it, “use best endeavours” to contact. This clearly would create a legal duty, therefore, so has my hon. Friend given any thought to what might count as the reasonable steps that one would expect ROs to take, and what remedies might be available should they fail to use them?

**Philip Davies:** My hon. Friend makes a good point and highlights once again why he is a far better example of our school than I am. I am sure that it uses him on its advertising brochures in a way that it does not use me. The point he makes goes without saying, and I like to think that that is how the law would be treated. People can only do what they can do; by definition, they cannot do what they cannot do. He might be right to say that the new clause would have been better drafted to include the words “use their best endeavours”, but personally I take it to mean that anyway, as it is written, because by definition someone cannot do something that they are not physically able to do. However, he is as eagle-eyed as ever, and I am grateful to him for highlighting that point.

**Several hon. Members rose—**

**Philip Davies:** I am going to move on now, or else we could be here all night. I shall move on to new clause 3, and I will try to crack on a bit; otherwise, we could be here forever. New clause 3 in effect requests a report on the awareness of how to participate in elections as an overseas elector. Again, I have taken this from the hon. Member for City of Chester, who mentioned it in Committee. I commend him again for doing that. When he introduced this change in Committee, he said: “We heard in the discussion of previous clauses about the dangers of overseas electors piling in as soon as an election is called. We discussed with the Minister the importance of electors participating early by registering as early as possible. Based on the 2016 survey conducted by the Electoral Commission, it is clear that there remains widespread confusion about what it means to be an overseas voter and the eligibility criteria necessary to vote.”

This is no doubt one of the reasons that my hon. Friend the Member for Montgomeryshire brought forward the Bill in the first place. I think we can all agree that that is the case. The hon. Member for City of Chester went on to say: “This lack of awareness has the potential to create a significant barrier to casting a ballot. The survey found that there was widespread lack of awareness about eligibility requirements, with 31% believing that eligibility required receiving a UK state pension and 22% believing that it required owning a property in the UK.”—[Official Report, Overseas Electors Public Bill Committee, 17 October 2018; c. 67.]

Those were particularly pertinent points that he highlighted when he brought forward his new clause. We should all be concerned about the level of confusion that that survey revealed. The purpose of new clause 3 is to raise awareness among overseas voters of how they can participate in elections. Given that we are trying to get more overseas electors to participate in elections, the new clause, helpfully suggested by the hon. Member for City of Chester, would be a pretty important way to ensure we did that.

**Neil O’Brien:** I agree with everything that my hon. Friend has said so far about new clause 3, but I have a question about his new clause 5, which we will come to later. In it, he specifies that the report must be produced “within 12 months of this section coming into force”, yet in new clause 3 there is no timetable to guide the Minister or the Cabinet Office on the publication of the report. Such a report could be published 10 years later and be of absolutely no use. Is there a particular reason my hon. Friend has not suggested a timetable in new clause 3?

**Philip Davies:** My hon. Friend again highlights the importance of the scrutiny of Bills, particularly on a Friday, and I am grateful to him for doing that. He makes a very good point; I am sure that a date would have been beneficial to this proposal. As it happens, I am not trying to pass on responsibility, because that is not the purpose of the new clause. I have merely taken what the hon. Member for City of Chester tabled before, because that was a good proposal. However, I obviously take full responsibility for the new clause that I have tabled, and my hon. Friend is right to say that it would have been better with a timetable. I hope that, if new clause 3 is passed, pressure could be brought to bear on the Minister to speed things up in the usual way that we do in this House.

**Neil O’Brien:** I do not regard the absence of a date as in any way fatal to new clause 3, or as an argument against it, but for the benefit of those who have to implement it, I wonder whether my hon. Friend could guide them by specifying now in this debate, which they will read, whether he expects this to be done prior to commencement or in a progress report sometime later, and indeed whether he expects there to be a regular report produced every year or every couple of years?

**Philip Davies:** I think that it should be done as soon as is practical, and my hon. Friend is right to suggest that it should not just be a one-off. It should be something that the Cabinet Office does on an ongoing, regular basis. I am grateful to him for picking up on that particular flaw.

10.45 am

**Gareth Snell:** I thank the hon. Gentleman. Gentleman for giving way again. He is being remarkably generous with his time. I appreciate that we will not debate amendment 50 until later, but it is part of this grouping. In it, he talks about declarants wanting to vote “at a polling station”. New clause 3 talks about assessing ways in which overseas electors could participate in elections. In French presidential elections, overseas electors from France who are in the UK can physically turn up and cast their vote in a ballot box here. Is it his understanding that, as part of the assessment that he wants the Cabinet Office to carry out, it should consider the introduction of physical polling stations in overseas areas for overseas electors?

**Philip Davies:** The hon. Gentleman raises an interesting point. Obviously I will come on to my amendment 50 when I get to it. I do not really have a particularly strong opinion on whether such polling stations would be useful. It may well be that in areas with a large concentration of overseas voters, that might be more...
convenient for everybody and it might encourage turnout. I do not have a strong opinion on this, however. I am not necessarily disagreeing with the hon. Gentleman, but I would not want him to take it that I was necessarily agreeing with him either—

Gareth Snell: Story of my life.

Philip Davies: I hope that he will accept that.

New clause 4 is again one of the hon. Member for City of Chester’s greatest hits. He proposed this in Committee, where he made these points:

“It is essential that there is appropriate evaluation and investigation of the effects of passing the Bill on the number of registered electors in each constituency. We must have a clear idea about the sheer volume of people we are enfranchising in order to establish the necessary procedure to register and deal with the inevitable administrative bedlam that will result from the change.”—[Official Report, Overseas Electors Public Bill Committee, 17 October 2018; c. 69]

I want to cite some of the figures that the hon. Gentleman gave during that debate, because they were very interesting. He said:

“Under the 15-year rule, the number of registered overseas voters in the June 2017 general election reached just over 285,000, surpassing the December 2016 record. The Government have estimated that that is about 20% of eligible expats under the current 15-year limit, giving a potential electorate of around 1.4 million. Indeed, the figure has the potential to increase fivefold with the passing of the Bill. The number of overseas voters registering to vote has risen exponentially over the last 10 years and continues to rise. That can be attributed to the general increase in awareness by overseas voters about voter registration. Until 2015, the number of overseas voters registered to vote had never risen above 35,000.”—[Official Report, Overseas Electors Public Bill Committee, 17 October 2018; c. 70]

I thought that that difference was quite telling. What made the seismic difference was the EU referendum in June 2016. I mentioned earlier the amount of work that was done in embassies around the world to try to encourage people to register for that referendum.

New clause 4 therefore has merit if we are to deal with the scale of the increase in numbers that we are talking about. I am not saying that I would press it to a vote, but I certainly think that it is a merit and requires further consideration today, because the points that the hon. Member for City of Chester made in that debate were striking and something that we should all consider.

Julian Knight: That is a very interesting point, and I am quite staggered that 7 million people overseas could be enfranchised long term if the 15-year rule fails. That is very telling. Is it not true, in terms of my hon. Friend’s reflection on the EU referendum, that when the establishment wants to do something it will put its shoulder to the wheel and get it done? Is it not the case that with this Bill, should it come about, we will find a way to overcome any logistical issues?

Philip Davies: My hon. Friend is absolutely right. It is amazing what can be achieved when the Government and the powers that be set out their stall.

The point that the hon. Member for City of Chester was making, as I see it, was that this measure could make a big difference to elections in this country and ultimately elections could, and might well be, decided in future by people who do not live here. Is that something we want to see? People might well be happy for that to happen, but I brought the new clause back after the hon. Gentleman told it in Committee because I think that the people should at least properly consider whether they want to put in place legislation that could in effect mean that the deciding votes in elections in this country are cast by people who do not live here. What might people living here think about that? We need properly to consider it and to ensure that we are content before we go ahead with it. I brought the new clause back so that people could be aware and could think about whether that was what they really wanted to happen with elections in this country.

Neil O’Brien: Before we raise our sights to the question my hon. Friend has just raised, may I press him on the question of new clause 4(2)(c) and “whether the current election timetables are of sufficient duration to enable the full participation of any increased numbers of overseas electors”?

I was not clear when I read it why there was any fear about this and why there might be any problem with timetabling. If we can get postal ballots out, I cannot see what the problem is that my hon. Friend is trying to address. Perhaps he could enlighten me.

Philip Davies: As I mentioned earlier on the new clauses, we have experience in this country of things being a bit of a shambles during elections, with people not being able to vote when they thought they were able to, with people not having time or with things not arriving in time. We have it at the moment. I am sure that like me—this happened at the last election—my hon. Member for City of Chester made in that debate were striking and something that we should all consider.

Alex Norris: The most significant point about new clause 4(2)(c) is that electoral administrators themselves have expressed concerns about the timetable. I was very enthused to see it on the amendment paper, as we were unable to get it in Committee. We really ought to listen to the experts and make sure that the system is workable.

Philip Davies: I am grateful to the hon. Gentleman for that point, and I do not disagree. It was a helpful point to make.

New clause 5—I am on a bit of a roll now—is another one that I have to thank the hon. Member for City of Chester for, as he prompted me to table it. When he tabled it in Committee, he said that the “new clause requests a detailed report on the representation of overseas voters, including how they might be ‘represented by their MPs’ and ‘any additional demands that may be placed on MPs and their resources as a consequence of the provisions of this Act’.”

The guidance provided to MPs regarding constituency correspondence with expatriates is also vague, probably because there are not that many of them at the moment. The Bill does not define the responsibilities of Members of Parliament towards their overseas voters, and the assumption is that the current position and precedents
Philip Davies: The hon. Gentleman might be right. I am not one of those people who bashes IPSA; it has its job to do, it makes its decisions, and our job is frankly just to get on with whatever it determines. However, he might be right. My right hon. Friend the Member for North Thanet (Sir Roger Gale) is right that this largely would not be a problem. I accept that, but there might well be examples of a certain group meaning that the Bill affects certain constituencies a lot. I do not think it would affect mine, frankly, but it might have a disproportionate effect on others. One thing that IPSA finds it difficult to do is to deal with situations where there are different pressures in different areas. Things are usually done on a more across-the-board basis, understandably, but that can cause some problems, so on that basis the hon. Member for Stoke-on-Trent Central makes a fair point.

Neil O’Brien: Further to the point made by my hon. Friend the Member for Walsall North (Eddie Hughes), it seems to me that in new clause 5(2)(a) we are asking for something that is impossible, as it is simply a radically subjective measure. Is the Minister supposed to measure the turnaround time of correspondence, to look at a Member’s contributions in the Chamber or measure their eloquence? I am afraid that it simply seems impossible.

Philip Davies: I do not see it in those terms. I will accept that it is not particularly well drafted if that is the conclusion that my hon. Friend has drawn from it, but I do not see it measuring the success of MPs in that sense. I see it as more about whether constituents are getting the service that that MP provides to other constituents in the same way. I do not see this duty being placed on the Government or MPs in the same way as my hon. Friend. Does he share my concern that if we have joined in that very proper display of respect to all present in the Palace of Westminster today who attended as it is at this time, on this very significant day—thank you. Colleagues, we shall now observe a minute’s silence in memory of those who died in the Westminster attack on 22 March 2017.
European Council: Article 50 Extension

11.1 am

Matthew Pennycook (Greenwich and Woolwich) (Lab) (Urgent Question): To ask the Secretary of State for Exiting the European Union to make a statement on the extension to the article 50 process agreed at the European Council summit on 21 March.

The Parliamentary Under-Secretary of State for Exiting the European Union (Kwasi Kwarteng): Last night, the Prime Minister met Donald Tusk, following the EU Council’s discussion on the UK’s request for the approval of the Strasbourg supplementary documents and for a short extension to the article 50 process. The Council agreed, subject to this House approving the withdrawal agreement next week, an extension of the article 50 period to 22 May. This provides Parliament with time to pass the necessary implementing legislation and to complete ratification. If Parliament does not approve the withdrawal agreement next week, article 50 will be extended until 12 April. As my right hon. Friend the Prime Minister said in Brussels last night, at that point we would either leave without a deal or we would need to put forward an alternative plan.

The House should be aware that the European Council has clarified that any extension beyond 22 May will require the UK to participate in European parliamentary elections. The Prime Minister has made clear her view: that it would be quite wrong to hold these elections three years after this country voted to leave the European Union. The House should also recognise, as my right hon. Friend the Prime Minister said last night, that we are now at the moment of decision. She, and the whole of this Government, will continue to make every effort to get a deal agreed so that we can leave the EU in an orderly manner and move the country forward.

Matthew Pennycook: I thank you, Mr Speaker, for granting this urgent question? However, given the significance of what was agreed in Brussels yesterday evening, the Government should have made a statement to the House this morning, instead of requiring us, once again, to drag Ministers to the Chamber. On Wednesday evening, the Prime Minister made a divisive speech from Downing Street, in which she chastised right hon. and hon. Members for not making a decision on Brexit. But we have made a decision, voting down her deal twice by historic margins. It is just that it is a decision the Prime Minister is clearly incapable of accepting. It is her intransigence, her pandering to the hardliners in her own party and her refusal to compromise that has brought us to this point. Now that the article 50 process has been extended, I trust that responsible Ministers are determined that purpose is, so that we can leave the EU in an orderly manner and move the country forward.

Let me turn to the substance of the EU Council’s communiqué. It makes it clear that, provided the withdrawal agreement is approved by this House next week, an extension will be granted to 22 May. Can the Minister therefore confirm that the Government will give us a third meaningful vote next week and, if so, on what day? Can he explain how the Government intend to comply with the terms of the statement that you, Mr Speaker, made on Monday to the effect that to have a chance of being put the motion would have to be “substantially” different? Can he commit now publicly to publishing the necessary secondary legislation and giving the House the opportunity to approve it at the earliest possible opportunity?

The Minister will know that it is highly likely that if the deal is brought back next week, it will once again be voted down. The Council’s communiqué makes it clear that if it is, the article 50 process will be extended to 12 April, in the expectation that the UK will “indicate a way forward” before that date. As such, can the Minister state categorically that in the event of such a scenario it would not be the Government’s policy to take us out of the EU without a deal, on or after 12 April? If that is the case—this is the crucial question—could the Minister set out the process by which the Government will provide this House with an opportunity to properly debate the range of alternative options available to us and to facilitate attempts to secure a majority for one of them?

Ministers have constantly told us that a responsible Government prepare for all eventualities. With that in mind, can the Minister tell us what contingency plans are being made for the distinct possibility that an extension beyond 12 April will be required? Over recent months, we have repeatedly argued that an extension to the article 50 process was inevitable and we have made it clear that its length must be determined by its purpose. After next week, it must be for Parliament to finally determine what that purpose is, so that we can do what is right for businesses, communities and people in every region and nation of the UK. In short, it is time that we took back control.

Kwasi Kwarteng: The hon. Gentleman asks a number of questions and makes a number of assertions, some of which are simply not true, frankly. The idea that my right hon. Friend the Prime Minister has refused to compromise is an exaggeration; I do not think that is an accurate reflection of what has happened. With respect to his remarks about the meaningful vote, the Leader of the House set out clearly in her business statement yesterday that she will make a further business statement next week, which would be appropriate—[Interruption.]

Mr Speaker: Order. Sorry, but there is a rather unseemly atmosphere in the Chamber.

Matt Rodda (Reading East) (Lab): On a point of order, Mr Speaker. I believe that the Minister may have used unparliamentary language in what he has just said. Can you guide me and offer me some advice on this matter?

Mr Speaker: I do not think it was unparliamentary language. Whether it was altogether tactful is a matter for speculation and conjecture, and people will have their own view on that. I am inclined charitably to interpret what the Minister said from the Bench; when he said that the Opposition spokesman had made statements that were “not true”, I have to assume that he was asserting that the shadow Minister was incorrect—that he was erroneous. I cannot believe for one moment that the Minister was accusing the shadow Minister of lying, because that would be disorderly.

Kwasi Kwarteng indicated dissent.

Mr Speaker: Indeed, the shake of the head from the Minister on the Treasury Bench, which will be recorded in the Official Report, testifies to the correctness of my
interpretation. May I gently suggest to the Minister, who has had a difficult time at the Box this week, that a felicitous use of phrase would probably be to his advantage?

Kwasi Kwarteng: Thank you very much for your guidance, Mr Speaker. I would also like to stress that I was not making any assertions as to the hon. Gentleman’s moral character; I was just making a statement about my view of certain things that he said.

On the hon. Gentleman’s question about the meaningful vote, it is the Government’s full intention to bring this meaningful vote to the House. We have to have a decision, and the House has to decide whether it will vote for a deal and commit to an orderly exit from the EU or whether it seeks to maintain a stance of indecision and to continue the uncertainty.

Sir Edward Leigh (Gainsborough) (Con): I am not sure the Minister has answered the crucial question put to him. In order to comply with the Speaker’s ruling and have a chance of getting meaningful vote 3 through the House, there has to be a substantial change in the offer. The EU will not carry on negotiating, so the only way to do that is to do so unilaterally by way of declaration. Will the Minister comment on that? Will he make it absolutely clear today, on behalf of the whole Government, not just the Prime Minister, that three years after the referendum it would be utterly intolerable were we still to be in the EU during the European elections? I want him to give an absolute commitment today that the Government would rather resign than be privy to such an appalling betrayal of the people’s trust.

Kwasi Kwarteng: I am pleased that my right hon. Friend asked that question. Obviously, I cannot comment from the Dispatch Box as to what the Government will or will not do in the event of a European parliamentary election, because we are talking about hypotheticals, as my right hon. Friend always likes to do. I can only reiterate the words of the Prime Minister on this: it would be intolerable to have European elections, given that we would have had three years since the country voted to leave the EU.

Hilary Benn (Leeds Central) (Lab): We will not now be leaving the EU on 29 March, but this is crisis delayed, not crisis avoided. Will the Government now support the cross-party amendment for Monday tabled by the right hon. Member for West Dorset (Sir Oliver Letwin) and supported by many others, which would enable the House to hold a series of indicative votes? If the House does agree on a way forward, will the Government support it? Because continuing to say “My deal or no deal” will simply see the country continue to hurdle towards the edge of a cliff.

Kwasi Kwarteng: The right hon. Gentleman makes an assumption about when the meaningful vote may take place. At the moment, the Government’s focus is to make sure that we can potentially get a meaningful vote and secure the deal on the table. That is what I have always maintained, not only since I have been in office but before. We want to pass the meaningful vote and introduce the withdrawal Bill. If the meaningful vote does not get through, we will have to look at alternatives.

Mr Mark Francois (Rayleigh and Wickford) (Con): My I remind the Minister of Denis Healey’s first rule of politics? When you are in a hole, stop digging.

Whenever the meaningful vote is tabled—if you allow it, Mr Speaker—I believe that the House will vote it down, not least because of the rather hubristic speech that the Prime Minister made when she, in effect, attacked Members of this House for having the temerity to vote with their consciences. I think it will not go through. Will the Minister confirm that if that is the case, as I very much hope and believe it will be, we cannot extend again beyond 12 April, even if the EU Council wants us to, unless the United Kingdom agrees?

Kwasi Kwarteng: Of course, that is absolutely the case. If my right hon. Friend is right and the meaningful vote comes to the House and is voted down, the European Council will not be able to impose, necessarily, any exit terms on this House. We would have to have some consent in this House on the way forward.

Stella Creasy (Walthamstow) (Lab/Co-op): The Minister says the House is in a state of indecision; it is not. The House has repeatedly decided: it decided on 15 January, on 12 March and on 13 March. In fact, it has decided repeatedly, every single week for the past few weeks, to say no to the Prime Minister. The House also wants to get on and make decisions. My right hon. Friend the Member for Leeds Central (Hilary Benn) talked about the cross-party amendment; if the House votes for that amendment and gets the opportunity to move things on, will the Government honour the will of the House—yes or no?

Kwasi Kwarteng: The hon. Lady suggests that the House has actually decided; the House has decided to say no many times, but it has not decided to have a course of action or a plan that will take us out of the EU. All I would ask for from Members of this House is a degree of patience. Let us see what happens in the meaningful vote, and we will then have to take forward the necessary actions. I do not want to prejudge that vote now.

Kevin Foster (Torbay) (Con): It was interesting to see the outcome of the Council last night. Will the Minister reassure me that we remain committed to delivering the result of the 2016 referendum, and that next week the House faces the only three choices that we can take unilaterally: no deal, revocation of article 50, or support the deal on the table? There is nothing else.

Kwasi Kwarteng: As usual, my hon. Friend, with customary clarity, gets straight to the point. There are three choices facing the House. We sincerely hope, even at this stage, that we can get the deal through and leave in an orderly fashion. That is exactly what Her Majesty’s Government want to do.

Chris Bryant (Rhondda) (Lab): I detect from the smile on the Minister’s face when he answers some of these questions that he knows perfectly well that he has been sent out on to some very thin ice and a very sticky wicket—if the House does not mind me mixing my metaphors. There are so many things to which he does not know the answer that there is no point in even asking, because the Prime Minister does not even know, but let me ask a simple question to which he might
know the answer. Will we be sitting next Friday and will we be sitting in the week commencing 8 April, which will lead up to 12 April?

Kwasi Kwarteng: The hon. Gentleman will know that Friday sittings are a matter for the House—\[Interruption.\] Absolutely, they are, in terms of procedure. We do not even know whether the meaningful vote will take place or get through. The hon. Gentleman will know that that is a matter of procedure.

Vicky Ford (Chelmsford) (Con): My diary is definitely clear, should we need to have more discussions.

Many Members of this House want to deliver on the referendum result in an orderly manner, and I will support the withdrawal agreement, when it comes back to the House, as the best way to do that, but if it does not go through and there are indicative votes, will they be free votes, so that everybody outside the Chamber can see that we truly are acting to try to find the best way forward, although the circumstances are difficult?

Kwasi Kwarteng: Obviously, if the House is asked to decide a way forward, it would be surprising if those votes were not free votes. Again, though, my hon. Friend will understand that the ultimate decision is for the business managers and will be taken as and when the debate takes place. \[Interruption.\] I said it would be a matter of surprise to me.

Owen Smith (Pontypridd) (Lab): Reports state that yesterday evening the Prime Minister left European leaders deeply unimpressed with her performance. That described a familiar situation for those of us in the House who are used to questioning the Government. Did the Minister really say a moment ago, from the Dispatch Box, that he anticipates that the Government will have a free vote on the withdrawal agreement when it comes back?

Kwasi Kwarteng: With respect, the hon. Gentleman utterly mishandled, or certainly misunderstood, what I said. I was not referring to the meaningful vote; I was referring to the indicative votes suggested by my hon. Friend the Member for Chelmsford (Vicky Ford) in her question.

Sir Roger Gale (North Thanet) (Con): The extension agreed by the EU last night was clearly a significant alteration in the circumstances, which I hope will mean you feel able to allow the meaningful vote to be put to the House again next week, Mr Speaker. I am saddened that the Opposition Front Bench, the hon. Member for Greenwich and Woolwich (Matthew Pennycook), found it necessary to criticise the Downing Street speech. It was not a statement of opinion; it was a statement of fact. The fact is that hon. Members on both sides of the House have been very good at finding things they cannot agree with and not very good at finding things or a particular solution they can agree with. Does my hon. Friend agree that the Prime Minister is offering not a grievance but a solution, and one that we should now support?

Kwasi Kwarteng: I cannot agree with my right hon. Friend strongly enough. The Prime Minister has set out her deal. I strongly believe it is the best way out of the EU and will continue to make that case, along with other members of the Government.

Thangam Debbonaire (Bristol West) (Lab): I am heartily sick of being told by Ministers and other Members that the House has not said what it wants. We keep having that option ruled out. If the Minister is cross with us for not saying what we want, will he now commit the Government to supporting the amendment that would provide for indicative votes on what we do want? Some of us would really like the opportunity to say what we want.

Kwasi Kwarteng: I can reassure the hon. Lady that I am not cross at all. \[Interruption.\] Well, I am not; I am perfectly happy to take questions and to engage with the House. If we lose the meaningful vote, we will proceed to face the question the EU has set out in terms of 12 April, as the Prime Minister and Donald Tusk made very clear yesterday.

Dr Julian Lewis (New Forest East) (Con): If indicative votes take place, whether whipped or free, and if they contradict the outcome of the referendum of 2016, will the Government feel obliged to obey?

Kwasi Kwarteng: As my right hon. Friend knows, the Government have always been committed to honouring the result of the referendum, and we fully intend to leave the EU in an orderly manner, which is why at this late stage I continue to urge Members to back the deal.

Richard Burden (Birmingham, Northfield) (Lab): The Minister has urged the House to move beyond “indecision” and to adopt a “course of action” or “plan”. Does he not accept that the amendment tabled by the right hon. Member for West Dorset (Sir Oliver Letwin) would achieve precisely that, and why does he have such difficulty saying that the Government would support it and honour it if it was passed?

Kwasi Kwarteng: As the hon. Gentleman knows, that amendment—it is not clear whether it has even been accepted—has been rejected twice, and there is no reason the Government should back an amendment that has been rejected twice.

John Howell (Henley) (Con): I say to the House gently that I am less and less interested in hypothetical solutions to this problem. I voted for the deal and will do so again. The issue of no deal is not about trading on WTO terms; it is about ending the enormous uncertainty that will continue for companies if we go out in a no-deal scenario.

Kwasi Kwarteng: My hon. Friend puts it extremely well. These hypothetical discussions do not alleviate the uncertainty or address the problem. There is huge uncertainty, and the sooner we end it by backing a deal, the better it will be for this country.

Andy Slaughter (Hammersmith) (Lab): I am tempted to ask the Minister what he had for breakfast this morning, as that might be a question he can answer. His performance is emblematic of the shambolic lack of preparedness over this whole issue. I will try a few very simple questions. Is the meaningful vote coming forward next week? If so, on which day? And if, as seems almost inevitable, it is voted down again, what happens then?
Kwasi Kwarteng: As with my hon. Friend the Member for Henley (John Howell), I am not getting into hypotheticals. I have said that we hope to have a meaningful vote—let us see, Mr Speaker, if you decide that it is in order—and then we can test the will of the House.

Mike Wood (Dudley South) (Con): Can the Minister confirm that, notwithstanding last night’s agreement, the article 50 period will only be extended if the House votes for a statutory instrument to give effect to such an extension?

Kwasi Kwarteng: My hon. Friend is quite right. The Government would have to lay a statutory instrument and the House would have to debate and vote on it.

Jo Stevens (Cardiff Central) (Lab): Does the Minister not accept the irony—some would say hypocrisy—of the Government saying the public can have a vote neither on whether to agree the Prime Minister’s deal or remain nor in the European elections but that the House can vote three times on her deal?

Kwasi Kwarteng: And Labour Members are urging the Cooper-Bolles amendment. It has been rejected twice, yet they still seek to bring it back to the House. That is how the House of Commons is operating these days.

Greg Hands (Chelsea and Fulham) (Con): Since last night’s European Council meeting, would the Minister say that his Department’s preparations for no deal have been stepped up or stepped down?

Kwasi Kwarteng: My right hon. Friend will know that the Department has been engaged in no-deal preparation for about two years now, although it has been ramped up in the last few months, and we fully expect to be absolutely ready if this country leaves the EU without a deal.

David Hanson (Delyn) (Lab): With due respect to the Minister, I am still not clear about the process from here. The world outside this Chamber would like to know on what day we will have a meaningful vote, whether the motion will be different from the one taken twice before and when the Government will lay the statutory instrument to extend article 50 beyond 29 March. People with businesses want to know the answers to those questions, and the Minister, on behalf of the Government, has a responsibility to answer them in this Chamber.

Kwasi Kwarteng: We all have a responsibility. As I and other members of the Government have been saying for many months, the most orderly way to leave is by backing the deal, but other Members have taken a different view. The Government fully intend to have a meaningful vote next week, and, as a consequence of a vote either way, I am sure that a statutory instrument will be introduced to the House early next week. That is the timeframe I have been led to believe. I think that is where we are.

Sir Christopher Chope (Christchurch) (Con): So the statutory instrument will be issued on Monday or Tuesday? It has taken a long time to get even that information out of my hon. Friend. Can he expand upon whether the SI will be issued in draft before or after the Government’s next—and likely failed—attempt to get this ludicrous deal through?

Kwasi Kwarteng: I am not going to say today—Friday—the exact hour and time the meaningful vote will take place or the SI will be tabled. I have set out the path and the process very clearly. My hon. Friend should refer to my earlier remarks.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): This is not so much a crisis of the constitution as a crisis of leadership on the part of the Government. Parliament is not the problem; Parliament has not had the opportunity to find a way forward and establish a majority for anything because the Government have prevented it from doing so. That is the reality. I do not think that the Minister will be able to table the motion next week unless he substantially changes it, because you have ruled it would be out of order, Mr Speaker. Will he confirm that he does not intend to substantially change the withdrawal agreement and political declaration prior to subjecting them to another meaningful vote, and if the motion is ruled out of order, will he accept the need to establish a majority to amend it for it to proceed?

Kwasi Kwarteng: I am not going to second-guess your decision on the meaningful vote, Mr Speaker, but there is a body of opinion, which I happen to share, that the circumstances will have changed—we will have had EU input on the timetable—and that it may well be argued that those changed circumstances allow another meaningful vote.

Tom Pursglove (Corby) (Con): I am afraid that I fundamentally disagree with this business of extension in the first place, but will my hon. Friend confirm whether there are any additional financial commitments associated with the proposed extension?

Kwasi Kwarteng: As far as I am aware, we have not discussed any more financial commitments outside those detailed in part 5 of the withdrawal agreement.

Danielle Rowley (Midlothian) (Lab): I absolutely despair at what this whole charade is doing to public trust in this place. That was not helped by the Prime Minister pitting the people against Parliament in an absolutely shocking speech. My constituents, who have been contacting me in their hundreds, say that they do not want a no-deal exit and that they do not want the Prime Minister’s deal, and that is what Parliament has also ruled. The Minister is talking about hypotheticals, but, given that it is almost Friday afternoon, next week’s business is not hypothetical. What will he say to reassure people outside of this place that this is not just an absolute farce?

Kwasi Kwarteng: What I say is: back the deal.
not think that there will be a backlash, they are in cloud cuckoo land. The Government could, and should, leave on 29 March, as they promised all the way along. Why are they not doing that, and will the Minister give an absolute assurance that the two dates mentioned—the one in May and the one in April—will not, in any circumstances, be superseded by pushing it to a later date, because to do so would be the most appalling betrayal of trust to the British people?

Kwasi Kwarteng: I cannot recommend the words of my hon. Friend enough. We all stood on manifestos in this place that committed to honour the 2016 referendum and leaving the EU in an orderly way.

Anna McMorrin (Cardiff North) (Lab): The country is facing a national emergency, and this Government are taking us to the brink. We have seen a petition to revoke article 50 when nearly 3 million people signed in less than 48 hours. That is unprecedented. Will the Government seek another way forward by asking Parliament and then put that back to the people, or by revoking article 50?

Kwasi Kwarteng: It is not Government policy, and never has been, to flout the 2016 referendum result, going back on what the people voted for, or to revoke article 50.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): Can the Minister suggest to the Prime Minister that her deal is dead and that MV3 is dead? May I also suggest that she watches the “Monty Python” sketch on the dead parrot to see that her deal is dead? If she is not willing to listen, perhaps she is willing to watch and then bring back a statement that will unite us rather than divide us.

Kwasi Kwarteng: As I have said, I would be very surprised if the Prime Minister does not make a statement on Monday. Downing Street is, I think, committed to that. What I say is that a deal is the best way forward. That is the best way to leave the EU in an orderly way.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): I found the statement by the Prime Minister sickening and revolting because she pitted our constituents—the British public—directly against us. It has made our job a lot, lot harder simply because she is trying to place her complacency and ineptitude and inabilities to strike a deal on to us. Will the Minister respond by saying that, along with bringing back a meaningful vote next week, the Prime Minister will also come to the Dispatch Box to offer a full and unreserved apology to us all as parliamentarians?

Kwasi Kwarteng: I am sure the Minister and the whole House will agree that, when a motion is defeated by a majority of almost 250 Members of this place and when Members such as me vote against that motion knowing that it will mean that that motion may not come back, we do not expect it to be hawked around for a second, third or fourth time. I voted against the people’s vote motion last week, and I presumed that the same would apply, given that the majority was almost the same. May I suggest to the Minister that one way through this would be to bring forward parts of the withdrawal amendment Bill and place in it, on statute, the roll that this House will play in the next phase of negotiations? We are in this mess, frankly, because the Prime Minister went to Europe and cut a deal that she supported without checking with us first. If she repeats that mistake, this process will go on for far longer than the European elections.

Kwasi Kwarteng: The hon. Gentleman will understand that the Bill will only be introduced subject to the House voting through the meaningful vote. That is, I am afraid, standard process in these matters.

Ms Karen Buck (Westminster North) (Lab): The Minister keeps saying that he will not engage in hypotheticals, but on 14 March the Deputy Prime Minister said that the Government would, if a meaningful vote is not approved, “facilitate a process in the two weeks after the March European Council to allow the House to seek a majority on the way forward.”—[Official Report, 14 March 2019; Vol. 656, c. 563.]

Does he agree with the Deputy Prime Minister? If he does, can he tell us exactly when, and by what process, he would take forward the means of this Parliament reaching an agreement?

Kwasi Kwarteng: I agree with the hon. Lady to a point. If the meaningful vote is voted down, it would be reasonable to have a wide debate in the House, as the Chancellor of the Duchy of Lancaster suggested two weeks ago, to find what the House would tolerate and how it sees things going forward. I agree with that.

Glyn Davies (Montgomeryshire) (Con): I voted leave in 1975 and I voted leave again in 2016. It is crucial that we respect the vote of the referendum. Does my hon. Friend agree that the best way to achieve that, and indeed to retain good, solid working relationships with our current European partners, is by supporting the withdrawal agreement and voting for it in the meaningful vote?

Kwasi Kwarteng: In all this noise and debate, the course outlined by my hon. Friend is the most secure one. It is the best one for delivering on certainty for our businesses. I, along with him, will continue to support the deal.

Mike Kane (Wythenshawe and Sale East) (Lab): In an age of polemics, I like to think of myself as a meek politician, but, in the biblical sense, meekness is a continuum from outright rage to outright apathy. As I listened to the Prime Minister’s statement on Wednesday night, I was filled with nothing but wrath for it. This is a person who holds an office that technically has an immense power and who has promised to leave the
European Union on 108 occasions in this House yet has failed to deliver. Does the Minister think that the Prime Minister helped her cause in any way whatever with that statement on Wednesday night?

Kwasi Kwarteng: My right hon. Friend the Prime Minister expressed the frustration that millions of people across this country feel at the inability of this House to move the debate forward and to honour its commitments to leave the EU and to honour the referendum of 2016.

Bill Esterson (Sefton Central) (Lab): The Prime Minister said at her press conference last night that she would honour the commitments made by the Minister for the Cabinet Office to hold indicative votes if the withdrawal agreement was defeated again. I think that the Minister just confirmed that he agrees with her on that point. So when he confirms again in answer to this question that that is what he has just said, will he also confirm that the Government will be bound by the results of those indicative votes as a way out of the crisis that this country is currently in?

Kwasi Kwarteng: All I said—I want to repeat it—is that, in the event of the House voting down the meaningful vote, it would not be unreasonable to have subsequent votes to find out what the House actually supported.

Cat Smith (Lancaster and Fleetwood) (Lab): The Minister has said an awful lot about what he thinks, but not so much about what he knows. Does he think the Prime Minister even wants to get her deal through? She has to convince Members of this House to vote for it, but her irresponsible speech in Downing Street on Wednesday evening has seen increased hostility and threats, including death threats, towards Members of this House from members of the public, who she pitted against us.

Kwasi Kwarteng: I know that the Prime Minister has worked tirelessly to get the deal across the line, as have other members of her Government. We still maintain that this deal is the best way in which to leave the EU in an orderly and timely fashion.

Chris Elmore (Ogmore) (Lab): Before I ask my question, let me say that the Minister should join his Chief Whip in saying that he is appalled by the Prime Minister’s language. I have been standing up to bullies all my adult life and I will not be bullied by the Prime Minister, and neither will any Opposition Member. Will the Minister tell us what the new exit date will be after the SI has been tabled—12 April or 22 May?

Kwasi Kwarteng: The hon. Gentleman very ably sets out the alternative that the EU has suggested, but he will understand that it is conditional on what happens in the meaningful vote. If the meaningful vote goes through, we are leaving on 22 May. If it does not, 12 April is in play.

Ruth Smeeth (Stoke-on-Trent North) (Lab): I just want to confirm what we have heard from the Minister today: we do not know when the meaningful vote will be; we do not know what will be in it; we do not know whether the Government will whip it; we do not know when the SI will be tabled; and now we do not even know what will be in the SI. How can we have any faith that this Government can deliver anything, never mind Brexit?

Kwasi Kwarteng: I have said that we are committed to having the meaningful vote next week, and that once the meaningful vote is decided one way or the other, we will be looking to introduce an SI to change the exit day.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): The last few years have been extremely difficult for parliamentarians. The referendum divided the country, but we have desperately tried to respect the result and find a way through, after being put in a really uncompromising position by the Prime Minister. In that time, we have faced harassment and targeted threats. When we come down here, our families are fearful for our safety; when we are here, we fear for our families’ safety. And the Prime Minister—the Head of our Government—playing on that to try to bully and harass us even further will not work.

Good faith in this House is at a bare minimum now, and the Prime Minister has lost any good faith that I had in trying to work with her, but we still have to find time and find a deal, and that can be achieved only if the Government accept that we have to depart from the current withdrawal agreement to find a compromise that can win support across the House. The Minister must surely now accept that there has to be a change of direction.

Kwasi Kwarteng: I commend the hon. Gentleman for his remarks about the increased violence and threats faced by all Members of this House; it is right to observe this issue, particularly as we commemorate two years since people lost their lives in an attack on this place. With respect to the process, we still have to have the meaningful vote. The hon. Gentleman predicts that it will be voted down. If it is, we will table an SI in the manner that I have described. There may well be debates in the House to find a solution—a way forward. That is what I can commit to.

Jeff Smith (Manchester, Withington) (Lab): My hon. Friend the Member for Greenwich and Woolwich (Matthew Pennycook) was being rather generous and polite when he described the Prime Minister’s speech as divisive; it would have been better described as shamelessly arrogant and dangerous. The Prime Minister is continuing to display that arrogance in every forum, and it really cannot go on. With respect, other Ministers are displaying the same arrogance in failing to face up to the situation that we are in. The Minister says that there will be a meaningful vote early next week, followed by an SI that will be published early next week and which clearly has to be voted on before next Friday. Presumably, that can be voted on only after the meaningful vote, so I imagine that that will happen on Thursday or Friday. Can the Minister give us some clarity about what we are doing next week, because Members of this House need to know?

Kwasi Kwarteng: The technicalities of the business of the House are a matter for the Leader of the House. The hon. Gentleman says he is confused, but he ably set out the path for next week. We want to have a debate and a meaningful vote. In either eventuality after the meaningful vote, we will be looking to introduce an SI to amend the exit date. That is a very clear path.
Chi Onwurah (Newcastle upon Tyne Central) (Lab): The Prime Minister has succeeded in alienating this House and inflaming the divisions in our country. She is bringing the House into disrepute with her inability to recognise that the House and the country might hold an opinion different from her own. She is like a child who will not share her Brexit toy. But this is about all our futures, so will the Minister set out how the Government will give the House or the people of this country the opportunity to find a different way, because the Prime Minister is not going to get her own way on Brexit?

Kwasi Kwarteng: I assure the House that the Prime Minister has been absolutely committed to delivering on the result of the referendum—on the fact that we have to leave the EU. I believe, as does the Prime Minister, that the best way to do so is with a deal, and I will continue to argue passionately for that.

Matt Rodda (Reading East) (Lab): The Minister has come here and given a series of confused and contradictory replies to colleagues this morning. Once again, this shows the state of complete and utter disarray in which Ministers find themselves. When will the Government finally—at this late hour—look again at the whole issue of Brexit, and find an alternative way forward?

Kwasi Kwarteng: I would say that the confusion and contradiction sit on the Opposition Front Bench. Labour Front Benchers do not know whether they want to revoke article 50, do not know whether they want to honour the referendum and their commitment to leave, and do not know whether they want to be in a customs union or not. They give totally contradictory and confused answers. The Government have been incredibly consistent that the withdrawal agreement marks the best and most orderly way to leave the EU.

Christian Matheson (City of Chester) (Lab): Further to the question asked by my hon. Friend the Member for Manchester, Withington (Jeff Smith), while the Minister has been on his feet The Times journalist Francis Elliott has tweeted his information that the SI will be tabled and debated on either Monday or Tuesday, which rather throws us into further confusion, as my hon. Friend said, because that suggests that the meaningful vote would have to be taken before Monday or Tuesday. Can we have some clarity, or is it simply the case that the Minister is having to take one for the team?

Kwasi Kwarteng: I am very pleased that the tweet confirms what I have been saying. I have consistently said that the SI would be introduced early next week, and Monday or Tuesday conforms to what I said earlier from this Dispatch Box.

Chris Bryant: On a point of order, Mr Speaker. The Minister said that whether we sit next Friday, or when we sit, is entirely up to the House. Well, the House can make those decisions only if the Government have tabled something to that effect. It seems perfectly likely that we will be sitting next Friday for the reasons that several hon. Members have already mentioned. However, the Easter recess dates have already been announced—I do not think that we have voted on them as there has not yet been a motion before the House, but I may be wrong on that—and people are making plans. As it stands, the Easter recess means that we would not be sitting on 12 April, which is one of the next dates that is meant to be important. Would it not be really helpful if the Leader of the House were to make a statement before the end of today as to the future plans for when we are going to be sitting?

Mr Speaker: It would. Whether such will be forthcoming, I do not know, but the hon. Gentleman’s point of order contained three propositions—or at any rate, two assertions and a proposition. He was right in every particular. We will leave it there for now. I cannot add anything at this hour, but my not being able to add anything at this hour does not put me into a position markedly different from that of the Minister on the Treasury Bench.
Gaza Border Deaths: UNHRC Inquiry

11.49 am

Emily Thornberry (Islington South and Finsbury) (Lab): (Urgent Question): Thank you for granting this urgent question, Mr Speaker.

A few days ago, Dr Tarek Loubani came to see me. He is a Canadian who last year was volunteering in Gaza. When the protests began—

Mr Speaker: Order. At this stage, the shadow Foreign Secretary simply asks for a statement from the Minister—just a sentence.

Emily Thornberry: I do apologise, Mr Speaker. Everything is so topsy-turvy at the moment; I seem to have lost myself.

Mr Speaker: Just blurt it out—ask the question. One sentence, for the record.

Emily Thornberry: To ask the Secretary of State for Foreign and Commonwealth Affairs to make a statement on the vote at the United Nations Human Rights Council this morning.

The Minister for the Middle East (Alistair Burt): We have all been in the right hon. Lady’s position; I appreciate the question and am happy to respond.

The Government remain deeply concerned about the situation in Gaza. The violence over the past year has been and continues to be shocking, and the loss of life and large number of injured Palestinians are devastating. Since 30 March 2018, more than 23,000 Palestinians have been injured and 187 killed.

We have been clear that the UK fully supports the need for an independent and transparent investigation into last year’s events in Gaza. Our Prime Minister and my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson), the former Foreign Secretary, made that position clear to Prime Minister Netanyahu last year, and we continue to urge the Israeli authorities to look into the Israel Defense Forces’ contact at the perimeter fence.

We have repeatedly made clear to Israel our long-standing concerns about the manner in which the IDF policed non-violent protests and the border areas, including the use of live ammunition. We call on Israel to adhere to the principles of necessity and proportionality when defending its legitimate security interests. It is totally unacceptable that Hamas and its operatives have been cynically exploiting the protests for their own benefit. Hamas and other terrorist groups must cease all actions that proactively encourage violence or put civilian lives at risk.

We welcome the fact that the Israeli Military Advocate General has recently ordered five criminal investigations that relate to 11 separate instances of Palestinian fatalities during the Gaza border protests. Those investigations are ongoing. Given the importance of accountability, it is vital that the investigations are independent and transparent, that their findings are made public, and that, if wrongdoing is found, those responsible are held to account.

In May 2018, the United Kingdom abstained on the UN Human Rights Council resolution calling for a commission of inquiry on the basis that the substance of a resolution must be impartial and balanced. We could not support an international investigation that refused to call explicitly for an investigation into the action of non-state actors such as Hamas. This morning, the UK abstained on the item 2 accountability resolution at the 2019 Human Rights Council, which included references to the commission of inquiry report. Although the report looks into Israel’s actions, it is highly regrettable that it did not look comprehensively at the actions of non-state actors such as Hamas.

The perpetual cycle of violence does not serve anyone’s interests, and it must end. The impact of the protests has been severe and catastrophic, particularly on Gaza’s healthcare system. I am considering what more the United Kingdom can do to support those in desperate need in Gaza, and I hope to be able to make a further announcement in the coming days.

The situation in Gaza remains unsustainable, set in the context of a stalled middle east peace process that remains, in the view of the UK, vital to pursue and preserve. A long-term strategy for Gaza itself is desperately needed to improve humanitarian and economic conditions and reduce the restrictions that are damaging the living standards of ordinary Palestinians. Israelis and Palestinians deserve to live their lives in peace and security. It is vital that all parties redouble their efforts to move towards renewed negotiations and the shared goals of peace and a two-state solution.

Mr Speaker: I call Emily Thornberry.

Emily Thornberry: Thank you, Mr Speaker; I will have another go.

As I was saying, a few days ago, Dr Tarek Loubani came to see me. He is a Canadian who was volunteering in Gaza last year. When the protests began on the border last spring, he went to help the many protestors who had been wounded by gunfire or affected by tear gas. He said that, on 14 May, the situation was relatively calm. He stood chatting to his colleagues 25 metres away from the protestors, wearing his green hospital scrubs. He said:

“We could clearly see the IDF sniper towers...And they could see us’’.

When he turned sideways, that was when they shot him—one bullet, through both legs. The paramedic who came to his aid, clearly marked in high-vis clothing, treated his injuries, then resumed his work elsewhere and was shot dead an hour later. That paramedic was one of 189 Palestinians killed during last year’s protests—35 of them children—while Dr Loubani was one of 6,000 shot by snipers.

The UN report into these actions may have its faults—I accept that, and I agree that it plays down the role of Hamas in orchestrating these protests, but it provides clear and compelling evidence that live ammunition was used in a way that cannot be explained or justified against individuals such as Dr Loubani and thousands more like him. Yet this morning, as the Minister said, the Government have abstained on a resolution endorsing that report, in effect telling the Israeli authorities, “We refuse to find fault with your actions.”

Alistair Burt indicated dissent.
Emily Thornberry: I believe it does. Yesterday, we read the explanation for that decision in an article by the Foreign Secretary, along with the announcement that the UK would vote against all resolutions before the Human Rights Council under standing item 7 of its agenda—even those in line with official UK policy.

I want to ask the Minister about the logic of the Foreign Secretary’s argument. He argues that because item 7 gives disproportionate attention to the situation in Palestine above all other conflicts, on principle the Government will veto all resolutions falling under that heading. By that logic, would it have been this Government’s position to veto all Council resolutions on apartheid, which was a standing agenda item for 26 years, or all Council resolutions on Chile under Pinochet, which was a standing item for 15 years, simply on a point of principle?

Even if we accept that argument, let us look at what the Foreign Secretary says next:

“Britain will continue to support scrutiny of Israel…in the HRC, so long as it is justified and not proposed under Item 7.”

But the report into events in Gaza debated at the Council today is being considered under item 2, not item 7. Surely the Minister cannot deny that its criticism of the use of live ammunition is justified. By the Foreign Secretary’s logic, why have the Government refused to support the report? If Dr Loubani cannot be given justice for the injuries he has suffered and the killing of his colleagues, surely he deserves at least to hear the world, including our country, unequivocally condemn it.

Alistair Burt: I am grateful for the right hon. Lady’s remarks, some of which I very much agree with. I also met Dr Tarek Loubani and colleagues from Medical Aid for Palestinians during the week. There is no doubt about his sincerity and the pain that he has experienced in relation to his injuries and the death of his friend. Any encounter with those who have been involved in the actions that resulted from the protests and the move towards the fence brings into sharp relief our discussions, when we confront the reality of what has happened—the loss of life, the life-changing injuries to a child hit by a bullet, a lifetime of disability and the loss of paramedics. Whatever the context of a right to protest and a right to defend, if such things result that is a tragedy, and such actions are shocking and appalling in equal measure. Whatever the context, that cannot and should not be an end result.

In relation to the procedural matters that the right hon. Lady raised, there are two parts to dealing with matters at the Human Rights Council: the vote itself, and the explanation of vote. The United Kingdom has not been alone in abstaining in relation to this accountability, and the votes were spread across the Human Rights Council. There are reasons for both.

The United Kingdom has taken a principled position in relation to item 7 for a period of time. When item 7 was introduced, as my right hon. Friend the Foreign Secretary said, Ban Ki-moon, the then UN Secretary-General, voiced his disappointment, given the range and scope of allegations of human rights violations throughout the world, that there was one specific item relating solely to Israel, and Israel was the only country that faced that. That has been the long-standing concern about item 7. At the same time, we have been at pains to make it clear that when issues came under other items, as with item 2 and this accountability report, the matter would be looked at entirely on its own merits, and we would support those actions that we believed we could.

In relation to this particular matter, at the time the inquiry was set up, we said that because of the nature of the inquiry—it would not be looking at the actions of those who were responsible for taking people to the fence and took some complicit action in relation to what happened—the inquiry could not be even-handed and balanced. That is why we abstained in the first place, and it is why we abstained again. If I may, I should put the explanation of vote that has been given in Geneva on to the record so that colleagues here can read it. It says:

“Our vote today follows on from our position in…2018 when we abstained on the resolution that created the Commission of Inquiry into the Gaza protests. Our expectation is that accountability must be pursued impartially, fairly, and in a balanced manner. We did not and cannot support an international investigation that refuses to call explicitly for an investigation into the actions of non-state actors such as Hamas, and we cannot support a resolution that fails to address the actions of all actors, including non-state actors. The UK continues fully to support an independent and transparent investigation into the…events in Gaza. We note the IDF opening potential criminal investigations into a number of cases. But equally we have publicly and privately expressed our longstanding concerns about the use of live ammunition and excessive force by the Israel Defence Forces. Our decision to abstain reflects”—our concern and our balanced position. That is the reason for it, but it does not stop us calling out those actions we consider to be wrong. We welcome the fact that there will be some criminal investigations, and we wait to see the result of them.

Dr Julian Lewis (New Forest East) (Con): I agree with every word of the Government’s position, as just read out by the Minister. I therefore do not understand why we just abstained, instead of voting against the proposal. If we felt that this particular organisation would produce only a partial and unbalanced report, and if we want an impartial and balanced report, would it not have made more sense to vote against the proposal?

Alistair Burt: No. We maintained the position of abstention because that reaffirmed our position in relation to the nature of the inquiry itself. However, the inquiry produced matters of concern to the United Kingdom in relation to what it did, such as listing those who were killed and wounded. The nature of the account led us to the belief that our concern could properly be expressed not by voting against it, but by maintaining our previous position.

Stella Creasy (Walthamstow) (Lab/Cop): The Report is right to call for accounts of the conduct of Hamas in this situation, but this report also gives us clear evidence about the consequences for the people in Gaza of what happened last summer. It also gives us evidence of what is happening now; in particular, we see that the healthcare system in Gaza is still not able to cope with the consequences, with 8,000 elective surgeries being cancelled because medical staff have had to deal with the aftermath of the violence. May we press the Minister? He may not agree with the report, but we can all agree that we should take practical action in the light of what it shows us. Will he do more to help those struggling with healthcare in Gaza as a result?
Mr Speaker: That is magnanimity personified. Charm and good grace have characterised the hon. Gentleman since first he entered the House in 1997. That is very good of him. I call Dame Louise Ellman.

Dame Louise Ellman: I welcome criminal investigations where they are warranted, but the report does not seem to take into account the fact that this was an organised demonstration that threatened an internationally recognised border, and that 150 of 187 people on those demonstrations had been recognised as operatives of Hamas, or of very similar organisations.

Alistair Burt: The hon. Lady is right, and that is what we have sought to do. When I was last in Gaza, I went to one of the hospitals that have been involved and met two of the patients who were still being treated there for bullet wound injuries. We have provided £1.5 million to support the International Committee of the Red Cross appeal in 2018, which targeted several of the most urgent needs in Gaza, including drug supplies, emergency fuel and physical rehabilitation. I have taken a particular interest in the physical rehabilitation side, because it is one thing to treat people’s injuries, but quite another to recognise, particularly for growing children, that they are going to need support over a lengthy period of time. We can indeed separate the two, and we are doing what we can in relation to support for Gaza, but we must remember the context. These injuries should not be occurring, and there are widespread reasons why these protests should be handled in a different way if they are not to risk people’s lives in future.

Alistair Burt: The Government have repeatedly called for an independent and transparent investigation at the highest levels and in multiple forums, including here in Parliament and at the UN Security Council. The Prime Minister and former Foreign Ministers have raised the issue directly with Prime Minister Netanyahu. Our position Minister and former Foreign Ministers have raised the highest levels and in multiple forums, including here in Parliament and at the UN Security Council. The Prime Minister and former Foreign Ministers have raised the issue directly with Prime Minister Netanyahu. Our position has not changed, and we will continue to do that. Earlier this week, British embassy officials raised the issue of Gaza with Israeli authorities, highlighting the importance of proportionality, and concerns about the volume of live fire used against unarmed women, children and medics.

Richard Burden (Birmingham, Northfield) (Lab): The Minister said that he has met Dr Tarek Loubani, who was shot in both legs despite wearing clothes that clearly marked him out as a medic and therefore a protected person under international law. Does the Minister accept that Dr Loubani is one of 600 health workers who were wounded last year, three of whom were killed? In what other situation would the Government refuse to vote to hold accountable those who flagrantly breach international humanitarian law? Is the fact that Hamas recognises as operatives of Hamas, or of very similar organisations.

Alistair Burt: Yes.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op) rose—

Dame Louise Ellman (Liverpool, Riverside) (Lab/Co-op) rose—

Mr Speaker: I call Stephen Twigg.

Stephen Twigg indicated dissent.

Mr Speaker: That is magnanimity personified. Charm and good grace have characterised the hon. Gentleman since first he entered the House in 1997. That is very good of him. I call Dame Louise Ellman.

Dame Louise Ellman: I welcome criminal investigations where they are warranted, but the report does not seem to take into account the fact that this was an organised demonstration that threatened an internationally recognised border, and that 150 of 187 people on those demonstrations had been recognised as operatives of Hamas, or of very similar organisations.

Alistair Burt: The hon. Lady points out one of the major difficulties in the United Kingdom accepting the commission of inquiry as a full commission. All the available evidence from open sources, and other sources, accepts that Hamas played a part in pushing people towards the border, and that circumstances in which death or injury were likely to result were deliberately created and exploited. Whatever accountability and criminal investigations there will be regarding members of the Israel Defence Forces, we can be certain there will be none in relation to Hamas, which is an imbalance. None the less, nothing justifies the circumstances, and all parties should be doing what they can to ensure that although there is a right of protest and—rightly—a right of defence, that should not end with the tragedies that the commission has had to document.

Kevin Foster (Torbay) (Con): I appreciate the Minister’s responses and his overall tone. Does he agree that although the report rightly points in some cases to the disproportionate use of force, it does not look at the whole picture, which is what we would want from a fully independent and transparent process? Although there are some issues that clearly require a criminal investigation, just as for difficult issues in our own past, any inquiry must consider all factors that took place.

Alistair Burt: As my hon. Friend and other Members know well from their own experience, the tragedy of the area is that the sheer practicalities prevent the sort of inquiry process we would expect, and it is very difficult to gain evidence of what might have inspired those who went to the fence, propelled by Hamas. That there were legitimate protests is not in doubt. The organising committee and those legitimate protests have no connection with those of violence. That we know, but we cannot know too much about what Hamas did, the exploitation of people and the results, because it will never be possible to get that sort of investigation. That is why I seek to set this in the context of needing to end the situation overall, because until there is a comprehensive peace agreement—a two-state solution, with justice for the Palestinians and a secure and safe Israel—we will not
see an end of this. That is why the United Kingdom, and I suspect this House, must want us to continue to press for that above all.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The ongoing programme of demolitions, illegal settlement building and annexations by the Netanyahu Government is threatening the territorial integrity of a future Palestinian state, so will the Government take action in solidarity with the Palestinians and recognise the state of Palestine?

Alistair Burt: Again, that is another familiar request. Our position—and my position—has not changed. The right to recognise the state of Palestine is something that can and should be exercised at a time that is most advantageous to the peace process, and the United Kingdom does not judge that to be yet. In relation to settlements and everything else, we share the hon. Gentleman’s view. We condemn settlement expansion as one of the barriers to peace. We provide support for those who are being unjustly threatened and evicted, but again, this will be settled only in the overall agreement that we are seeking to see moved forward, and that is essential for the peace and security of Israel and also for justice for the Palestinians.

John Howell (Henley) (Con): The situation is certainly a tragedy, but should the UN not also have taken into account the flaming kites, the hurling of explosives and the clearly audible cries of “Get closer! Get closer!” that were issued by Hamas officials?

Alistair Burt: My hon. Friend is right. Indeed, the commission did refer to those aspects and spoke about the damage done, saying in paragraph 109:

“The police force of the de facto authorities in Gaza bears responsibility for failing to take adequate measures to prevent incendiary kites and balloons from reaching Israel, spreading fear among civilians in Israel and inflicting damage on parks, fields and property. Similarly, the police force failed to prevent or take action against those demonstrators who injured Israeli soldiers.”

Some of that is touched on, but the underlying issue remains that Hamas has a credo of violence against the state of Israel, which is at the heart of its actions and sustains those involved in terror. That has to end, as part of the process that will see peace and security in the region.

Stephen Twigg: Both the Minister and the shadow Foreign Secretary have said that it would have been better if the inquiry had also looked into Hamas’s involvement. I agree, but I do not believe that justifies or excuses our abstaining on the resolution. I, too, met Dr Tarek Loubani in London last week, as I know the Minister did. What message are we sending to the Palestinians if peaceful, diplomatic routes via the United Nations are being closed off to them, as we are doing now?

Alistair Burt: The hon. Gentleman understands the area extremely well. We are not sending a message that that is all closed off. We sent a clear message in relation to an inquiry that could do only one side of the job, but we have also made it clear that our opposition to item 7 being directed solely at Israel is mitigated if other items come into other parts of the agenda and that they will be considered by the United Kingdom on their merits, and we will continue to do that. There must be avenues—they will not all be closed down—but those that, from the outset, will not do the job are a false premise for seeking international observation. We must do all we can to prevent that and to ensure proper and proportional scrutiny if we are to get to the bottom of these issues and, above all, prevent them in future.

Sir Edward Davey (Kingston and Surbiton) (LD): Ten years ago I visited southern Israel to see the Israeli bombing, the Hamas attacks and the effect of the blockade on Gaza. The humanitarian crisis was appalling then: all the evidence that I have seen since is that it has got worse, and that has partly led to the protests, so what are the Government doing to put pressure on Israel to lift the blockade of Gaza?

Alistair Burt: I think that the right hon. Gentleman’s observations about the nature of Gaza are entirely fair. They are borne out by my own observations, from my first visits in 2010 and 2011 to my most recent visit last year. The sense of a decline in hope and an increase in despair was palpable, both in Gaza and on the west bank. I met Minister Hanegbi from Israel, and I met the head of the Coordinator of Government Activities in the Territories, the organisation that deals with the transfer of goods to and from Gaza. I also met representatives of the Palestinian Authority, although of course they do not have control in Gaza.

We continue to exert pressure and make appropriate representations to Israel about what can and should come in and out of Gaza that will assist the economic situation, and we continue to support UN envoy Nickolay Mladenov and his long-term plans for reconstruction and support, but ultimately, only the balance of trust that can lead to the end of violence will produce a viable opportunity for Palestinians. In that context, it is not just the Israeli authorities who have a responsibility. It is important for us to put pressure on all to seek to resolve what is an utterly miserable and wretched situation for the average person in Gaza.

Dr Rosena Allin-Khan (Tooting) (Lab): I, too, have met the fantastic Dr Loubani. As an emergency field doctor myself, I cannot fathom what it must be like to listen over the radio waves as your colleagues die, and to have to wait until they are dead before you can go and collect their bodies. I am ashamed that the UK abstained today. Will the Minister tell us how the Government will protect civilians, how they will protect medics, and how they will ensure that humanitarian law is upheld?

Alistair Burt: I am sorry that the hon. Lady is ashamed, and I commend her for her extraordinary work in the field, which we have discussed on a number of occasions.

The explanation of vote makes it clear, as does our contact with Dr Loubani and others, that we are not seeking a procedural reason not to accept a report which was flawed from the beginning. It only distracts people from concentrating on finding out what really happened and being able to make some changes.

We are very clear about the fact that international humanitarian law must be upheld, and we have commented on the deaths and injuries of medical workers. Let me say again from this Dispatch Box that no medical worker should be a target, and that when that happens, there must be independent accountability for it. We will
wait to see what arises from the investigations that have been started on the other side. Those who bear some responsibility for putting people in a position of risk must also be considered, but no medic should ever be shot. Something, somehow, went wrong in relation to that, and it is not conscionable in any terms.

Cat Smith (Lancaster and Fleetwood) (Lab): The Minister will be aware that, as of December last year, there was less than a month’s supply left of 42% of the essential medicines in Gaza. Indeed, in the 11 years since the illegal blockade, the Gazan medical system has reached the verge of collapse. If the Government will not vote for the recommendations in the report, to what concrete actions will they commit themselves?

Alistair Burt: The issue of support for medical supplies and the like is completely outside the report. I meet those responsible for the health situation in Gaza; that is why I went to the hospital. We make sure that some of our aid goes directly to support the International Committee of the Red Cross and others who are providing assistance as necessary. We have made it clear that we are looking into whether we can do more in order to counter any shortages that have occurred because of the intense pressure on the system, and we continue to make all the political representations that the House would expect us to make to those over whom we have influence to bring the situation to an end, but it is complex, and it is not one-sided. Everyone must recognise that violence is not the future of Gaza and there has to be a political solution, and one of the developments that must start that process is the end of Hamas’s commitment to violence and the extinction of the state of Israel.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): Those of us who have read the report will not doubt be very moved by the passages mentioning the stories of some of those who have been killed or injured. Over and over again, we see the names of people who were shot dead hundreds of metres from the fence—I raised this issue with the Minister in the House last year—when engaging in activities as mundane as smoking a cigarette or rescuing friends. Was the Minister as disturbed by those reports as I was, and, if so, why did the Government not vote in favour of the report?

Alistair Burt: The short answer to the hon. Gentleman’s question is, yes, of course I was disturbed. Section 6 on support for medical supplies and the like is completely outside the report. I meet those responsible for the health situation in Gaza; that is why I went to the hospital. We make sure that some of our aid goes directly to support the International Committee of the Red Cross and others who are providing assistance as necessary. We have made it clear that we are looking into whether we can do more in order to counter any shortages that have occurred because of the intense pressure on the system, and we continue to make all the political representations that the House would expect us to make to those over whom we have influence to bring the situation to an end, but it is complex, and it is not one-sided. Everyone must recognise that violence is not the future of Gaza and there has to be a political solution, and one of the developments that must start that process is the end of Hamas’s commitment to violence and the extinction of the state of Israel.

Naz Shah (Bradford West) (Lab): Prime Minister Netanyahu recently said that it would be “helpful” to his chances of re-election if the Bedouin town of Khan al-Ahmar could be destroyed and its residents forcibly displaced before the election in April. Does the Minister agree that that is a disgraceful statement and will he join me in condemning it and accepting that this shows that Netanyahu is no longer fit for office?

Alistair Burt: I have visited Khan al-Ahmar on two separate occasions over a number of years, and we maintain a presence to support those trying to ensure there is a different solution. We have maintained our support for the Bedouin community there and said people should not be moved and not be affected. I am not going to comment on the election remarks of a foreign leader. Our stance on Khan al-Ahmar has been clear and our condemnation of settlement processes in Israel has also been clear, and we stand by those remarks.

Afzal Khan (Manchester, Gorton) (Lab): The recent resumption of protests in Gaza and the preparation of the Israeli military for conflict scenarios inside Gaza are both highly worrying signs. Does the Minister agree that instead of a descent into conflict, long-term peace talks are urgently needed, and will he update the House on what action the Government are taking to achieve that?

Alistair Burt: The hon. Gentleman is right. The individual daily tragedies of Gaza highlighted in this report stem from exactly what he refers to: the failure of those involved—the international community or whoever—over 40, 50, 60 years, to end this. Our efforts include regular contact with those working for reconciliation among Palestinian factions at the moment—an important factor—regular contact with the Government of Egypt, who are doing valuable work in relation to that, regular contact with the United States and its envoys who we continue to talk to about their proposals, although they do not give much away, and contact with others in the region. I was recently at the League of Arab States and EU conference in Sharm El-Sheikh where I took the opportunity to speak to Arab Foreign Ministers about ensuring that the middle east peace process remains at the top of the agenda in the region. So we do all we can to encourage this process. I suspect that nothing will happen until after the Israeli elections, but after that the world must not look away again and must do what it can. Until we do that, the increasing violence is likely to continue; the situation in the west bank and Gaza remains very volatile.

Andy Slaughter (Hammersmith) (Lab): The UK mission to the UN in seeking to explain the extension this morning says: “It is a source of great concern that, since 30th March 2018, over 23,000 Palestinians have been injured and 187 Palestinians have been killed during these protests. Hamas of course bear principal responsibility as their operatives have cynically exploited the protests.”

Does the Minister seriously support that? Even if he regards this report as incomplete it is robust in what evidence is in it, which suggests that children, medics and civilians have been gratuitously executed by Israeli snipers over a long period. It appears that the Government are looking for an excuse not to condemn the Netanyahu Government; having had one removed, they now have an even flimsier one. Does the Minister not realise that this gives a green light to Israel to continue murdering civilians and maiming people in this way, and that his Government will bear some responsibility for that?

Alistair Burt: No. Of course I stand by the “Explanation of vote” given by colleagues in Geneva, which drew attention to the serious nature of the matters raised by the commission report but also dealt with its glaring
omission, which was in relation to Hamas, whose responsibility is known by those in the region and which is excluded from inquiry or investigation or accountability into anything it does. We set it all in the context of explaining our concerns about the disproportionate use of live fire and the other things I have mentioned that we will continue to raise with the state of Israel, but until there is an end to Hamas’s commitment to exterminate the state of Israel, to the violent rhetoric that goes with that, and to the placing of people in vulnerable positions, it does bear part of the responsibility for what has happened.

**Bill Esterson (Sefton Central) (Lab):** I agree that the role of Hamas should have been part of the investigation, but by abstaining, have not the Government undermined what the Minister said, and what was in the article yesterday, including about the fact that the demonstration and its organisers were legitimate and that the use of live fire and excessive force were inexcusable?

**Alistair Burt:*** I appreciate the hon. Gentleman’s comments, but no, my remarks were not intended to convey that. I have explained why, procedurally, we believe that it was right to abstain in relation to a report that was bound to be flawed from the word go. We were not alone: eight states voted against the report, 23 states voted in favour of it and 15 abstained. I think this proves the point that it is important for the Human Rights Council to act in a manner that all its members will be able to support. This report, from the outset, did not do that. Accordingly, we are having an argument over the terms of the report instead of doing what we should do, and what everyone in the House wants to do, which is to concentrate on how the deaths and injuries came about and, above all, on what we can do to stop them. That requires a balanced understanding, not something that is inherently flawed by being one-sided from the beginning.

**Christian Matheson (City of Chester) (Lab):** Does the Minister share my concern that in this situation the numbers tell their own story, given the gross asymmetry and imbalance between the casualties on one side and the other? Does he also share my concern that, because we do not have unanimity and because the Government failed to vote in favour of the motion, the Israeli Government will simply do what they normally do—that is, ignore this and carry on regardless?

**Alistair Burt:*** The figures are striking, and they speak on their own. The thousands of injuries and the number of deaths tell a dreadful story, and of course that asymmetry is at the heart of our concern about the disproportionate use of live fire, as I say again from the Dispatch Box. No, I do not think that Israel can or should draw any comfort from the United Kingdom’s position. That is why we continue to pursue the state of Israel in relation to the inquiries that it is doing itself. Criminal investigations have been started in relation to this, and where they end up will be a matter of interest to us all.

**Louise Haigh (Sheffield, Heeley) (Lab):** The former Foreign Secretary intended to convene a summit of European and Arab Foreign Ministers and the Trump Administration to lay out his red lines for the US peace plan. Can the Minister confirm what those red lines are?

**Alistair Burt:*** The former Foreign Secretary’s letter made reference to “familiar parameters” in relation to the middle east peace process—the two-state solution, the 1967 borders and the like—because it appeared in the first instance that the envoys, Mr Kushner and Mr Greenblatt, wanted to take a different approach. They took the view that the cleverest minds in the world had been at this for 50 years without finding an answer, and that just maybe it was worth while looking at something different. They started with that approach, only to be reminded by everyone in the region that, while their approach had an honesty of its own, they could not neglect history, they could not neglect what had happened over the years and they could not neglect Oslo. What the former Foreign Secretary was seeking to do with states was to remind us that they still provide a foundation, whatever imaginative ideas the envoys might come up with and which we should encourage. Consequently, those talks have continued but they have not happened in a manner to bring everyone together, because the time is not yet right for that. However, the UK—myself and the current Foreign Secretary—remain of the view that the middle east peace process absolutely has to be at the top of the agenda in the region, and we will do everything we can to work towards that.

**Mike Kane (Wythenshawe and Sale East) (Lab):** Does the Minister agree that in this polemic debate there is still a role for neutral mediation in finding Israeli and Palestinian peace, even though some of our world partners have abandoned that notion? What steps can the UK practically take with our partners to fill that void?

**Alistair Burt:*** Good question. I might want to do more of that in the future myself, and I am interested in this whole process. Everything in relation to the issue gets pushed into the binary sides, and that suits those who wish to see the conflict continue—of course, there are people who wish for that. I suspect that what needs to happen is that the envoys should come up with a proposal and we should then get behind what elements we can. With the United States no longer being the sole broker, there will be a role for others. The EU, and the United Kingdom, I hope, will have a role, and I commend the UN envoys who work so hard. We need a willingness on both sides to say that they want to bring it to an end. I used to say in relation to almost everything that you cannot want peace more than the people involved, but sometimes you can. We need to keep working on this, and some of us will have a role to play in that in the future.

**Alex Cunningham (Stockton North) (Lab):** I also had the privilege of meeting the doctors from Gaza and hearing the anguish of the one who was unable to save his friend’s life because he had been shot in the legs himself. The Minister said that the Government were deeply concerned. Therefore, given the indiscriminate shooting and killing of doctors by the Israeli military, how can the Minister justify the UK Government sitting on the sidelines and what he said earlier about the Government having taken a privileged position?

**Alistair Burt:*** I wish there was a different answer from those that I gave before. As I say, the Human Rights Council procedure can look a bit arcane, in terms of the vote and then the explanation of the vote. As we all
know in this House, abstention is sometimes not about sitting on the sidelines, but is about making a positive point. The positive point that we sought to make was that here was a report into something incredibly important that was fatally flawed from the outset, and our abstention maintains that position.

On the deaths and injuries involved, the concerns about disproportionate use of live ammunition and some of the incidents reflected there, we would expect to see that covered by other tribunals. We welcome the fact that Israel has opened some criminal investigations into some of its activities, but again I say that there are many responsible for the issue and we need never to forget those who have been involved. The work of Dr Loubani and others brings that to mind, and we need to ensure that we concentrate on concluding it rather than just debating these issues. I appreciate the hon. Gentleman’s regular concern and interest in these matters.

Cat Smith (Lancaster and Fleetwood) (Lab): On a point of order, Mr Speaker.

Mr Speaker: I think the point of order is apposite as it relates to today, so I will take it now. Ordinarily it would come after the urgent questions.

Cat Smith: Thank you, Mr Speaker. May I seek your guidance on how much notice a Member would expect to get when a Secretary of State is visiting their constituency? I have just had an email—it is after midday—from the Department for Work and Pensions informing me that the Secretary of State is visiting my constituency.

Mr Speaker: It is a convention rather than a rule of the House, and the requirement is to notify a Member before a visit. It has to be acknowledged that in terms of the courtesies it should be done in good time. I am not personally privy to the circumstances of this case and am familiar with it only by virtue of what the hon. Lady has just said and on the strength of what she shared with me momentarily at the Chair, but what she has received does not seem to me to constitute adequate or courteous notice. This is often raised by Members on both sides of the House, and really we ought to be able to depend on colleagues to treat each other with respect. It is not acceptable to visit somebody else’s constituency in a public capacity and not to do that person the courtesy of providing prior notification. I am disappointed that the hon. Lady has had this experience, and I hope that it will not be repeated.

Emergency Summit on Knife Crime

12.34 pm

Louise Haigh (Sheffield, Heeley) (Lab) (Urgent Question): To ask the Prime Minister if she will make a statement on her emergency summit on knife crime.

Mr Speaker: Just before I call the Minister to address the House, let me say that the whole House should join in united expressions of good wishes to her as she celebrates her birthday. Clearly, this is a Minister who knows on her birthday how to enjoy herself.

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): Thank you, Mr Speaker. The urgent question is the gift that keeps giving.

Before I start my reply, may I, on behalf of the Home Office, reflect on the very sad anniversary that we mark today of the events that occurred in this place two years ago and the terrible loss of PC Keith Palmer? Our thoughts are with his family and loved ones, and with the wider policing family.

We all want our children and young people to be safe on our streets. As the Home Secretary has said, there is no one single solution; we must unite and fight on all fronts to end this senseless violence. We are listening to what the police need, which is why we are introducing knife crime prevention orders on their request, in the Offensive Weapons Bill; we have increased police funding by up to £970 million next year, including council tax; and in the spring statement we announced there will be £100 million of additional funding in 2019-20 to tackle serious violence. This will strengthen police efforts to crack down on knife crime in the areas of the country where it is most rife. The funding will also be invested in violence reduction units, bringing together agencies to develop a multi-agency approach.

It is important, however, that we recognise that greater law enforcement alone will not reduce serious violence. We have already announced a multi-agency public health approach and will be consulting very soon on a new statutory duty of care to ensure that all agencies play their part. We are investing more than £220 million in early intervention projects to stop the most vulnerable being sucked into a life of violence. We are also addressing the drivers of crime, including the drugs trade, with the launch of our independent drugs review. But we continue to look for new ways to tackle this epidemic.

The Prime Minister announced that she would be hosting a serious youth violence summit. The event will champion the whole community public health model, which is crucial if we are to address the root causes of youth violence, as well as disrupt it in our neighbourhoods and local communities. Given the broad array of experts and interested parties, we have been working across government in recent days to ensure the right arrangements are in place. I am pleased to confirm that the summit will take place in the week commencing 1 April, and that we will provide further details shortly, in the normal way. This underlines this Government’s absolute commitment to tackling knife crime and serious violence with our partners across the country, because we all want this violence to stop.

Louise Haigh: May I, too, say many happy returns to the Minister and apologise for dragging her to the Dispatch Box for the second time this week? I am sure
that she and you, Mr Speaker, will be pleased that there are no more sitting days left this week for me to pester you in. May I also add my thoughts to those expressed on this anniversary of the death of PC Keith Palmer? Not a day goes by when I enter this place that I do not remember the ultimate sacrifice he made in defending us and defending democracy, and I am sure that the same is true for many other hon. Members.

There is no doubt the country is in the midst of a political crisis consuming this Parliament and the entire Government. But a parallel crisis is taking place on our streets, one that is leaving young people afraid to leave their houses and leaving communities paralysed in the wake of more and more young lives senselessly lost, with families destroyed forever, never being able to see their son or daughter again. There has been a 93% rise in the number of young people being stabbed since 2012-13. There is a serious danger, in these tumultuous days, of the Government losing sight of the desperate need for leadership on knife crime. This is a second-order priority; there is no excuse for ignoring it.

The Prime Minister, 16 days ago, promised this House that she would “be holding a summit in No. 10 in the coming days to bring together Ministers, community leaders, agencies and others, and I will also be meeting the victims of these appalling crimes to listen to their stories and explore what more we can do as a whole society to tackle this problem.”—[Official Report, 6 March 2019; Vol. 655, c. 950].

I appreciate the pressures on the Prime Minister—we all do—but to break that promise to the victims is inexcusable. Since she made that announcement, more young lives have been lost. Nathaniel Armstrong was killed in west London. There have been stabbings in Leicester, London and Cambridge, and as we heard yesterday, a young boy was stabbed in Clitheroe in Lancashire.

Just this week, the former chief inspector of constabulary laid bare the Government’s failing response to violent crime. He said that the Home Office’s flagship response to serious violence, the serious violence strategy, is “really, really inadequate” and “more concerned with its narrative and less with action”. He said that it contains “almost nothing” about where violent crimes take place, who the victims are and what deterrent measures are effective, and concluded that the “layer” of police protection that can guard against surges in knife crime has been “breached” because there are too few officers to patrol neighbourhoods.

We welcome the £100 million that was announced in the spring statement, but it is regrettable that it will be focused entirely on overtime and not on additional officers. Does the Minister recognise how overstretched our police officers are, how much overtime they are already undertaking, how many rest days they have had cancelled and how much leave they are owed? Does she really believe that there is £100 million-worth of slack in the system to cover the additional overtime that is necessary this year?

The critique of the Government’s approach to violent crime by the former chief inspector of constabulary was devastating. Their fragmented approach and drift are risking lives. They must get a grip, and it must be led by the Prime Minister. It is welcome to hear that a date for the summit is now in place. Will the Minister confirm what its objectives will be, how they will be measured and how they will be reported back to the House? It is not good enough that time and again Ministers have to be dragged to the Chamber through urgent questions. They should be reporting to Members on their progress on a near-weekly basis.

It has been reported today that the Prime Minister visited the violence-reduction unit in Glasgow in 2011 and subsequently wrote in a report that a long-term evidence-based programme was needed. Will the Minister confirm that that report exists and explain why it was never acted on? Is that why last year the Government chose to whip against an amendment to the Offensive Weapons Bill that called for a report on the causes of youth violence?

Will the Minister also confirm what progress is being made by the serious violence taskforce, what actions have been agreed and what outcomes have been achieved? We have had reports that Ministers from certain Departments, notably the Department of Health and Social Care, are not engaging in the taskforce, and participants have described it to me as nothing more than a talking shop. How can the Minister assure us that is not the case? When will the Government open consultation on the public health duty? In the light of the stinging criticism from the former chief inspector of constabulary, will they now review their failed serious violence strategy, which has no analysis of deterrents and failed even to consider the effect of police cuts?

I am afraid all the evidence points to a Government who simply do not have a grip on this crisis—a Government in name only. Fundamentally, this is down to complete vacuum in leadership, and I am sorry to say that, political crisis or not, that is unforgivable.

Victoria Atkins: It is interesting— is it not?—that this urgent question is essentially about process. If we focus on what the hon. Lady has just said, we can see that she applied for this urgent question because she wanted to know the date of the knife crime summit hosted by the Prime Minister. As I say, I can confirm that the summit is going to be held in the first week of April. I wish the hon. Lady had just asked me quietly in the corridors of this place. I am always happy to speak to any colleague about tackling serious violence. We did not need to have an urgent question about setting a date for a meeting.

Louise Haigh: We know you don’t like scrutiny—

Victoria Atkins: The hon. Lady is saying that I do not like speaking to the House. Come on, let us not be silly about this. This is such an important topic and it requires collaborative work. Frankly, urgent questions and press releases may be very helpful to the hon. Lady’s profile, but that is not what the hard work of tackling serious violence is about.

The hon. Lady wants to know what the Government have been doing. Last autumn, we set up the national county lines co-ordination centre, which has seen more than 1,000 arrests and more than 1,300 people safeguarded. Last week, there was the latest iteration of Operation Sceptre, as part of which every police force in the country adopts knife crime investigation methods appropriate to their areas to tackle knife crime. I do not have the figures for the latest iteration, because it ends
at the weekend, but the previous week of Operation Sceptre resulted in more than 9,000 knives being taken off our streets.

We are funding Redthread to offer services in accident and emergency departments in hospitals with a particular problem with knife crime. We are funding projects across the country through the £22 million early intervention youth fund and smaller projects across communities through the anti-knife crime community fund. We have a long-running social media campaign—#KnifeFree—targeting young people most vulnerable to being ensnared by criminal gangs or to being tempted to leave their homes with knives and walk up the street with them. Only last week, I met the Premier League, which is working with us to get the message out through its vast network of contacts, including through its Kicks programme.

We are working with the Department for Education to publish best practice guidance for alternative providers, because we are well aware of the problems that seem to be arising with alternative provision. We are about to consult on a new legal duty to require a multi-agency public health approach to tackling serious violence. We have launched an independent review into drugs misuse because we know that the drugs market is the major driver of serious violence. We are launching the youth endowment fund: £200 million over 10 years for intervention on young people at various stages of their lives to move them away from gangs or prevent them from being ensnared by them.

We announced in the spring statement last week a further £100 million. That came about because chief constables told the Home Secretary they needed help with surge policing. They need it. We have delivered it. I remind the House that we are about to welcome back the Offensive Weapons Bill next week from the House of Lords. I urge—I implore—the shadow Minister to support the knife crime prevention orders that the Metropolitan police have asked us for to help that small cohort of young people who can be helped through those orders. I hope that the Labour party will stand by cohort of young people who can be helped through those orders into law so that we can help exactly the young people I think we all want to help.

Neil O’Brien (Harborough) (Con): I welcome the plan the Minister has set out and the vital work she is doing. In 2015, we legislated for a minimum jail sentence for repeat offenders who carry a knife, yet more than a third of offenders are still being spared jail—more than 500 last year. Why is this; what can we do to review the situation so that we can enforce the law; and does my hon. Friend agree that we need to review the area more generally to ensure clarity and honesty in sentencing and to end the soft sentencing culture?

Victoria Atkins: I thank my hon. Friend for raising mandatory minimum sentences. I note that they are not universally accepted. Indeed, the Leader of the Opposition voted against them—I think—when they were first introduced. The point of mandatory minimum sentences is to send out a clear public message that people will go to prison if they are twice caught carrying a knife. We have also ensured—this is important—that the judiciary, which of course is independent and must be able to sentence on a case-by-case basis, has flexibility if the facts of a particular case require it. I note, however, that since mandatory minimum sentences were introduced, the number of people going to prison on the second occasion of carrying a knife has increased, despite the statistic he just cited. The message must be consistent. We do not want young people leaving their homes with a knife because it is more likely to be used against them than against others.

Vicky Foxcroft (Lewisham, Deptford) (Lab): We absolutely did need this urgent question because we did not know the date of the knife crime summit. It is all well and good the Minister saying we can have informal conversations, but the House needs to know when things are happening.

On the Minister’s point about collaboration, I welcome her announcement of a public health approach, but, as we said in the Youth Violence Commission report, too often people talk about a public health approach without understanding what it is. One person who does understand is the shadow Minister, my hon. Friend the Member for Sheffield, Heeley (Louise Haigh), so when the summit happens—in the week commencing 1 April—will the Minister ensure that the shadow Minister is invited?

Victoria Atkins: I will not comment on attendees at this stage. I have said that this is the ultimate in process questions, and we are in the process of arranging that summit. We work on a collaborative basis across the House. I am delighted that Members from the opposition parties join us at meetings of the serious violence taskforce. I am delighted, too, that we work collaboratively. I was delighted to visit the hon. Lady’s constituency only last week to observe the police conducting a weapons sweep. This is about collaboration. I know that my announcing a date for the meeting is of interest to Members of the House—I will happily share that information—but my point is that the work of Government continues over and above the date of the knife crime summit. A tranche of work is going on.

Tom Pursglove (Corby) (Con): Understandably, we have heard much about the immediate measures that are being taken, but will this summit focus a little more on longer-term measures to help tackle this dreadful scourge?

Victoria Atkins: It will—very much so. I am grateful to my hon. Friend for his question. I think that everyone agrees that there is no single solution to this matter; it is about short, medium and long-term work. That is why it is so important that we are funding the youth endowment fund that we have announced and that we are giving long-term commitments to those projects that work with young people, intervening and making sure that they are steered away from both carrying knives and greater paths of criminality. With regard to interventions, we are very much looking at education, health, local government and the charitable sectors because we know that, by working together, we will stop this violent crime on our streets.

Kate Green (Stretford and Urmston) (Lab): I draw the attention of the House to my life membership of the Magistrates Association, which is asking whether more
force can be put into the role of youth offending teams in relation to the knife crime prevention orders that the Minister mentioned. Will she say something about how you think the public health approach to reducing knife crime could be anyone in the community—who is worried about, because they would be far more effective with people. Young people are being intervened on when there is intelligence or information from anyone—it could be anyone in the community—who is worried that they are involved in these gangs. This is about putting in place a structure around these children to help steer them away from criminality. Youth offending teams will, of course, be absolutely critical to that, and we will be working through it when it comes to the statutory guidance on how these orders should be used.

**Victoria Atkins:** I am so grateful to the hon. Lady for her question. Her experience in the magistrates court will help, I hope, to give her comfort as to how these orders are drafted. These are civil orders, deliberately so, because we do not want to criminalise these young people. Young people are being intervened on when there is intelligence or information from anyone—it could be anyone in the community—who is worried that they are involved in these gangs. This is about putting in place a structure around these children to help steer them away from criminality. Youth offending teams will, of course, be absolutely critical to that, and we will be working through it when it comes to the statutory guidance on how these orders should be used.

**Victor...**

**Philip Davies (Shipley) (Con):** The official figures show that there has been a collapse in the number of stop and searches in recent years. It cannot be a coincidence that that has coincided with a huge surge in knife crimes and people being killed through knife crimes. Will the Minister give me some assurance that we will get back to trusting police officers to get on and do their job in the way that they know best without them fearing some kind of politically correct witch-hunt if they decide to stop and search someone they think is worth stopping and searching? We must trust police officers to do the job to keep us safe, because they know better than anybody in this House what needs to be done.

**Victoria Atkins:** I thank my hon. Friend for his question. Stop and search is a vital tool in the police’s armoury in keeping people safe on our streets. We want to give confidence to our officers that they have this power and that they can use it in accordance with the law. Interestingly, the rate of arrests arising out of stop and searches has increased in recent years with this intelligence-focused approach, but it remains a vital tool in the police’s work. Stop and search is a vital tool in the police’s work. Stop and search is a vital tool in the police’s work.

**Sir Edward Davey (Kingston and Surbiton) (LD):** In the past debate about antisocial behaviour, many of us found that acceptable behaviour contracts were far more effective than antisocial behaviour orders because they worked by preventing problems in the first place and by getting people to work side by side with the young people. I urge the Minister to look at that evidence from the past and see whether acceptable behaviour contracts could be a way to design the orders that she is talking about, because they would be far more effective with the public health approach.

**Victoria Atkins:** I will happily look at that suggestion. Only last week, the Minister for Policing and I held a roundtable with police and crime commissioners from across the country. It was a really useful for cross-party PCCs to share their thoughts and ideas about what is working in their local areas, so I will certainly follow up with them to see whether they are doing something similar.

**Julian Knight (Solihull) (Con):** The west midlands is gripped by a gun and knife crime epidemic, while the police and crime commissioner sits on his reserves and closes police stations such as my own in Solihull. Is not it time that, in this summit, we look at the structure of the Mayor of Greater Manchester and of course the Mayor of London—so there is a lot of evidence that it can work. My hon. Friend is right that decisions about reserves are made by police and crime commissioners. How they spend their money is their decision, and they are accountable to the public. I am delighted that police and crime commissioners are committed to recruiting more officers with the increased funding that they will receive this year. If that is what the public want, that is what police and crime commissioners should deliver.

**David Hanson (Delyn) (Lab):** Will the Minister confirm that police overtime over the last five years is already at £1.7 billion, and that only £100 million is actually allocated for overtime and only to seven forces? Will she also confirm who will chair the summit when it occurs, how long it will last and whether she will publish the outcomes?

**Victoria Atkins:** We are working through the details of how the £100 million is to be spent and sent out. Last week, we listened to police and crime commissioners, who put forward some interesting suggestions, and it would only be right for us to consider those suggestions carefully. The structure of the allocations is also being worked through. I have ideas as to how we will communicate information on the summit to the House. I am clear that this is an important topic for the House to hear about, and we will be letting the House know through a variety of channels.

**Kevin Foster (Torbay) (Con):** I welcome the Minister to the Dispatch Box for an urgent question for, I think, the third time this week. Devon and Cornwall police have been working on a knife amnesty, which has had some success, although we are still awaiting the final figures. Will she reassure me that the Government will press ahead in working with local forces regarding the powers in the Offensive Weapons Bill? Once those powers are on the statute book, the Minister will have to work closely with police and crime commissioners and chief constables to ensure that they are used to their best effect.

**Victoria Atkins:** This is another example of the use of the PCCs meeting last week. Alison Hernandez, the police and crime commissioner covering my hon. Friend’s constituency, explained to us that she was using what I think she called parent care contracts to include parents in the conversation about preventing knife crime in the local community. Such ideas are really interesting, and other police and crime commissioners were interested to hear about them. We will make a real difference in communities across the country through that collaborative approach.
Ms Karen Buck (Westminster North) (Lab): On the Saturday before last—in one afternoon alone—there were four stabblings in my borough, one of which arose from a fight between 20 to 30 young people, some of whom were carrying swords. When the Minister is held accountable in this House for the knife crime summit, it is because of the sense of urgency that many of us feel. Will she confirm that there will be a discussion about police capacity at the summit, not least in view of the fact that my borough has lost a third of its police since 2011 and is set to lose more? On the prevention and early intervention strategy, today’s figures also show that there has been a loss of 45% of youth club facilities in London since the 2011 riots alone.

Victoria Atkins: The hon. Lady will know that decisions about how her borough is policed lie at the feet of the Metropolitan Police Commissioner and the Mayor of London, because the Mayor of London is the police and crime commissioner for London, so I hope that she has raised this matter with him.

The hon. Lady mentioned urgency. The knife crime summit is really important, but it is not the only thing happening in Government to tackle knife crime and serious violence. The national county lines co-ordination centre has been set up, we are spending £220 million on early intervention, there are local projects for the anti-knife-crime community funds and there is the #knifefree social media campaign. If colleagues want to work with us to send the message out through their constituencies that carrying a knife is not usual, I urge them to use that hashtag to refer people following them on social media—young people, parents, those who work with young people—to the websites that can get help for people they are worried about. We can all take responsibility for such measures as leaders in our local communities to help tackle knife crime.

Sir Christopher Chope (Christchurch) (Con): Will this knife crime summit examine why so many of the perpetrators and victims are male and so relatively few are women?

Victoria Atkins: The demographics of victims and perpetrators will be examined not just at the knife crime summit; we think about them carefully and try to reflect them in our policies. I urge a note of caution: we know that, sadly, girls are involved in gangs, and the youth workers and former gang members I meet have emphasised to me that girls are beginning to be ensnared in these gangs as well. The way in which some of those girls are treated by those gangs is utterly horrific—beyond most people’s imagination. We need to support those girls who are ensnared in gangs as well.

Ruth Smeeth (Stoke-on-Trent North) (Lab): We are on the verge of a national epidemic, including in places such as Stoke-on-Trent, which have never been touched at this level before. Will the Minister advise us on how people such as the wonderful Claire Gaygen at Stoke-on-Trent Sixth Form College, who is co-ordinating our activity, can be assisted to get best practice from other parts of the country?

Victoria Atkins: I am delighted to hear about the activity in the hon. Lady’s constituency. She is absolutely right: what is so worrying about the growth of county lines is that criminal gangs that have exploited the drugs markets in large urban centres are now filtering out to rural and coastal areas.

Part of the reason for setting up the national county lines co-ordination centre is to help law enforcement and those who safeguard to co-ordinate better and share best practice. We are also hosting regional events across the country, bringing all the agencies together to discuss exactly how to get best practice. We have just had one in Birmingham, which is probably the nearest to the hon. Lady’s area, but I will happily write to her about other events in the future.

Dame Louise Ellman (Liverpool, Riverside) (Lab/Co-op): The Minister read out a list of proposals to combat knife crime, but when will these help the situation in Merseyside? The recent funding the Government have announced for Merseyside police is a one-off, and very small compared with the funding that has been lost. Cuts in local services, because of savage reductions to Liverpool City Council, continue remorselessly.

Victoria Atkins: What the hon. Lady mentioned are not proposals, but things we are doing. I was delighted to hear from the chief constable of Merseyside and also its police and crime commissioner in the last two weeks. The chief constable was urging the Home Secretary and others to assist with surge policing, and I am delighted that in the spring statement we secured that extra funding for Merseyside.

Last week, the police and crime commissioner for Merseyside gave her views on what can help. The reason we are focusing on the seven metropolitan forces is that they account for a great deal of the knife crime that we are seeing at the moment. If we can share their best practice with other forces that are seeing the county lines phenomenon, that will, of course, help those forces get up to speed quickly too.

Mr Steve Reed (Croydon North) (Lab/Co-op): In my advice surgery last Friday, I met Mr Glenford Spence, whose son had been savagely knifed to death in a youth club two weeks previously. When I asked the Minister in the Chamber what action the Government were taking to prevent that kind of tragedy, she placed particular emphasis on the troubled families programme; what she did not say is that all funding for that programme ends in March next year and that the service heads are implementing proposals to wind down and close those services.

Given the Minister’s recognition of the important part that the programme plays in preventing a further escalation of knife crime, will she confirm to the House now that funding for the troubled families programme will continue after next March?

Victoria Atkins: I cannot, in that that is not my Department, so it would not be right for me to make financial commitments at the Dispatch Box. I have discussed this with the Secretary of State in the last 48 hours, and we are very clear about the value that that sort of intervention can and does have for families who need a bit of extra support. If I may, I will ask the hon. Gentleman to contact the Secretary of State for a precise answer to his question about the future of that programme.
Andy Slaughter (Hammersmith) (Lab): Two weeks ago, my constituent Ayub Hassan, 17, was knifed to death in West Kensington, and last week Nathaniel Armstrong, 29, was stabbed to death in Fulham. I have known Ayub’s mum, Siraad, for some years. She is a wonderful woman who regarded her son as her best friend, as well as one of her three children. When I visited her last Friday, one of the things I promised her was that we would try to ensure that there was a full inquiry into what happened, and that the same thing would not happen to other young people like Ayub.

Contrary to what the Minister is implying about the Opposition, I do not seek to pass blame. I think we are all trying to work to solve this terrible problem. There is the expertise out there to do that, but in return, the Government have to accept that there is a lack of resources—£1 billion has gone from the Met police over a number of years, and neither the Mayor nor anybody else can cope with this on their own. When we have the knife summit, can it not be a talking shop? Can it propose real resources that will give hope to these communities?

Victoria Atkins: I am very sorry to hear of the events that the hon. Gentleman has witnessed in his constituency in recent weeks. On resources, we are putting up to £970 million extra into policing next year, and the £100 million is in addition to that, to help those areas that are seeing the highest surges in violent crime. The youth endowment fund is important because it will run over 10 years. We want to lock that money in for the next decade, so that it is a funding source for organisations that can make a real difference in young people’s lives.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): I politely say to the Minister that she has referred to “county lines” an awful lot during this exchange, but that makes this epidemic sound a bit like some sort of cartographic exercise, and it really is not. We should be calling it “child criminal exploitation”, because that is what it is, in the same way that we stopped talking about “child prostitution” and started talking about “child sexual exploitation”. These young people are the victims, and calling it out is the first step.

In response to the question from my hon. Friend the Member for Stoke-on-Trent North (Ruth Smeeth), the Minister talked about coastal and rural communities. We are neither of those. We are a small city that has never had to deal with this, and there are small towns up and down the length of Staffordshire that have never had to grapple with this issue. Our police force is doing the best it can with reduced resources, but our police and crime commissioner is closing police stations, which does not help. When the Minister writes to my hon. Friend, can she talk about what specific help will go to those small communities that are not the Manchesters or Birminghams, as well as how the families in those communities will be involved? Parents, grandparents, aunts and uncles are the ones who see these young people day in, day out and will spot changes in their personalities. If we can identify these young people early on, we can prevent this from becoming the problem that it is in other places.

Victoria Atkins: I accept the point about the phrase “county lines”, which has been used over a couple of years. It does not do justice to the horrors of the exploitation of the children involved in it, but it is the terminology used, and it seems to have gained credence among the police, law enforcement and the charitable sector. For the time being, if the hon. Gentleman will forgive me, I will use it as a short-hand, but I always acknowledge that this is child exploitation.

The role of parents is something I am very concerned about, having met far too many mums, dads and grandparents who have lost loved ones. There is much more that I want to do to help parents and family members spot the signs of a child who may be beginning to take the wrong path, and I am trying to bring to fruition various ideas at the moment. I hope I will be in a position to say a bit more, perhaps in a few weeks’ time. I am very conscious of that point, and I will update him when I am able to.

Stella Creasy (Walthamstow) (Lab/Co-op): May I say gently to the Minister that, although I understand she is frustrated about having to come to the Dispatch Box on her birthday, it looks terrible—to those of us who are working day in, day out with families who have lost people, in communities where people are utterly terrified to let their children out of the front door, and think this should be the national priority and discussed every single day in this place—to hear her attack this as a question about process? It is not; it is about the detail.

The Minister knows—I have been to see her several times—and my concern about the connection between school exclusions and children who are at risk of violence or who are involved in violence. We know that the Timpson review is massively overdue, so this is not about the Timpson review. Will she confirm that this summit will look at the precise link between exclusions and knife violence, and will it involve the Department for Education? It is just not enough to say to those families, “Look at all these programmes”. They need to see concrete actions on issues such as the kids who get forgotten and then get caught up in violence. They deserve our attention.

Victoria Atkins: I get on very well with the hon. Lady, and I hope she knows that I am not in any way dissatisfied with being at the Dispatch Box on my birthday or on any other day. My frustration, such as it is, is that this is essentially a question about a date, and had the hon. Member for Sheffield, Heeley (Louise Haigh) asked me quietly, I would have happily provided her with the date. However, this gives me the opportunity to explain the work that the Government are doing to tackle serious violence.

The hon. Member for Walthamstow (Stella Creasy) is right. I think alternative provision is key to this. We have our next serious violence taskforce meeting on Tuesday, and we will look at this issue in detail. I met the Children’s Commissioner yesterday to talk about her recent report and the role of education in this problem, but also about providing life chances for the hon. Lady and I have talked about them—for the young people we are steering away from carrying a knife and from crime. Those life chances are critical to this, and will of course be an important part of the summit.

Bill Esterson (Sefton Central) (Lab): The disappointment about the Minister’s objection to the urgent question is not about us in here, but about the impact it will have
on the families and on victims who have survived. Honestly, these are great opportunities for her to take examples and hear feedback from around the country on the sort of things that will make a difference in dealing with this epidemic.

I know the Minister said she cannot tell us exactly who will attend the summit, but will she take on board what my hon. Friend the Member for Walthamstow (Stella Creasy) said about education, as well as the points about youth services, probation, children’s social care and all the agencies that have an influence in reducing the number of knives for one reason or another? In her answer to me now, will she recognise that it is so much harder for those agencies to do their jobs, along with the police, when they have had such fundamental cuts to their budgets since 2010?

Victoria Atkins: The hon. Gentleman is right. For the sake of the families, the victims and the young people who tell me that they are worried about walking around without a knife, it is important that this summit is done properly, and that takes a bit of time to arrange. We have a huge array of experts in this field, and getting everybody into one place on the same day takes a bit of organisation, but that is what will happen. It will be a summit that looks at all areas related to the causes of knife crime, the consequences of serious violence, and the efforts we can make to intervene on young people and those who may be on a wayward path.

The hon. Gentleman should not think for a moment that the knife crime summit is the only thing that is happening in Government; it absolutely is not. A whole roster of work is happening nationally to tackle serious violence. Some of it we have seen having an immediate impact, such as Operation Sceptre last week, and some of it will be longer term, as we know from the Glasgow model. Our efforts to improve alternative provision in education, and to intervene on children and their families if they need a bit of help, will all take a bit longer. However, we are very clear that we have an immediate, a medium-term and a longer term approach to tackling serious violence.

Cat Smith (Lancaster and Fleetwood) (Lab): The causes of this appalling rise in knife crime—particularly among young people—are complex, as are the solutions, so may I draw the Minister’s attention to three facts?

Since 2010, 760 youth centres have closed, 4,500 youth worker jobs have gone, and annual budgets for local authority youth services have been cut by more than £700 million. Does she agree that Government cuts have created the conditions in which crime can thrive, and that denying young people somewhere to go, something to do, and someone to speak to, means that they are not getting the support they need to avoid finding themselves in those situations? Is it time for proper investment in our youth services, and for a statutorily funded youth service?

Victoria Atkins: I was delighted to visit Morecambe, which is next door to the hon. Lady’s constituency, and to speak with its wonderful local MP, my hon. Friend the Member for Morecambe and Lunesdale (David Morris), about issues pertaining to crime and the causes of crime in his constituency. I was also delighted to meet the Chief Constable for Lancashire Constabulary, and to hold a conversation about the range of challenges faced by Lancashire—I should perhaps declare an interest, as that is the county in which I grew up and that I adore.

When I visited Blackpool I saw some of the real issues that are affecting our coastal towns, such as transient communities and the impact of the drugs market. We must be clear that those behind this criminality are the gang leaders and criminals who exploit children for profit. That is why, as well as the serious violence strategy, we also have the serious organised crime strategy. We must help young people to build resilience and intervene on them, but we must also get the criminals at the very top of those gangs.

Afzal Khan (Manchester, Gorton) (Lab): Recently in Manchester, 17-year-old Yousef Makki was stabbed to death by another teenager. Last week, the response time of Greater Manchester police rose from six minutes to 12 minutes, and GMP has seen cuts involving more than 2,000 police officers. The solutions to combating knife crime are complex, but the fact remains that the police are struggling and need more resources than those the Government have provided. Will the Government provide the resources they need?

Victoria Atkins: We are providing up to £970 million next year in the policing settlement. We provided a further £500 million last year, and we are providing an extra £100 million through the spring statement to give the police the extra resources they need. I ask Opposition Members to do the right thing next week and support the Government’s efforts to introduce knife crime prevention orders. Those have been asked for by the police—the police want them. We have considered them carefully and introduced the legislation as quickly as we can. We just need the House to pass it.

Mike Kane (Wythenshawe and Sale East) (Lab): The Minister rightly speaks about criminal child exploitation and tackling gang leaders—that point was made by my hon. Friend the Member for Stoke-on-Trent Central (Gareth Snell). As my hon. Friend the Member for Walthamstow (Stella Creasy) pointed out, last year 9,500 children were off-rolled from our schools, and the Department for Education has no earthly idea where they are. That has created a lost generation that can be exploited by the very people the Minister wants to tackle. That is combined with 20,000 fewer police officers, and the fact that half of youth services and clubs have gone—that point was made by my hon. Friend the Member for Lancaster and Fleetwood (Cat Smith). Will those causal facts be on the agenda for this summit?

Victoria Atkins: As I have said, education plays a vital role in our efforts to tackle serious violence, and I know that colleagues across the House are concerned about off-rolling. There are good examples of providers of alternative provision across the country, and my challenge to those in the education sector is that if those good examples and that best practice exists, we should share it and let every child have the same quality of standards from which some children seem to benefit.

1.19 pm

Afzal Khan (Manchester, Gorton) (Lab): On a point of order, Mr Speaker. On 12 March, I asked the Home Office a written question seeking the time it takes for emergency travel document applications to be secured
for a person in immigration detention. I was told that the information could be obtained only at disproportionate cost. However, during a sitting of the Immigration and Social Security Co-ordination (EU Withdrawal) Public Bill Committee, the Minister for Immigration told us that the average time it takes to get travel documents for people in immigration detention is 30 days. As I am sure you are aware, Mr Speaker, my amendment proposing no more than 28 days’ detention has signatories from across the House, including Tory and Democratic Unionist party MPs, so there is great interest in the Government’s arguments on this issue. Can you advise me on how to ensure that the background data that the Minister relied on to make that claim in Committee is available to MPs seeking to evaluate her claim?

Mr Speaker: Strictly speaking, Government make a judgment about whether they can provide an answer. It is not a matter of order on which the Chair can adjudicate. That said, if I understood the hon. Gentleman’s point of order and he has previously been given an indication in a Committee sitting of average waiting times, it seems not unreasonable that he should then put down a question seeking to ascertain the facts on that matter. Therefore, my advice to him is really twofold. First, at the risk of irritating the House, I would repeat my general advice in matters of this kind: persist, man. Persist. Persist. Keep asking the question. The hon. Gentleman might wish to put it in a different way—or possibly even to a different Department, although I doubt it—and to try to persuade the Minister, perhaps privately, of the reasonableness of the inquiry. Beyond that, it is open to the hon. Gentleman to seek to use freedom of information legislation to secure the response that hitherto has been denied to him. I hope that he will profit from my counsels and that it will not be necessary for him to raise the matter again, but if it is, I am sure that he will.

Mike Kane (Wythenshawe and Sale East) (Lab): On a point of order, Mr Speaker. I seek your advice. This morning my Manchester staff had to be escorted into their office by a representative of Greater Manchester police. In the last few days, they have had to meet in a local coffee shop in Wythenshawe town centre to be escorted to the office by the town centre security guards. Is this not a time to make it clear that violence and threats to MPs and their staff are completely unacceptable in a parliamentary democracy?

Mr Speaker: It certainly is a time to make that clear, and I imagine that the proposition that the hon. Gentleman has just put to me in the Chair would be endorsed by every single Member of this House. We should try to remember, in this matter as in others, the precepts of “Erskine May”. Moderation and good humour in the use of parliamentary language conduce to the best possible debate.

Parliamentary democracy is of the essence, and even though our system here in this country is not always enormously admired by those who write about it, the reality, as I know from travelling around the world and as other colleagues can testify, is that it is enormously admired by people in countries across the globe. The British parliamentary system is constantly imitated—great attempts are made to emulate the best practice that we apply—and it has been sustained for the very good reason that, as Churchill put it in a slightly different context, democracy might be a lousy form of government, except for all the others. It is superior to any of the alternatives, and at the heart of it is the notion that the Member of Parliament is a representative, sent here to do his or her duty, including to exercise judgment as to what to say and how to vote.

The notion that anyone should be threatened with violence because of his or her beliefs or parliamentary conduct is anathema. It cannot stand, because if such an attitude were to stand, that would sound the death knell for democracy, so every effort must be made, and it is made by those who look after us on the estate, and in some cases provide us with assistance—in security terms—in our constituencies. We must all be prudent in the way that we go about our business, but democracy will persist, and it should persist, because it is the best.
Overseas Electors Bill

Proceedings resumed.

1.25 pm

Philip Davies: I believe, Mr Speaker—and I stand to be corrected by your good self, or by anyone else for that matter—that I was just getting on to new clause 6 when I was stopped in my tracks. New clause 6 relates to a review of absent vote arrangements. I pay tribute again to the hon. Member for City of Chester whose ideas I have once again stolen, because he introduced this new clause in Committee as well. In doing so, he raised “the concerns of the Association of Electoral Administrators that there needs to be greater emphasis on encouraging overseas electors to establish clear absent voting arrangements and to do so in good time.”

Failure to do so in good time, he said, would impose another burden on electoral staff. The association had apparently said:

“In view of this time limit being removed, consideration needs to be given to the deadline being brought forward for overseas electors to register so that it allows sufficient time to process and check previous revisions of registers, followed by documentary evidence put in place so that the overseas elector can cast their vote at the time is required to arrange for any absent vote arrangements to be put in place so that the overseas elector can cast their vote at the election or referendum in time for it to be counted.”

—I[Official Report, Overseas Electors Public Bill Committee, 31 October 2018; c. 81-2—]

It seems obvious to me that that is absolutely necessary. I shall deal with the subject of timings in the context of another new clause, but I shall try to speed things along now, and I hope that what I have quoted is self-explanatory and stands for itself.

Alex Norris rose—

Philip Davies: Obviously it does not.

Alex Norris: We considered this point at length in Committee. It was suggested that we would be in danger of asking overseas electors to register before knowing whose names would be on the ballot paper. I did not think that that was a valid reason not to create an efficient and effective system, because I did not think that having to wait to find out who the candidates were would preclude people from wanting to take part. What is the hon. Gentleman’s perspective?

Philip Davies: I agree with the hon. Gentleman. I do not see how it is relevant.

New clause 7 requires the Minister for the Cabinet Office to publish a report on postal voting arrangements for overseas electors. We talked earlier about the scale of the number of people who would be affected if the Bill were to take its full course. I think that all the issues raised in new clause 7 will have to be considered, and that the Government should keep an eye on whether or not everything is in place to deal with the consequences. This new clause is also fairly self-explanatory.

Neil O’Brien: New clause 7(3) says: “The report shall, in particular, consider the effectiveness and cost of the International Business Response Licence for postal votes and any associated implications”.

What particular concern did my hon. Friend have about the international business response licence? I could not understand what the concern was here.

1.30 pm

Philip Davies: My hon. Friend is right to ask me to elaborate. If he were to look up how the IBRL operates he would see that its “At a Glance” guide says customers can “Receive direct mail responses from overseas customers” and “Only pay for the responses you receive”, which is all fine, but the third part says: “Responses arrive in 7-10 working days”, I hope my hon. Friend will consider that that might cause a difficulty. That is from the IBRL’s “At a Glance” guide to its service, and it seems to me that that might not be wholly suitable for an election, especially when we are dealing with huge volumes and all the rest of it. That is why I put that provision into the new clause: because I am not sure it fits the bill. The Government should have a duty to consider that very carefully and see whether there is a better system that should be used.

I am sure we all have examples of possible problems. In my part of the world in the Bradford district we have had some terrible things happen with postal voting and postal vote fraud over the years, and we must always be very careful. When we are having a huge extension of voting and of postal voting we must be cautious, and this provision is merely an attempt to show some caution in moving forward and make sure we are not causing problems that might not have been expected at the time.

Neil O’Brien: For the benefit of the Minister who will have to implement new clause 7 can my hon. Friend make clear what his expectation is on timing? It seems from the tenor of his remarks that he is expecting this review to take place before commencement; is that the case?

Philip Davies: I would like that to happen: before having an extension it would be useful to have a review of where we are now, because that might highlight some of the areas of concern. So, yes, I would like to see that done sooner rather than later.

Alex Chalk (Cheltenham) (Con): My hon. Friend is making some important points. On the point he has just raised, does he agree that we would need to be satisfied that, in the event of an allegation of electoral impropriety, there will be the resources and willingness on behalf of overseas authorities to properly investigate that, because it could mean the difference between a correct result in an election or an incorrect result?

Philip Davies: I agree. The more people the franchise is extended to, the more chance of a result being affected by it, so my hon. Friend is right. That is why it is absolutely necessary that we get these things right. We must not just do them, find problems later and not really have a plan for how to deal with them. I would sooner we got it in place to start with and knew how we were going to try to prevent problems and deal with them once they arose.
I hope new clause 9 is self-explanatory. It would require the Cabinet Office or Secretary of State to “within 12 months of the provisions of the Act coming into force,” it has a date on it for the benefit of my hon. Friend the Member for Harborough—“lay before Parliament a report evaluating the effects of the Act and the extent to which it has met its objectives.” I have to say that we pass legislation on a regular basis in this place, in a slightly willy-nilly fashion in my opinion, and we seem to do it often on a sentiment—a worthy sentiment usually—but I would like to see more legislation come with some conditions attached, one of which would be a review of it afterwards to see whether it is meeting the objectives set out. That should be standard in all pieces of legislation. We just pass a piece of legislation and then that is it so far as most people are concerned. We then move on to the next thing and often nobody ever revisits to see whether it is working. In fact, when anyone is asked to justify anything, they often use the fact that they have passed a piece of legislation as their justification for having done something, regardless of whether or not it was effective. I would like to see this new clause added to many more pieces of legislation.

Alex Chalk: May I gently suggest that my hon. Friend is uncharacteristically proposing unnecessary bureaucracy? The reality is that if something were perceived to have gone wrong, he has shown himself to be well able to draw it to the attention of the House. Does he not agree that if such a matter needed to be ventilated in public, there is no doubt that that could be done fully and robustly?

Philip Davies: My hon. Friend thinks that flattery is going to get him everywhere, but on this occasion I am not entirely sure that it will. It is very kind of him to say what he did, and—if I may reply in kind—no one is better than him at asking incisive questions and getting to the nub of things, particularly given his background. The problem is that we pass so much legislation in this place covering such a wide area that, no matter how good or bad any of us might be, we just cannot keep on top of it all. It is impossible to do that, and we sometimes need a prompt to remind us of the pieces of legislation that have gone through. I do not think it would do anyone any harm if a report came out that made them think, “Oh yes, I remember this piece of legislation. I’m interested in this one.” Even the best of us forget from time to time what legislation has been passed through this House.

Neil O’Brien: I tend towards agreeing with my hon. Friend the Member for Shipley (Philip Davies) rather than with my hon. Friend the Member for Cheltenham (Alex Chalk) about this and about the importance of evaluation. For the benefit of the Minister who would have to compile the report, I think my hon. Friend the Member for Shipley is quite right to ask for a breakdown by parliamentary constituency, but would he also advise the Minister providing the report to provide a breakdown by host country of overseas electors, so that we could see whether our efforts to improve take-up were doing better in some countries than others? They might be going well in Spain but not so well in France, for example. Would my hon. Friend also welcome that information?

Philip Davies: My hon. Friend makes a good point. I am certainly not going to disagree with him about that. However, I fear that he might have done untold damage to his career in this place by saying that he tended to agree with me rather than with my hon. Friend the Member for Cheltenham. I am sure that the Whip on duty is busy writing that down even as we speak, in order to thwart his attempts at getting promoted. He might need to say at some point that he did not really mean it. We can pretend that he never said it and move on, if that would be of benefit. I certainly would not encourage him to say it on a regular basis—that would be fatal—but I am grateful to him for his support. I am sure the whole House will be relieved that I am not going to read out the whole of new clause 10, because it covers more than three pages and that could take some time. I will take it as read that people can see it for themselves. It is quite detailed, and it may or may not find favour with colleagues, but I am anxious to move on—

Neil O’Brien rose—

Philip Davies: I am anxious to move on, but my hon. Friend clearly is not, so I will give way to him again.

Neil O’Brien: I am grateful to my hon. Friend. I am genuinely confused about some parts of new clause 10. The deadline for registration for a general election in the UK is midnight 12 working days before polling day, and the deadline for applying for a postal vote is 5 pm 11 working days prior to an election. In the new clause, however, we have deadlines of both 18 and 13 days and at a time of 5 pm, which is before the end of most people’s working day these days. Will my hon. Friend explain why there is a discrepancy between the deadlines for UK-registered voters and those who will be voting overseas? Does he agree, on reflection, that 5 pm is not necessarily the right deadline?

Philip Davies: Well, in terms of the time of the deadline before an election for overseas voter registration to take place, if my hon. Friend will allow—he probably thinks I am trying to dodge his incisive question, but I want to come back to amendment 40, which touches on this subject, in due course—perhaps I can move on to that later.

Neil O’Brien: It sounds as though my hon. Friend will return to my question later, but one specific point about the new clause is that it refers to Scottish regulations. Do we have legislative consent for that? Do we need to? What is the position?

Philip Davies: My hon. Friend has gone way beyond my expertise, which people will probably think is not a difficult task in itself. I am afraid that it would take greater minds than mine to answer the question whether those permissions are needed, have been acquired, would be required and have been given. I do not know. This shows the benefit of having proper scrutiny of legislation in this House and I commend my hon. Friend for doing that, but I am not sure that I am the right person to answer those technical questions.

Sir Christopher Chope (Christchurch) (Con): On the importance of being able to scrutinise proposed legislation, does my hon. Friend accept that he is essentially being
chided by my hon. Friend the Member for Harborough (Neil O’Brien) for not having provided an explanatory statement for the new clause?

**Philip Davies:** I think that my hon. Friend is the one doing the chiding. I suspect he is probably right to do so. I was unable to find the time to do that, and he is right to pick me up on it. If I had, colleagues might have had more of their questions answered. I listen to him a great deal, and particularly on these issues pertaining to Fridays, how things should be done and the importance of their being done, he tends to be right.

**Jim McMahon:** I say this advisedly, but can the hon. Gentleman confirm that he wrote the amendments he has tabled? With almost every intervention, he has been unable to answer a single question that has been put to him.

**Philip Davies:** The hon. Gentleman has not had a very good record on interventions in this debate so far. Most of them have been wholly inaccurate. I think that it is fair to say that I have tried to answer every question that I have been asked.

Occasionally, there was a technical question. My hon. Friend the Member for Harborough asked not about the amendment but about whether particular permissions from the Scottish Executive would be needed; I do not know the answer to that question. The hon. Member for Oldham West and Royton is obviously some kind of know-all, so given that he seems to know everything about everything, perhaps he could answer the question. No doubt, as a fine parliamentarian, he has studied every last word of the amendments, although his previous interventions would not suggest that. Given his expertise on the subject as a know-all, does he want to intervene again and answer the question asked by my hon. Friend? I will leave him to do it.

**Jim McMahon:** One thing I do know about is the amendment tabled in my name and those of many others who support votes at 16. I can answer in a great deal of detail on that, because of course it is my amendment. I would expect the hon. Gentleman to be able to answer questions about his own amendments, if they were indeed his own amendments. Did he write the amendments that have been tabled, or not?

**Philip Davies:** I do not know whether the hon. Gentleman is in need of some medical attention, but I fear for his wellbeing. Perhaps he was not listening, or perhaps it was not even here—he is in a different place now, so perhaps he absented himself from the Chamber and then beetled back in. I think that I have made it abundantly clear at the start of every amendment that they have often previously been tabled by the hon. Member for City of Chester. I have made that clear. Was the hon. Member for Oldham West and Royton not listening? I have said at the start of each amendment that most of them were tabled by the hon. Member for City of Chester and I thought that they made very good points that were worthy of further consideration in the House.

I am not entirely sure which bit of this provision, originally tabled in Committee by the hon. Member for City of Chester, is difficult for the hon. Member for Oldham West and Royton to grasp, as the point seems straightforward. Is it difficult for him to understand? Does he not understand those words? The provision on the Royal Mail that I mentioned was one I tabled and we had discussed it; my hon. Friend the Member for Harborough asked a detailed question about why I had included subsection (3), and I gave a detailed answer about that point. Perhaps the hon. Member for Oldham West and Royton got out of bed on the wrong side this morning, as he seems to be in a particularly grumpy mood, not only about the amendments I have tabled, but about the ones tabled by the hon. Member for City of Chester, who, apparently is his best friend, even though he seems to think that all the amendments he has tabled are a load of old nonsense. I will leave the hon. Member for Oldham West and Royton to explain to the hon. Member for City of Chester why he thinks his amendments are ridiculous.

**Gareth Snell:** On pointless interventions, may I say gently to the hon. Gentleman that my hon. Friend the Member for Oldham West and Royton (Jim McMahon) is one of the cheeriest, sunniest dispositions to be found on the Opposition Benches and never would the word “grumpy” apply to him? On the substantive matter, new clause 10 refers repeatedly to applications to vote “by post or proxy by overseas electors in parliamentary elections.” The hon. Gentleman will know that the practicalities of the system of overseas electing means that almost all those people will be voting by post and that having an opportunity to vote by proxy if they wish to appoint someone in this country is important. His proposal contains no content about emergency proxy votes to cover circumstances where the individual overseas might be entitled to make a late emergency proxy vote. To my knowledge, that can be done up until polling day itself if they are incapacitated. Has the hon. Gentleman given any thought to where that might fit into his amendments and to where future legislation may fix that problem?

**Philip Davies:** The hon. Gentleman raises a good point. He spoke earlier about the importance of polling stations and things like that, and I have points to make about them later. Wherever possible, the rules should be the same as they are for people here, so I think he makes a good point and perhaps we should all consider it if we ever manage to get back to it. I have every sympathy for the point he raises.
Anna Turley (Redcar) (Lab/Co-op): I appreciate that the hon. Gentleman is making thorough and thought-through points. He said he wanted to see a balance between the opportunities to vote given to those overseas electors and to those back here at home. Will he then explain why his Government are making it much harder for people to vote here by seeking a greater degree of identification from people going into a polling station, given that there is potentially more opportunity for fraud in the postal voting system overseas, as he is explaining?

Philip Davies: I do not want to get sidetracked from the Bill, but the point I make to the hon. Lady is that many of the new clauses I have proposed and will go on to propose are about making the system robust, so that we have an honest result and we do not have any problem with the result being disputed in any way. Given the problems we have faced, certainly in my Bradford district, at polling stations and in postal votes, I support the Government in believing that we need identification at polling stations. In many cases, presiding officers in polling stations have faced a nightmare in terms of being able to identify people properly. That has been an issue for some time. I believe the same happened in Northern Ireland and they dealt with it there, but unfortunately some of those problems persist in the rest of the UK. It is right that the Government do something to make sure that the results of elections are robust. I am getting sidetracked, Mr Speaker, because this is not really relevant. The point I am trying to make is that I do not see a conflict.

For the benefit of the hon. Member for Oldham West and Royton, new clause 11 is on a subject raised in Committee by the hon. Member for Nottingham North. I hope that is clear enough for the hon. Member. Member for Oldham West and Royton to understand. The new clause is about the offence of registering to vote as an overseas elector in more than one constituency. When he suggested this change in a new clause in Committee, the hon. Member for Nottingham North said that it was his “last stab at allaying the concerns that electoral administrators have expressed following the publication of the ‘votes for life’ document and the Bill.”

He was talking about their concerns relating to double registration. He went on:

“The principle is that when electoral registration officers use address data to verify someone’s eligibility to register, they will establish whether someone has lived in that place. However, they will not try to establish whether that is the last place where the person lived, or whether they have lived in multiple places and are having the same conversation with multiple electoral registration officers around the country, and possibly voting in two or more places.”

He rightly pointed out that there was therefore a “live danger that might merit an individual sanction”...—[Official Report, Overseas Electors Public Bill Committee, 14 November 2018; c. 115.]

That is what new clause 11 provides. It says that somebody commits an offence by registering to vote in two separate parliamentary constituencies as an overseas elector. That is absolutely right. It comes back to the point I made before about making sure that the results are robust and without question and all the rest of it. Currently, there is something lacking in our system in respect of people voting in more than one constituency at parliamentary elections, and there have been complaints about that. I genuinely do not know how widespread the issue is, and I am not sure that there is any great evidence one way or the other, but, anecdotally, people are concerned that the system is not as robust as it should be. The hon. Gentleman was absolutely right to highlight this potential issue, and we should do what we can to stop it.

Jim McMahon rose—

Gareth Snell rose—

Philip Davies: I have given up on the hon. Member for Oldham West and Royton; he is certainly not taking my advice on how to get on to his amendment, so I will save him from himself and give way to his hon. Friend.

Gareth Snell: My hon. Friend the Member for Oldham West and Royton is one of the finest parliamentarians that the hon. Gentleman will get to debate with. He should consider giving way to my hon. Friend—after my intervention, of course.

The hon. Gentleman will be aware that it is not currently a crime in the UK to be registered in more than one parliamentary constituency at any given time—it is often the case for students, people who live in two different constituencies, and even Members of Parliament—but they cannot vote in more than one constituency at one time. Is the hon. Gentleman concerned that he might criminalise individuals who could register twice in the UK but not twice in the UK as overseas electors, thereby creating a two-tier registration threshold?

Philip Davies: I understand the hon. Gentleman’s point. Personally, I see a difference, which is that people can quite legitimately register in different places in the UK because they can vote in all those places in a local election. If they are a council tax payer in Yorkshire and a council tax payer in Dorset, they are perfectly free to vote in both, quite properly and legally—there is nothing wrong with that—but they are not allowed to vote twice in a parliamentary election. They can register, but they can only vote once.

Neil O’Brien: Will my hon. Friend give way on that point?

Philip Davies: I will in a second.

It seems to me that there is a difference for overseas voters, because they do not need to vote in the local election because they live somewhere else, so it is really about the parliamentary election. They do not need to be registered in two different places to vote in a parliamentary election, given that they can vote only once anyway. It is a question of where they last lived, so there is a difference.

Alex Norris: This gets to the nub of one of the challenges in the Bill. In the case of someone living in this country, the question being asked is, “Where do you live?” Some people can legitimately claim to live in two places. Many people in this Chamber live somewhere else during the week. Of overseas electors, however, we are asking, “Where did you live last?” Those are two very different questions, and the result here might be to
enable in our voting system exactly the same treatment in both cases, which should give us cause to reflect if not cause us some anxiety.

**Philip Davies:** I absolutely agree. I genuinely think that the points the hon. Gentleman made in Committee were very reasonable and worthy of consideration again today. We should think very carefully about the point he makes.

**Matt Rodda:** Is the hon. Gentleman aware of the churn on the electoral register in some city centres and densely populated areas? In one part of Reading, a quarter of the population on the register changes every year. In my view, this indicates the need for far greater resources for the work he is advocating.

**Philip Davies:** The hon. Gentleman will forgive me if I do not know the precise problem in Reading, but I am sure it exists in other places too. He is right to raise that. As I made clear earlier, if the House imposes duties on electoral registration officers, it is only right that we provide them with the resources to perform those duties—it would be completely unacceptable not to—so I take his point and would tend to agree with it.

**Neil O’Brien:** Further to the point from the hon. Member for Stoke-on-Trent Central (Gareth Snell), does my hon. Friend agree that there is a potential problem here for those who have been registered perfectly legitimately in two different places so that they can vote in two different local elections? If such a person became an overseas elector, it would be easy for them to forget to deregister themselves for parliamentary elections in one of the two places they were registered. It seems this is not an insuperable problem, because we could create a mechanism automatically to deregister them, but does he agree that that does seem to be an essential step to avoid accidentally criminalising people?

**Philip Davies:** Yes, I take that point, which is a good one. These points are all worthy of further consideration. I do not disagree at all. Equally, however, democracy is precious, and when people start calling results into question, because of people voting twice or whatever, it does massive damage to our democracy. A democracy works only when the losing side accepts it has lost. If it does not, perhaps because the result was rigged or people voted twice—we see this in dictatorships around the world where people do not accept results because of various irregularities—we are on a very slippery slope. We need to do whatever we can to eliminate discrepancies that call results into question. My hon. Friend is right, though, and I certainly am not for unnecessarily criminalising decent people just because they make a mistake; I just thought the issue so serious as to be worthy of further consideration.

**Neil O’Brien:** At risk of doing further damage to my career, I strongly agree with my hon. Friend about the menace of people voting in multiple places and the need for strong sentences for those who do. His new clause 11 suggests that people who vote in two constituencies should be eligible for up to a level 5 fine. For other types of electoral offence—for example, false registration of information, false registration in relation to postal voting, personation and so on—a person can receive a level 5 fine and a six-month sentence, and for things such as postal voting fraud they can get a two-year sentence and an unlimited fine.

Does my hon. Friend agree that we might want to rationalise the existing system for these different offences—there seems to be no rhyme or reason to it—and that we should review the maximum level 5 fine if it does not prove sufficient to deter people from committing what is a serious anti-democratic crime?

**Philip Davies:** Yes, I agree. My hon. Friend is absolutely right. These are serious offences, and the criminal justice system should see them as such, so I very much share his sentiments.

**Gareth Snell:** Will the hon. Gentleman give way?

**Philip Davies:** I will press on. I did not realise at the start of this morning how difficult it would prove to get through my modest amendments in the first group. I am determined to do so, even if I have to upset the hon. Gentleman.

2 pm

**Mr Mark Francois** (Rayleigh and Wickford) (Con): On a point of order, Mr Speaker.

**Mr Speaker:** I did not realise that the right hon. Gentleman was proposing to raise his point of order now; I thought that he was going to do so later. Nevertheless, he is seized by the moment, and I know that he is in a state of some perturbation about the matter.

**Mr Francois:** My sincere apologies to my hon. Friend the Member for Shipley (Philip Davies), but when he hears this I hope he will understand, because it affects him, too.

Apparently, on the “Today” programme this morning, the BBC presenter, Jim Naughtie, made the following statement:

“That the ERG, Jacob Rees-Mogg’s group, in France would be in the National Front because that’s what they believe, and in Germany they would be in the AfD. It’s only because of our system that the carapace of this party keeps them in”.

That is an outrageous comment and a slur on at least 80 Members of this House. We feel passionately about Brexit, as do Members from all corners of this House, but that does not mean that we belong in the National Front, a despicable organisation that all of us would condemn. I would like to take this opportunity in Parliament, as an elected Member of Parliament, which Mr Naughtie is not—he is just a very, very highly paid bigot—to say that his comments are outrageous. If the BBC does not get him to make a full and complete apology by the end of today, he should resign as a British Broadcasting Corporation presenter. If the corporation does not take action against him, that will prove what many in this House have suspected for a long time—that it is irredeemably biased and Europhilic.

**Mr Speaker:** I am grateful to the right hon. Gentleman. I am determined to do so, even if I have to upset the hon. Member for Shipley (Philip Davies), but when he hears this I hope he will understand, because it affects him, too.
suggestion that he has about the corporation’s alleged Europhile tendencies, I know that there are many people who feel that much of the BBC’s coverage in recent times has leaned in a very different direction. As Speaker, I do not think that I want to pronounce on that matter. Moreover, as the Clerk at the Table, who swivelled round to counsel me, observed, points of order of this kind, referring to people outwith the House, ceased to be commonplace some time ago. It was a true observation and helpful in one respect, but in another—I know that the Clerk will not take offence when I say this—at least marginally irrelevant for the simple reason that commonplace and the right hon. Gentleman are not only not nodding acquaintances, but complete strangers to boot. There is nothing commonplace about the right hon. Gentleman.

I do not seek to treat the right hon. Gentleman’s point with levity; I recognise that he feels extremely strongly about it. For my part, I stand by what I said earlier: as far as parliamentary debate is concerned, the precept of “Erskine May” is that moderation and good humour conduct a better debate, rather than ad hominem personal attacks. People should play the ball rather than the man or the woman.

Moreover, though it is not for me to stand up for the European Research Group—it does not need me to do so and I am not doing so—I do want to say that, as far as the right hon. Gentleman is concerned, I have known him for 35 years and there is no way on earth that I could imagine him in the National Front. That is not the right hon. Gentleman, and it is not the hon. Member for Christchurch (Sir Christopher Chope), and it is not the hon. Member for Shipley (Philip Davies), and it is not the hon. Member for Corby (Tom Pursglove). That is simply not a fair characterisation. I cannot be expected to go through all the members of the European Research Group, but the hon. Member for North East Somerset (Mr Rees-Mogg) is a friend of mine. He has very strong views to which some people very strongly object and which other people very strongly support, but to suggest that there is some sort of National Front allegiance is quite wrong and, in my opinion, uncalled for. Let us try to lower the decibel level and treat other people’s views on either side of an argument with respect, debating the issues rather than resorting to slogans. I hope that that is fair.

Mr Francois: It is, Sir. Thank you very much.

Mr Speaker: As a result of that exchange, we have been deprived for a number of minutes of the mellifluous tones of the hon. Member for Shipley (Philip Davies), but I suspect that there will be an outbreak of ecstasy in the Public Gallery at the resumption of the hon. Gentleman’s speech.

Philip Davies: Thank you, Mr Speaker. I certainly do not object at all to my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) interrupting me with his point of order, with which I agreed wholeheartedly. Thank you, Mr Speaker, for your response. I seem destined not to get through my amendments, for different reasons.

Sir Christopher Chope: My hon. Friend has been identifying the complexity of these matters in relation to both overseas electors and domestic electors. Does he agree that it might be a good idea if the Government were to commission the Law Commission to draft some legislation on the subject that could then be brought forward as a draft Bill and properly discussed? The attempts in this Session—including in my Voter Registration Bill—to get consensus across the House have failed, as indeed this Bill has failed to get consensus. Is it not time to get some expertise from the Law Commission?

Philip Davies: I am grateful to my hon. Friend for his suggestion, which has a great deal of merit. I am not entirely sure that a private Member’s Bill was the best route for this legislation, and we probably do need a bit more expertise, as he suggests. I certainly would not disagree with that.

I am not entirely sure whether I had got to new clause 12 or new clause 13, but, in the interests of trying to get through my amendments, I am going to move on to new clause 13 and hope that that was where I had got to.

Neil O’Brien: Before my hon. Friend moves on, new clause 12 calls for a report on electoral offences, including on whether the number has changed as a result of this legislation. Will he tell us how we might be able to pull apart the effects of the extension of the franchise in this Bill and the many other factors that could affect both the number of offences and the number of overseas electors? Page 9 of the Commons Library briefing on the Bill shows us that many factors, including electronic voting, referendum campaigns and general elections, cause the numbers to move far more than changes to the franchise.

Philip Davies: Yes, I understand my hon. Friend’s point, and it is a good one. New clause 12 is more probing than one that I intended to push to a Division. The point that I was trying to make when tabling it was that it seems that the chances are that more offences will be committed if we extend the franchise so widely. It is therefore right that the Government look into this point in some detail. A report therefore seemed to be a sensible suggestion. However, I understand his point and do not necessarily disagree with it.

New clauses 13 and 14 are basically sunset clauses. I am a big fan of legislation with sunset clauses, because it means that a Bill that turns out to be hopeless is put out of its misery without any further need to do anything. If it is particularly good legislation, presumably there will be no problem with somebody wanting to resurrect it or bring it back. Sunset clauses are a good way to ensure that we end up with good legislation and that we get rid of bad legislation. New clauses 13 and 14 offer different suggestions for how long the legislation should last—one of five years and one of three.

Neil O’Brien: I want to put the case against my hon. Friend’s argument in favour of sunset clauses. Last Friday, we were debating the Holocaust (Return of Cultural Objects) (Amendment) Bill of my right hon. Friend the Member for Chipping Barnet (Theresa Villiers), which would put an end to the sunset clause put on the Holocaust (Return of Cultural Objects) Act 2009. That sunset clause had no particularly clear rationale. I understand the case for such clauses when we do not know whether we will solve a problem by legislating, but when we are making a principled and permanent change, they seem unnecessary and could eat up the time of the House. Does my hon. Friend agree?
Philip Davies: No. I would rather eat up the time of the House looking back on whether something is necessary and should be brought back rather than use up its time inventing new laws, which are often unnecessary and make things worse. To be perfectly honest, I think it would be a better use of Parliament’s time if we looked back over these things. However, I take my hon. Friend’s point about the different purposes of sunset clauses; I understand that.

You will be pleased to know, Mr Speaker, that I have gone through the new clauses. However, I still have to cover a number of amendments, although I hope to do that more quickly. My amendment 40 is a reheated version of one from the hon. Member for Nottingham North: to put a deadline of 19 days before an election for an overseas vote registration to take place. In proposing it, the hon. Gentleman said—I agree with his rationale—that it was to allow electoral administrators more time to process applications. He felt that the current timescale for registration deadlines did not work, and his amendment was designed to improve it. He reported concern among those who administer our elections about the issue—particularly about the timetable more widely for postal ballot papers to go out to overseas voters. That is not easy.

The hon. Gentleman went on to make a very good point: if we do not push this amendment through, we would be raising expectations among people who were enthusiastic about their chance to vote, but they would end up being disappointed because, owing to the volume of applications, in the end they would never get the chance. The hon. Gentleman’s argument was very good.

I dread mentioning the EU referendum again, given that in that referendum, and in the 2015 general election, the processing and checking of overseas applications was a big challenge in many places due to the high volume of applications in a very tight timeframe during the lead-up to the vote. If that was the case then, what problems will arise if we extend it massively? There is an issue here. The hon. Gentleman’s suggestion that the deadline should be extended was a sensible way to make sure that, if we do extend it, everyone will get the chance to vote.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): The hon. Gentleman is making an extremely detailed examination of the Bill. In its impact assessment of the Overseas Electors Bill, the Cabinet Office stated that funding was “planned to be provided by central government to support the additional costs incurred by EROs”.

Given the stretched state of local budgets and austerity, will that financial support cover the £8.8 million expected cost of implementation and the 10 years of running policy from 2020-21?

Philip Davies: The hon. Gentleman makes a good point, for which I thank him. Again, that is why we need detailed scrutiny of these matters in the House.

I do want to press on, Mr Speaker.

Alex Norris rose—

Philip Davies: I must give way to the hon. Gentleman, because I have been referring to him so much.

Alex Norris: I do not know whether the hon. Gentleman is an avid follower of American elections; personally, I love following the House of Representatives. Occasionally, I confess, I might find common cause with the hon. Gentleman for the purposes of wagering—I probably should not have confessed that.

The extraordinary thing about American elections, certainly those in California, is that as long as a postal ballot went into the box on the day of the election, it counts. So elections are not declared for multiple weeks as the votes slowly build up until eventually they run into a trickle and disappear. Does the hon. Gentleman share my concern that there would have to be a much earlier deadline to give room for the votes to come in, and other silly things like that?

2.15 pm

Philip Davies: The hon. Gentleman makes a good point. When there is a tight contest, it is not beyond the realms of possibility that a result could be delayed until everything has been checked. That is why the suggestion he made in Committee was a good one and one that I wanted to bring back. He is definitely on to something, and I agree with him.

I will gloss over amendments 49 and 50, because they are pretty minor points in the scheme of things.

Gareth Snell: Will the hon. Gentleman give way?

Philip Davies: I am going to crack on. I do not think anyone could say that I have not been generous in giving way.

Amendments 68 to 70 are linked to other new clauses that we have already discussed. I want to mention amendments 75 and 76. Amendment 76 would delay the coming into force of the extent, commencement and short title provisions by 12 months. I want to raise that because, whatever the merits or otherwise of a general election outside the fixed-term rules, it seems to me that if a general election were to be held sooner rather than later, this Bill coming into force immediately could cause some problems. Amendments 75 and 76 would delay the implementation of the Act for two years, which would give more time to prepare for the next general election, or even the one after, if we have one before the five-year term is up.

We could end up with people who are eligible to vote not being able to because the systems are not in place to cope with the rush. It would be blatantly unfair on qualifying overseas voters if some of their votes counted and some did not, and if some were able to register and some were not. I think that that can happen already, to be honest, but the problem would be made much worse if we extended the franchise and brought the provisions in very quickly. We would almost certainly create a problem.

All in all, I am sorry that we have had such a truncated operation and that my speech has gone on far longer than I anticipated. Obviously I was agitating some Members, and I wanted to accommodate their requests, because in all seriousness, that is how legislation should be debated in this place. We end up with better legislation when we listen to everybody’s point of view. We have heard in interventions today people making some very good points that we should bear in mind and
that expose some of the flaws in the amendments I have tabled. That is why it is important that we go through this scrutiny of important pieces of legislation.

I commend my hon. Friend the Member for Montgomeryshire for bringing his Bill this far. I hope that the provisions of the Bill will be introduced at some point, but with the necessary improvements. I urge the Government to listen again to the arguments made in Committee by the hon. Member for City of Chester and the hon. Member for Nottingham North in particular, because if their suggestions had been taken on board, this would have been a much better piece of legislation.

**Jim McMahon**: On a point of order, Mr Speaker.
Thank you for allowing this point of order; I appreciate your generosity. Clearly time has run away with us, and we have had three urgent questions. That means we have not moved on to the second group, which would have included a debate on votes at 16. I recognise completely that that is legitimate in terms of how Parliament works, but I would like to place on record the names of members of Oldham Youth Council who submitted their personal responses about what votes at 16 would mean to them. Roshi Parmar-Hill, Charlotte Classby, Samah Khalil, Liam Harris and Tia Henderson all sent in representations. I want to thank them and place on the record our appreciation for those submissions.

**Mr Speaker**: That is perfectly fitting and has been done with characteristic grace by the hon. Gentleman. I hope he feels that he has achieved his objective and secured in the circumstances a consolation prize, albeit a modest one.

**Christian Matheson**: I rise to address the House for the first time in today’s sitting. May I start by paying tribute to my good friend the hon. Member for Montgomeryshire. He has put into this Bill in Committee, and will he allow me to thank him for the way in which he helped in Committee? I did not always agree with him when we had a dispute, but he was always incredibly polite and well argued, and all the points he made were very well made.

I would like to take this chance to put on the record the huge number of people who have helped me in this process. I will name only one specifically, because I would take up too much time if I named them all. I do think that Harry Shindler deserves a mention in the House. He is 98 years old, and he came over here from Italy to discuss this Bill with me in person on two occasions during this process. The one thing he wants to do is to vote in a British election: it is the one thing left out the burden on the electoral registration officer. He gave very detailed descriptions, so I do not want to go over them again in the time left available to us.

I thank the hon. Gentleman for that intervention. I have not met Mr Shindler, but it is my understanding that he fought in the second world war. May I put it bluntly? We live in freedom today because of people like Mr Shindler and many hundreds of thousands like him who risked their lives, and we will never tire of making that case.

The hon. Member for Shipley made an extensive and detailed opening speech on his new clauses. As I say, many of them were very similar to, if not the same as, ones that I and my hon. Friends moved in Committee. He gave very detailed descriptions, so I do not want to go over them again in the time left available to us.

New clause 1 would mean that UK citizens who are considering moving abroad or in the process of doing so will be given a prompt by the electoral registration officer, if that officer receives information that leads them to believe that a registered elector is moving, to remind them to re-register. The hon. Member for Shipley is right: this is about stopping a huge rush of people registering in a short period before an election, so as to even out the burden on the electoral registration officer.
It would reduce the workload of EROs, who would otherwise have to send out reminders to encourage new voters to register.

Gareth Snell: When the hon. Member for Shipley spoke to new clause 1, I mentioned the difference between people who have moved and those who are going to move. May I tease out a suggestion from my hon. Friend on how that issue could be overcome? An electoral registration officer will not know whether somebody has moved unless they have been told, yet under the new clause they would be compelled somehow to provide people with information on how to register as an overseas elector.

Christian Matheson: My hon. Friend is right, and given that the new clause seeks to reduce the burden on electoral registration officers, we would not want as an unintended consequence to increase that burden on officers, who would have to find voters who formerly lived in their constituency but who now live abroad. I imagine that the ERO would prompt people who are about to move abroad to register.

The new clause seeks to strengthen our democratic culture by encouraging voter registration. As my right hon. Friend the Member for Alyn and Deeside (Mark Tami) and my hon. Friend the Member for Redcar (Anna Turley) said earlier, the Government are currently narrowing that group by making it harder for people to register and vote in certain pilot areas where ID requirements have been introduced. I call on the Government to think again about whether they are genuinely concerned with widening voter participation and registration, or whether they are considering such matters only for overseas voters.

Under new clause 1, EROs must ensure that the voting register is as accurate and complete as possible. Each year they conduct an annual canvass of households, issuing and chasing inquiry forms. Household inquiry forms are sent to every household to confirm the details of those living at the property. Although those forms do not directly generate new registrations, they are critical to producing information about the country. Under the new clause, any information generated from those forms that suggests that a British person is moving or has moved abroad, should lead to a notification from the ERO to prompt that person to put themselves on the overseas voters register.

Voter awareness is crucial to this legislation. The hon. Member for Harborough (Neil O’Brien) spoke about the role that British diplomatic posts could play in registering UK citizens abroad, and letting them know about the importance of voting. Once overseas voters are made aware of their eligibility, they are more likely to vote. The earlier that someone registers within the current 15-year time limit, the easier it is to keep them registered after that time limit, and we will therefore remove the possibility of a rush to register immediately before an election, which was referred to by the hon. Member for Shipley.

Gareth Snell: My hon. Friend is gracious with his time. Does he share my concern that the missed opportunity with new clause 1 is that there is no provision to help those already overseas who may suddenly gain the right to vote? Nothing in the new clause seeks to provide local authorities with the ability or resources to do that, yet there could be thousands of people for whom that situation is their everyday existence.

Christian Matheson: My hon. Friend’s analysis is almost certainly correct. I am a little concerned because the proposal was originally mine, so I cannot exactly blame the hon. Member for Shipley, but that is what scrutiny in this place is for. I will take my hon. Friend’s guidance and I am grateful for his insight into the deficiencies of new clause 1.

Moving, if I may, to new clause 3—

2.30 pm
The debate stood adjourned (Standing Order No. 11(2).
Bill to be further considered on Friday 29 March.

Business without Debate

FREE TRADE (EDUCATION AND REPORTING) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 29 March.

Pedicabs (London) Bill
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

Homelessness (End of Life Care) Bill
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

Freedom of Information (Extension) Bill
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

Human Fertilisation and Embryology (Welfare of Women) Bill
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

Gender-Based Pricing (Prohibition) Bill
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.
HEREDITARY TITLES (FEMALE SUCESSION) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 10 May.

CHARITY TRUSTEES (TIME OFF FOR DUTIES) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

IMMIGRATION (TIME LIMIT ON DETENTION) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

HOUSE OF PEERS BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

ONLINE NEWS PLATFORMS (REGULATION) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

PLASTIC POLLUTION BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

PACKAGING (EXTENDED PRODUCER RESPONSIBILITY) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

PARENTAL LEAVE AND PAY ARRANGEMENTS (PUBLICATION) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

EMERGENCY RESPONSE DRIVERS (PROTECTIONS) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 10 May.

ACCESS TO FERTILITY SERVICES BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

KEW GARDENS (LEASES) (NO. 2) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

ACCESS TO WELFARE (TERMINAL ILLNESS DEFINITION) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

ASYLUM SEEKERS (PERMISSION TO WORK) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

INTERNATIONAL DEVELOPMENT ASSISTANCE (PALESTINIAN NATIONAL AUTHORITY SCHOOLS) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.

DESTITUTION DOMESTIC VIOLENCE CONCESSION (ELIGIBILITY) BILL
Motion made, That the Bill be now read a Second time.
Hon. Members: Object.
Bill to be read a Second time on Friday 5 April.
Winstanley Estate Regeneration

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

2.35 pm

Marsha De Cordova (Battersea) (Lab): I am pleased to have secured this important debate.

There are few places that show the severity of the Government’s housing crisis more than Battersea. It is a wonderful, vibrant and diverse constituency, home to active and truly inspiring communities, but under the Conservative council for decades and the Government for the past nine years, it has been hit hard by the housing crisis. Planning and policy decisions have prioritised unaffordable homes, not the social and genuinely affordable housing that Battersea so desperately needs.

My constituents see countless luxury blocks rising around them. In Nine Elms, they see one of the largest regeneration projects in Europe, but there is not a single social home. At Battersea power station, they see a £9 billion development that contains just 9% of so-called affordable housing, and even those homes are being built half a mile away on an old industrial site. This is not building mixed communities for the social good of the many; it is building for private profit for the few.

I fear that the Winstanley and York Road estates regeneration is another example of a development that works for the few, but is not there to meet the needs of the many living in the constituency. The £1 billion regeneration project is being undertaken by Wandsworth Council, in partnership with developer Taylor Wimpey. There is no doubt that the estate is in need of serious investment. It is one of the most deprive areas in the borough and in the top 1% most deprived in the country. It has been neglected for years by Government and council alike.

Following the 2011 London riots, the council finally acknowledged that neglect, recognising that poverty and inequality were driving social alienation and discontent. That is what triggered the plans to regenerate the estate, and it could have been an opportunity to build the genuinely affordable and social homes that Battersea needs. It could have been an opportunity to tackle the housing waiting list and to home some of Wandsworth’s thousands of homeless children. That is what it could have been, but that is not what the council is pushing. There has been a welcome replacement of existing homes, including council homes, and the new leisure and community hub, which includes a much-needed leisure facilities centre, a community centre, a library and a children’s centre, is also welcome. However, the proposals will have no meaningful impact on Battersea’s desperate housing need. Instead, they mark a worrying change in the social mix of the Winstanley and York Road estate.

At present the vast majority of homes on the estate are council houses, but of the proposed nearly 2,000 extra homes, just three—0.15 per cent of the additional homes—will be council homes, while nearly 90% will be unaffordable private housing. That is more than 1,500 new unaffordable homes, taking the total number of private homes to more than 1,750. As part of the scheme, there are set to be 100 homes with so-called affordable rents—we know that, at 80% of market rates, they are unaffordable to many people—222 intermediate homes and 86 shared-equity homes, but this means the social mix will be radically changed. At present, nearly 70% of the estate is made up of social housing tenants; when the project is complete less than 20% of the estate will be for social rent. The social make-up of the estate will be transformed in what people have described as social engineering.

When Wandsworth Council has nearly 7,000 families on its housing waiting list, when 2,000 families are homeless, including nearly 3,000 children living in temporary accommodation, when private rents are soaring and when rough sleeping has rocketed by 150% in the last year alone, for a £1 billion development to have just 0.15% of its additional properties being council homes is totally inadequate. It is an insult to the many people in housing need.

Let us think for example of a family who have been to see me over just this past month. They have been in temporary accommodation for five years; a family of seven squeezed into a three-bedroom flat. Mould is destroying the walls and aggravating their five-year-old’s asthma. When they raised this with the council, they were told to open their windows even though the heating in the home had broken. This is no way for a family to be forced to live. Dire housing situations like this are all too common, and my concern is that the additional genuinely affordable housing is so low in the regeneration because the council has not put the interests of its residents at the forefront.

The reported rate of return of the project is 35%, which is double the industry average. Hundreds of millions of pounds will be made in profit from this regeneration plan at a time when many in Battersea are struggling. And the concerns with the regeneration do not stop there. Residents of Ganley Court, which is set to be demolished in the later stages of the regeneration programme, have raised serious objections. Their concerns cover a number of issues. They have come to see me at my surgery on several occasions. In the proposal’s first phase are huge tower blocks: two towers that would stand at 77 and 120 metres high, dwarfing Ganley Court, overlooking their properties and denying their privacy. A further concern is that in phase two of the project Ganley Court would be demolished, with freeholders offered new properties in the development, but merely with shared equity, losing their outright ownership.

Residents have repeatedly raised these concerns with the council, only to be given unhelpful, sometimes misleading information. They feel betrayed by their council and feel that the proposals do not give them a fair deal. And forgotten in the proposals are existing private renters. I know of families who have rented on the estate for 10 years and whose children go to the local school, but their block will be demolished, with no support or rehousing. They will be uprooted and disrupted, while their private landlords will be offered a new property. That is not fair and shows that it is not a project for the many.

Unfortunately, the regeneration scheme fits into a long history of the council supporting unaffordable private housing. Last year, 90% of the houses built in the borough were unaffordable private homes. Less than 3% were council homes, and over the past eight years, for every 20 unaffordable private homes the council has allowed to be built, it has built less than one council house.
This is not house building to meet demand or to protect vulnerable people; it is house building for the benefit of the few.

But this is, sadly, no surprise from a council that for decades has favoured developers over the interests of residents. It was Wandsworth Council that launched a right-to-buy scheme before it was national policy, even then refusing to replace the properties it sold, and under the Tory Wandsworth council, 24,000 council houses have been sold, deepening Battersea’s housing crisis.

On house building, central Government have also failed. Across the country, there has been an 80% fall in new social rented homes and a 50% fall in new affordable homes for ownership. There has been a total failure to replace homes bought through the right-to-buy scheme, with only one being built for every four that are sold. Just as is happening in Battersea, the Government’s failure to build housing to meet social need has driven a social crisis. In nine years, rough sleeping has doubled, child homelessness has increased by 70% and 120,000 children are now living in temporary accommodation. More than 1 million people are now privately renting, and we know that private rents have soared.

If we look at the cold hard numbers, and if we go beyond all the spin, the truth is clear: in Westminster and Wandsworth, the Tories have presided over the housing crisis. The housing market is broken. It is failing the families cramped into homes that are falling into disrepair, failing the children who are moved from temporary accommodation to temporary accommodation, failing the young professionals who spend half their income on soaring rents and, most of all, it is failing the most vulnerable: those who are sleeping on our streets.

There is a national housing crisis, but it does not have to be this way. Rather than being just another example of regeneration that serves developers, the Winstanley and York Road regeneration could serve local people. Labour knows that if regeneration projects are to be successful, they must be supported by local residents. That is why we believe that all estate regenerations should hold ballots. That has not happened with the Winstanley and York Road regeneration. The council has refused to carry out a ballot, as it is fearful that residents would reject its proposals. It claims that such issues are too complex for residents and does not trust their knowledge and experience. But if the council were to hold a ballot and to trust in its regeneration project and its residents, it could apply to the Mayor’s affordable housing fund and access up to £50 million for genuinely affordable housing, which could add more than 100 council homes to the project.

Since the Mayor’s introduction of ballots as a funding condition, we have seen their success. So far there have been five estate ballots, all in favour of the proposed plans, including the High Lane estate in Ealing, where the council, the Mayor’s office and local residents worked together to improve the local community. This approach could be taken with the Winstanley and York Road regeneration, to access funding that would make a genuine difference. I am pleased that Greater London Authority is currently scrutinising the viability assessment, and we await its findings. Elsewhere, we are seeing housing developments that will make a real difference, such as the Holloway Prison development, where the Mayor and Islington Council have worked together to provide 1,000 new homes, including 600 genuinely affordable homes with at least 400 at social rent.

For the housing crisis to be solved, we need a change in policy and a change in Government. Labour’s plans are to build 1 million new homes, including 500,000 council homes; implement rent controls; require ballots on all estate regeneration projects; provide indefinite tenancies for private renters; and end rough sleeping, with ring-fenced housing for those sleeping on our streets. These policies will make a real change. It is the bold, radical programme that we need. The people of Battersea deserve so much better than they are being offered. They deserve a housing market that works for them.

To conclude, does the Minister believe that it is acceptable for only 0.15% of the extra properties in the £1 billion Winstanley and York Road regeneration to be council homes? Does he share the council’s view that residents cannot be trusted to judge for themselves whether regeneration will work for them? Does he agree that residents should be balloted on regeneration projects? Finally, does he believe that the council should pursue all funding options, including applying to the Mayor for GLA funding, to secure much-needed, genuinely affordable homes as soon as possible?

2.49 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): It is a pleasure to wind up the debate and I congratulate the hon. Member for Battersea (Marsha De Cordova) on securing it. I welcome the chance to respond to the points she made.

I start by recognising that a home is more than simply bricks and mortar. A home provides safety, comfort, financial security and a community for residents. That is why this Government are building the homes our country needs so everyone can afford a safe, decent place to call their own—and we are helping more people on to the housing ladder.

I note the points that the hon. Lady made about the Winstanley Estate, but I have to tell her that because a formal planning application has been submitted to Wandsworth Council for the Winstanley and York Road Estate development, it would not be appropriate for me to comment on it on the Floor of the House, so as not to prejudice the Secretary of State should the application eventually end up in front of him. Although I cannot answer her questions precisely, I hope she will bear with me, because she raised some broader points about affordable housing that I would be very happy to address.

Building more affordable homes, including those for social rent, is a priority for the Government. Since 2010, we have delivered more than 407,000 new affordable homes, including more than 293,000 affordable homes for rent. We also recognise that a mix of affordable tenures is required to meet the needs of a wide range of people. That is why, through the affordable homes programme, we have made £9 billion available for affordable home ownership, affordable rent and social rent.

The hon. Lady talked about the importance of councils building, and alongside the £9 billion we have lifted the housing revenue account cap to help them build more. That should enable councils to deliver up to 10,000 homes a year in the short term.

To turn to Wandsworth in particular, I am pleased to say that it appears to be a very high-performing borough in terms of overall housing delivery. It is achieving
numbers of new homes significantly in excess of its local plan targets and it has made significant and welcome commitments to delivering new housing stock through the HRA. I pay tribute to its leadership and energy in providing the homes its community needs.

Although I cannot answer the hon. Lady’s specific question about the nature of the affordable housing in this development, so as not to prejudice the planning application, it is worth putting it on record that the new development will have 35% of the building for affordable units.

**Marsha De Cordova:** Does the Minister agree that, as it stands, the proposal for the Winstanley and York Road development does not meet the London plan standard?

**Rishi Sunak:** It would not be appropriate for me to comment on whether any particular planning application meets any standard, but 35% is in excess of the local authority target of 33% for affordable housing developments. Indeed, there is a tripling of housing supply overall and an increase in affordable housing in the development in question. Of course, that will be decided in a formal planning application.

We talked about estate regeneration, and I agree with the hon. Lady. That estate regeneration, done the right way, can create new and improved homes and communities for the people who live there. The Government published a new national estate regeneration strategy in December 2016 and, as she said, estate regeneration works best when the community is at the heart of the project. Residents must be key partners in any regeneration scheme and they should have opportunities to participate from the start, developing the vision, design, partner procurement and delivery.

**Marsha De Cordova:** I am pleased that the Minister recognises that residents need to be at the heart and the centre of all regeneration. Does he therefore agree that ballots should be carried out on all estate regeneration projects going forward?

**Rishi Sunak:** I am a localist, and although the Government provide overall guidance and direction for local authorities it is of course right that they determine how exactly to engage best with their communities in each and every circumstance. My understanding, reading through some of the material, is that in this instance there has been extensive engagement and consultation with the residents in question by the local authority.

We, of course, as a Government, have set out our expectation that estate regeneration should have the support of a majority of the residents whose lives will be affected. My team have been informed by Wandsworth Council that the majority of Winstanley Estate residents who responded to the options consultation chose a more extensive regeneration approach involving the demolition and development, refurbishment and new community facilities that we heard about.

It is also important to set out clear commitments on how the regeneration process will work and the housing options available. We believe that all existing tenants should have the option to return to the estate, and I am pleased to say that, as was acknowledged by the hon. Lady, Wandsworth Council has stated that all council tenants will be offered an alternative home at social rent within the regeneration area. I am sure that that is warmly welcomed.

In addition, the estate regeneration national strategy sets out our expectation that disruption to residents should be minimised. Indeed, Wandsworth Council has informed my officials that a phased approach is being undertaken at the estate so that, where possible, residents are moved only once, from their current home to their new home. Furthermore, Wandsworth Council has stated that resident homeowners will also be able to take part in an equity share scheme. It is important that these home purchase options are made available, because residents should be given the opportunity to change tenure.

Although I cannot answer specifically every question posed by the hon. Lady, given the planning application that is in force, I hope she sees that I agree with her that local regeneration can deliver better-quality homes; additional homes, both for affordable rent and for market sale; and improved facilities for the community, as I believe she acknowledged is happening in this case. Good regeneration requires the strong leadership of local authorities and the engagement of the residents. It is right that that happens and I am sure that she will make sure it continues to happen throughout the process. Of course, this approach does benefit from central Government support, which many communities have received, not least with the expanded affordable homes programme and infrastructure funding.

On that note, I thank the hon. Lady for bringing these matters to my attention and that of the House, and wish her well as she ensures that the planning application proceeds with all these considerations being borne in mind.

Question put and agreed to.

2.56 pm

*House adjourned.*
Daniel Zeichner: I do not treat the referendum result with contempt. It has not been able to escape our attention and has dominated our lives for the past three years. The Petitions Committee should be treated with respect, and 135,000 signatures on a petition is not to be disregarded.

The petition text states:

“The 25th of November both the UK Government and the European Union came to an agreement on the proposed departure from the EU. After an historic defeat in the House of Commons on the 15th of January, 2019 by a majority of 230 votes the PM has now decided to go back to the EU over the backstop.”

That is a statement of fact. On 25 November, the EU 27 leaders met for a special meeting of the European Council and endorsed the withdrawal agreement as presented by the negotiators of the EU and the UK. They also approved the political declaration on future EU-UK relations that accompanies the withdrawal agreement. The scale of the defeat in January was, I think, unexpected for most of us, and it is useful to consider why.

The petition mentions the backstop, which certainly accounts for part of the group of Government Members who voted against the deal, but there were many significant and substantial further concerns. For many of us, it was the imprecise nature of the political declaration that caused concerns; it looked like a wishlist of aspirations, rather than anything settled. Other concerns included the danger of a further cliff edge in two years’ time; the likelihood that at best we would pay to be part of programmes in which we no longer had any influence in terms of a vote; and the near certainty that we would still be subject to European Court of Justice jurisdiction. In other words, far from taking back control, we would, in the words of some, become “vassals”. Frankly, that had been obvious from the outset, and it was a pretty silly vassal that did not see that coming.

The second paragraph of the petition text states:

“Under section 5 (ii) of the Belfast agreement, 1998, there is agreement to ‘to use best endeavours to reach agreement on the adoption of common policies, in areas where there is a mutual interest’.”

Essentially, the Irish backstop is an unresolvable issue: it is a position of last resort that prevents a hard border on the island of Ireland by providing an EU-UK customs mechanism for both the Republic of Ireland and the UK as well as the rest of the EU, and thus it must apply.

In December last year, which seems an age ago now, I asked the Prime Minister to revoke article 50 in the national interest, not least to allow those who claim to speak for the 52% to sort out what they actually want. She told me that revoking article 50 would mean staying in the European Union. Well, I and many others are fine with that. The petition, which now has more than 135,000 signatures, including, it will not surprise Members, will not be overwhelmed by the numbers coming to speak here today. I will say a little bit about what is happening this week and then go on to interpret the petition's text and discuss possible ways forward.

As I said, we are not entirely sure what is happening this week, but we understand the Prime Minister will probably put what she describes as a deal to Parliament again, I have said on numerous occasions that the one word I would like to eliminate from the English language is “deal”. She has said many times that the options are her deal, no deal or no Brexit. The third option is generally presented almost as a threat, perhaps to her own side. It is suggested that it is an idea not to be taken seriously, but it is worth remembering that at the referendum almost three years ago, in a very different pre-Trump world, out of a population of some 65 million people in this country, just under 17.5 million voted to leave, which means that almost 50 million did not. Today I speak up for that forgotten 50 million, the 48% who did not vote for this mess and whose voice has too often not been heard. The debate has been constantly about the first two options, but the petition concerns the third, and it deserves proper consideration.

In December last year, which seems an age ago now, I asked the Prime Minister to revoke article 50 in the national interest, not least to allow those who claim to speak for the 52% to sort out what they actually want. She told me that revoking article 50 would mean staying in the European Union. Well, I and many others are fine with that. The petition, which now has more than 135,000 signatures, including, it will not surprise Members to hear, more than 1,100 from my own constituency of 135,000 signatures, including, it will not surprise Members, we are where we are. There are opportunities for Members to discuss the issue in the main Chamber as well, so I suspect we will be overwhelmed by the numbers coming to speak here today. I will say a little bit about what is happening this week and then go on to interpret the petition’s text and discuss possible ways forward.

Mr Nigel Evans (Ribble Valley) (Con): By the hon. Gentleman’s own logic, if 135,000 people have signed the petition, does that not mean that about 65 million have not? We should therefore treat it with the contempt with which he has treated the referendum result.
Mr Jim Cunningham: To reinforce my hon. Friend’s point, Jaguar Land Rover has already made about 1,000 people redundant; it hopes to secure its future. Ford has made about 300 people redundant. Then there is Nissan and other such companies. The concern is very real. It is no good the Brexiteers treating lightly things that have serious implications for the country.

Daniel Zeichner: I agree entirely. Just the other day, I was calling on people when canvassing in Cambridge, and was struck by the number of people I was coming across who were raising personal experiences. Very senior engineers were telling me that they were applying for jobs in Switzerland because the research funding upon which they rely through the Europe Research Council will be going there. They have no desire to go and previously had no expectation that they would ever seek to leave such a wonderful place as Cambridge, but if that is where the research money is going, that is where scientists will go. It is a global set-up, and we risk doing huge harm to our industries and our universities.

John Redwood (Wokingham) (Con): Will the hon. Gentleman confirm that the OECD forecasts show a general slowdown around the advanced world, particularly on the continent of Europe, and show that the UK will grow faster this year than either Germany or Italy? Will he also confirm that there has been a general hit to the car industry because of diesel, which has nothing to do with Brexit.

Daniel Zeichner: The OECD says all those things, but people in the motor industry are very clear that the uncertainty is an absolute killer when it comes to long-term investment. Of course, many of the decisions are not being made here, but in Japan. Those decisions are already being made, and are doing us huge harm. Of course there is a range of factors, but it is hard to imagine such instability not causing problems to our industries and universities.

The Government’s no-deal impact assessment, published two weeks ago, states that “food prices are likely to increase” and that customs checks could cost business £13 billion a year—an extraordinary sum of money. I have just come from an event that was about how our maintained nurseries are facing closure for want of a fraction of that amount. Why on earth are we doing it?

The Government’s report also said that the worst-hit areas economically in a no-deal scenario would be Wales, losing 8.1%, Scotland, losing 8%, Northern Ireland, losing 9.1%, and the north-east, losing 10.5%. It is no comfort to those of us in the west midlands and the east that it would be marginally better for us. Reportedly, even the most enthusiastic Brexiteers acknowledge that there could be problems in the short term. At least on that we can probably all agree.

Steve Double (St Austell and Newquay) (Con): Is not part of the challenge that we had all these debates in 2016? The fact is that all the doom and gloom of the economic predictions regarding a vote to leave did not materialise. Most people chose to ignore them, and had the courage to vote on the basis of sovereignty.
Re-rehearsing the economic arguments does not seem to be having any effect on the views of the British people.

Daniel Zeichner: I am glad that the hon. Gentleman is very confident. I am sure that he is so confident that he is keen to see that tested in a further vote—I will come to that in a moment. One of the good things that has come from the process is that we all know so much more than we knew three years ago, not just in the country but in this place. As people begin to lose their jobs, and as the people of Cambridge begin to up and go elsewhere, it has become increasingly clear that it is no longer about possible projections, but what is actually happening on the ground.

I will pay the petitioners the tribute of finishing their petition before going further. In its final paragraph, the petitioners explain their view of the European Union’s perspective on the deal and the backstop. They say:

“The issue is that EU have firmly stated that they will not re-open negotiations with the UK over the agreement and remove the backstop.”

One of the most dismal aspects of the last three years has been a consistent failure on this side of the channel to understand how any of this looks from outside. The narrative of the evil European Union trying to punish Britain has, of course, been carefully burnished by some pursuing the Brexit cause, and their friends in certain newspapers, and will certainly continue to be promoted vigorously. Of course the European Union has its own interests, and it will fight for them. Why would it not? It has plenty of problems of its own to worry about.

The European Union has always been pretty clear that it would prefer that we had not decided to leave, but it has also been consistent and clear in its arguments. The UK has offered no workable solutions to the backstop issue. The EU has implored us to suggest something that would be fit for purpose, but the UK Government have suggested no mechanism that provides strong enough protections on the island of Ireland. It can hardly be a surprise that there has been so little progress.

I will try to bring the four paragraphs together, and summarise the petitioners’ case, which I take to be that of the highest authorities on polling in this country—told an event just last week, hosted by the Economic and Social Research Council in a room adjacent to this Chamber, that that lack of confidence in the Prime Minister is shared by the public. Apparently one of the majority who voted to leave, “What part of ‘leave’ did you not understand?”

Leave voters deeply resent how too many Members of Parliament and smart commentators look down on them and pretend that they did not understand what they were doing or know what they were voting for, or that they were in some way muddled about their aims. We have heard that again today from the Petitions Committee representative, the hon. Member for Cambridge (Daniel Zeichner): he says that we did not know what we were doing, that it was all fanciful and that we all had a mixed idea. We knew exactly what we were doing—voting to take back control. We voted to take back control of our laws, our money and our borders, and that is exactly what this Parliament has to get on and do.

Ronnie Cowan (Inverclyde) (SNP): I appreciate what the right hon. Gentleman is saying, but he cannot possibly say that two and a half years ago people knew...
Ronnie Cowan: If there is no fear whatever, why are the Government telling people to stockpile? Why are pharmaceutical companies telling me, “There is one key ingredient in the entire process, and if we do not get it, we will run out of that product”?

John Redwood: The hon. Gentleman got the lorries thing wrong, and now he has got the drugs thing wrong. The Government are not asking people to stockpile drugs. People will buy their normal drugs in the normal way, or be offered them free on the NHS in the normal way. There is no need to panic, as I have just explained. The hon. Gentleman has not named a company or a drug that will be deliberately withheld from the British market; unless he can do so, I do not think that he has a case at all.

Ronnie Cowan: The pharmaceutical company Martindale tells me that it needs sugar to manufacture methadone, because it is a syrup. It has stockpiled three months’ worth, but then it will run out. If sugar does not come into this country, it will run out of methadone.

John Redwood: Why would somebody mount an economic blockade of Britain and not sell us their product? That is complete nonsense. This is a competitive world. When the scare stories were first put round that Calais would be blocked by deliberate action, I and others made inquiries and were told that Zeebrugge, Ostend, Antwerp and Rotterdam would love to have the business and were making very competitive offers against Calais, but Calais immediately said, “No, of course we don’t want to lose that business, and by the way we still have the shortest crossing, so it should still be the easiest way.”

Such malicious and unpleasant scare stories are why this Parliament is losing the trust of the public generally. The public expect us to be grown up and manage these things. If there are issues that need managing on our exit, it is our job to manage them, not to scaremonger or try to make them worse.

David Linden (Glasgow East) (SNP): The right hon. Gentleman says that the public are losing trust in this Parliament. I put it to him that the reason the public—and indeed the people of Scotland—are losing trust in this Parliament is that, even at this late hour before our meaningful vote tomorrow, we have a Prime Minister jetting off to Strasbourg and trying to get last-minute concessions. This place is in absolute chaos. Is not that the reason people are losing trust in this Parliament?

John Redwood: I think the main reason people are losing confidence and trust is that all Labour and Conservative MPs, as far as I am aware, were elected on manifestos—[Interruption.] The SNP MPs clearly were not, but Labour and Conservative Members dominate the numbers in this Parliament, and we were all elected on manifestos that made it very clear that our parties fully respected the decision of the British people. We knew it was a decision; that was what the Government leaflet to all homes said, and what Parliament accepted in the debates on the referendum legislation, so we must honour that pledge. Our Conservative manifesto went further and explicitly said that we would leave the European Union, the customs union and the single market. There was no doubt about that; we were not
muddled; we did not have different views; we did not want Norway plus or a Swiss model; we would leave every aspect of the EU, as described.

**Mr Nigel Evans:** I find the situation bizarre, because it was this Parliament that gave the people the chance to have a referendum. It put the question that people voted on, but people did not vote in quite the way that it wanted. For possibly the first time, it is not that politicians have let the people down, but that people have let politicians down.

**John Redwood:** Yes, indeed. My hon. Friend makes his point very well: Parliament gave people the decision and people took it.

The Conservative manifesto was very clear that we would leave on 29 March. It also said, clearly and correctly, that “no deal is better than a bad deal”, so that if it appeared that the deal on offer after the negotiations was a bad deal—as it clearly is at the moment—the preferred option should be no deal. It further said, very wisely, that negotiations on the future partnership should proceed in parallel with the negotiations on the withdrawal agreement. I accept that the Government have made mistakes; their mistake of not keeping the two negotiations in parallel has led to a withdrawal agreement that most MPs could not possibly accept, because it is a surrender document and a disgrace—it is not Brexit as Brexiteers want it, and it is not something that remain voters want either.

The Labour manifesto was also crystal clear that the Labour party accepted the verdict as a decision. It did not offer a second referendum, nor did it think that the public had got it wrong. It set out a very imaginative and different United Kingdom independent trade policy at some length: I did not agree with all the detail, but I was delighted that the Labour party wanted a completely independent UK trade policy. Such a policy would be completely incompatible with staying in the customs union and/or the single market, because it would require all sorts of freedoms to negotiate higher standards and negotiate different deals with the rest of the world, which would not be compatible with staying in the EU’s version with lower standards and the customs union arrangements.

We are told that the petitioners think we should now revoke article 50 because we have not reached an agreement that Parliament can accept. That means no Brexit—turning down the views of the majority. The hon. Member for Cambridge tried to put the best possible spin on this by coming up with these specious numbers and saying that 50 million people did not vote for Brexit, therefore it cannot carry. That figure includes all the children in the country—I am interested to hear that, in his view, two and three-year-olds have a view and should have a right to a view. It is also assumes that everybody who did not vote in the referendum would, if they had bothered, have voted against Brexit, although there is absolutely no reason to presume that. On samples and polling, one would assume that the people who did not vote had exactly the same split of views as the people who did vote. There was nothing in the referendum to say, “If you want to remain, you might as well stay at home.”

If people wanted to remain, there was every point in going to vote, just as there was clearly every point in voting if they wanted to leave.

**Steve Double:** If the view is to be taken that 50 million did not vote to leave, does my right hon. Friend agree that it is therefore also true that 51 million people did not vote to remain in the European Union?

**John Redwood:** My hon. Friend makes a very good point. It is also a question of understanding how representative democracy based on elections and referendums works. In all other cases, Members of different parties in the House accept two things. First, they accept that when we have had an election, it is the votes that were cast that determine who gets to govern. We do not say, “Oh well. Many millions of people didn’t vote, and they wanted a different Government.”

Secondly, we also accept that it was the voters’ decision. We do not say, “Oh deary me. I’m still in Government. You tried to throw me out of Government—I’m sorry, electorate, you’re too stupid to understand. I’m doing a wonderful job and I’m actually going to carry on in Government, because I don’t agree with you. I might give you another vote in two three years’ time if you still haven’t come round to my point of view, but we’re just going to ignore the vote.” No right hon. or hon. Member would dream of saying that—not even members of the SNP, who have bitter experiences of referendums. They say they love referendums, but every time they hold one, they lose it. Every time they lose one, they then say, “That one didn’t count. Can we have another one?”

**David Linden:** As usual, the right hon. Gentleman is speaking with complete consistency on these issues—it is normally tripe. On democratic mandates and referendums, I have listened to him talk about how the majority of people voted. He has not once made reference to the fact that 62% of people in Scotland voted remain. What does he have to say about that? What does he have to say about the people in Scotland who spoke with one voice and said that they wanted to remain? Sixty-two per cent. is a rather large number, yet he seems to be ignoring that.

**John Redwood:** It is a United Kingdom matter and it was a United Kingdom referendum. As someone who believes in the Union, but believes in the politics of consent above all, I am very proud that our country offered the people of Scotland the opportunity to leave our Union. I hoped they would stay, but I thought we were right to offer them the vote. Just look at the dreadful mess in Catalonia, where the Spanish state will not offer people a democratic choice.

We were right to say that only the people of Scotland should determine whether it stayed in the Union or left. We did not ask the people of England, Wales and Northern Ireland; we let the people of Scotland determine their own future. They decided—I am very pleased and think they made a good decision—to stay in the Union. The next thing the Union did was have a referendum on whether the whole Union should stay in the EU. They had full opportunity to participate in that referendum and explain why more English people should have agreed with them, but they did not succeed. Under the rules of the Union, they have to live with the Union’s judgment.
**David Linden:** The right hon. Gentleman is genuinely being very generous in giving way, and he has hit the nail on the head with that point. He is right to say that in 2014 the people of Scotland voted to remain in the United Kingdom on a prospectus of leaflets that were put out by the Better Together campaign and stated:

“The only way to secure Scotland’s membership of the European Union is to remain in the United Kingdom.”

We did that: we voted to remain in the United Kingdom and now find ourselves being dragged out of Europe. Does the right hon. Gentleman even begin to see—even through his Unionist-tinted glasses—just how difficult it is to reconcile that with a Unionist argument in Scotland?

**John Redwood:** Not at all, because that was an entirely truthful statement at the time. Clearly, Scotland had no right to independent membership of the European Union, which was the issue. It was already clear in 2014 that my party would campaign for a referendum. I always thought that we would win both the general election and the referendum—I was about the only person who thought that we would win both, and I am very pleased that we did. It was an entirely democratic process. Scottish voters could see that that might happen when they made their decision to stay in the Union. As very welcome full members of our Union, they then had every opportunity to make a decisive intervention in the debate we had together on whether we stayed in the European Union.

I want to finish on the economic issues, of which much has been made. It is a strange debate, because most leave voters voted on the issue of democracy, independence, sovereignty, making our own decisions and spending our own money. I am someone who thinks that we will be better off—not worse off—by leaving the European Union. I have consistently argued this before and after the referendum. The case is very easy to make. I would like us to have a Brexit bonus Budget as soon as we leave the European Union at the end of this month. Such a Budget should boost our economy by between 1½% and 2% of GDP.

Let me take the more modest version—a 1½% boost from a £20 billion stimulus, which would provide a mixture of increased money for much-loved public services. It would also include tax cuts. The kind of thing I have in mind is more money for our schools budgets and teachers. We need more money for our armed forces and security, and for our police and the work on gangs, knife crime and so forth. We need more money for our social care, where the shoe has been pinching. The Government have already found prospectively large sums for the health service, and the challenge is to ensure that—where we vote those sums through—we get good value for money and are buying something that really does provide a higher quality service, which is what the public expect.

There should also be a series of tax cuts, firstly on VAT—the tax that we are not allowed to cut or reduce in so many ways, because it is an EU tax. I would take all VAT off green products, because it is wrong that people have to pay rather large taxes on better boiler controls, insulation and various other green measures they can take in their homes to cut their fuel bills. I would like to get rid of VAT altogether on domestic fuel. The budgets of people on the lowest incomes have the highest proportion of expenditure on fuel—there is fuel poverty. Why do the Government contribute to it by adopting an EU tax on domestic fuel? It would be good to get rid of that.

I would like stamp duties to be put back to the same levels as before the big hikes. I would not put back stamp duties that have been cut, but those that have been increased—it has clearly done a lot of damage to the property market by stopping transactions and stopping mobility—so that people can afford to live in the right-size property that is appropriate for their stage in life.

I would also like quite a big reduction in business rates. There is definite unfairness for high street retailing by comparison with online retailing, and now would be a good opportunity to reduce business rates. It is eminently affordable. The Government have provided their estimate of £39 billion, which is largely to be spent in a couple of years over the period of further negotiation. I think it will be much more than that in the long term—there are no numbers in the withdrawal agreement. Quite a lot of that money falls in the first couple of years, and I would like us to spend it in the next couple of years in the way I have described, with a £20 billion increase in the first year to get things going. There is a running saving of £12 billion a year or more from the saving of the net contribution, leaving aside any special payments under the withdrawal agreement.

The Chancellor has already let it be known that there has been a big overshoot of his fiscal tightening: we are borrowing far less than he was expecting, so he has a bit of leeway. We might learn more about that later this week. Putting it all together, the package I suggest is very modest, but it would give a very welcome improvement to our public services and give quite a good economic boost through targeted tax cuts. Our GDP would go up in the first year after we left the European Union, rather than go down on what it would have been otherwise.

**Ronnie Cowan:** I am just curious how a national debt of £1.7 trillion can be serviced with all these tax cuts.

**John Redwood:** As I just explained, my measures would not increase the build-up of public debt, but would be financed out of the amounts that are already in the Budget to go to the European Union.

The public find it extremely odd that many Members of Parliament want to give any amount to the European Union without challenging or probing what bill it is sending to us and why, and yet begrudge us spending that money on our priorities at home. One of the winning themes of the vote leave campaign was that we want to control and spend our own money. There is absolutely no legal obligation to pay that money to the European Union after 29 March, when we have left. Indeed, the European Union (Withdrawal) Act 2018 repeals the European Communities Act 1972, so I do not think the Government will have any powers to send money to the European Union after 29 March, given the admirable legislation now on the statute book that means that we will leave.

Many people who are interested in these affairs want us to get on with it and leave the European Union. Many share my optimism that we will be better out, trading and developing free trade agreements with the rest of the world and cutting tariffs where that makes
sense and does not damage our home industry. Above all, we will spend the money that we will spare because we are no longer making a huge tribute to the European Union through these very large sums of money. What's not to like? How do MPs who got elected to implement Brexit think they will get away with telling the British people that they were wrong, and that they will delay or stop Brexit?

5.11 pm

**Steve Double** (St Austell and Newquay) (Con): It is a pleasure to speak in this debate. I thank the hon. Member for Cambridge (Daniel Zeichner), a fellow member of the Petitions Committee, for introducing it.

Although I fundamentally disagree with the premise of the petition, I absolutely understand some of the frustrations that people feel. I admit that there have been many times over the past few months that even I—somebody who is passionate about leaving the European Union—have wondered whether it is not too much hassle, and whether saying, “Let’s call the whole thing off,” might be the easiest course of action. However, I believe that if we did that, we would be fundamentally wrong, and would be making a huge and damaging mistake. It would be hugely damaging to our democracy for us to seek to undo the democratic decision that the British people made in the 2016 referendum.

This House was absolutely clear at that time that we were allowing the British people to make the decision in that referendum, and that we would carry out the instruction that they gave us. If we do not deliver on that commitment, we will further damage, and perhaps destroy for a long time, the last bit of trust in this place and our democracy. We all accept that trust in politics is at a pretty low ebb. Given the way that this House and our democracy. W e all accept that trust in politics is at a pretty low ebb. Given the way that this House has behaved in recent months, we can hardly blame people for having a very low opinion of it. It is sad to say that none of the main political parties comes out of this process with very low opinion of it. They go on to tell me that they genuinely believe that they were wrong, and would be making a huge and damaging mistake. It would be hugely damaging to our democracy for us to seek to undo the democratic decision that the British people made in the 2016 referendum.

**Mr Nigel Evans**: Does my hon. Friend agree that one reason why people in every constituency in Lancashire, and people in the north-west, the north-east, the south-west and the south-east, voted to leave was that for far too long they had felt as if they did not have a voice? This Parliament suddenly gave them a voice via the referendum, but it now wants to reinforce the view that their voice does not matter. It would be hugely dangerous not to carry out the wishes of the British people.

**Steve Double**: I am not sure whether my hon. Friend has been looking at my notes, but that was going to be my next point. He has made it very well for me. Many thousands of people up and down the country, particularly in the parts that he highlighted, voted for the first time in their lives, or certainly for the first time in a very long time, in that referendum for the simple reason that they thought that, because it was a nationwide referendum, their vote would count and their voice would be heard. It would be an absolute denial of that if we did not deliver on the referendum.

Not delivering on the referendum would not just damage our democracy. We should think about what message it would send to the EU if, having gone through all this for almost three years, we turned round and said, “You know what? It’s a bit too difficult. I think we’ll reverse this, because it’s a bit too hard for us. It’s too tough a decision for us to make.” It would be a national embarrassment if, having gone through this process, we do not actually deliver on the referendum. It would weaken our position in the EU. Let us not pretend that, by revoking the triggering of article 50 and pretending that none of this ever happened, somehow we will go back to pre-2016 times as though nothing had ever happened. It would undermine and damage our position in the EU in a way that would be massively damaging to our country.

If the conclusion is that it is too difficult, too complex and too politically challenging ever to leave the EU, that would be the final confirmation, if one were needed, that we have surrendered our national sovereignty and are trapped in a political union that will inevitably lead to further integration with the EU. That would be the only conclusion that could be drawn if, after voting to leave and spending nearly three years trying to get out, we cannot do that. Clearly, we would never leave the EU. It would show the EU that we are too weak and timid, and that we lack the courage, faith and optimism in our nation to leave.

Let us be clear that many people feel frustration because we are not where we want to be. We should never have been in this position. It is clearly an understatement to say that we are not where we wanted to be. This close to the deadline, we should not still be debating whether we will actually leave. It is absolutely ludicrous that, after all this time, the question of whether we will actually leave the EU is still on the table. That issue was settled when this House voted to give the people of this country a referendum, and when, after people gave us their decision, a huge majority of this House voted to trigger article 50. The decision was made then that we will leave. It should not be in any doubt. This matter should have been settled once and for all. It is a failure of leadership—of politics—that we have not been able to settle this issue clearly and finally.

Many people up and down the country—particularly some of those we were referring to earlier—who voted in that referendum because they wanted their voice to be heard do not believe that we will ever leave. I speak to them in my constituency every weekend that I go back. They come to me and say, “Please tell me that we are actually going to leave.” I say, “Well, as far as I’m concerned, and if I have anything to do with it, yes we will.” They go on to tell me that they genuinely believe that we are in the midst of an establishment stitch-up that will somehow find a way to ignore the referendum result—some clever parliamentary shenanigans to undo it—and we will not actually leave. Thousands of people across the country think that. If we prove them right and allow Brexit not to happen, we will reinforce their view. That will be hugely damaging to our society.

**Adam Holloway** (Gravesham) (Con): I do not know whether my hon. Friend’s constituents are aware—I am sure that many of mine are not—but under the withdrawal agreement and the political declaration, our defence and intelligence would be subordinate to Europe, after
40 years of trying very hard to avoid that. Are we not a tier 1 military power? We have some of the best intelligence services in the world. We are now signing up to EU defence structures “to the extent possible under EU law”. That is a massive change that mortally threatens our relationship with the United States and damages the Five Eyes.

Siobhain McDonagh (in the Chair): Order. The hon. Member, who did not have the decency to arrive when the debate started, is making an intervention, not a speech. Can he get to the question?

Adam Holloway: Does my hon. Friend agree that the Five Eyes and our relationship with the United States are mortally threatened? The British people do not realise that.

Steve Double: I am deliberately trying to avoid being drawn into a debate about the withdrawal agreement because I am not sure that that is what the petition is actually about, but my hon. Friend makes a good point. There are many serious concerns about the content of the withdrawal agreement, and he has highlighted one about defence and security. My fundamental problem with the withdrawal agreement is that it puts our country in a worse and weaker position than now, which is why it does not have my support as it stands.

Part of the problem is that this House has been gripped by fear. Far too many people in positions of responsibility in Parliament and in Government seem paralysed by the fear of the unknown. Let us be clear: that is what this is partly about, because some argue that we do not know what Brexit is going to mean. Yes—that is the point. We do not know because we are breaking free of the security blanket of something to which we have belonged for 40 years, and we cannot answer every question. But do you know what? The British people had the guts and courage, and the faith in our country, to vote for it anyway.

David Linden: I reflect on my experience in 2014, when the Bank of England and all the establishment figures whom the hon. Gentleman is currently railing against told the people of Scotland how difficult things would be if they broke away from that security blanket. Does he not understand that there is a bit of an inconsistency in that argument?

Steve Double: I am grateful to the hon. Gentleman. It is the Prime Minister’s responsibility in Parliament and in Government seem paralysed by the fear of the unknown. Let us be clear: that is what this is partly about, because some argue that we do not know what Brexit is going to mean. Yes—that is the point. We do not know because we are breaking free of the security blanket of something to which we have belonged for 40 years, and we cannot answer every question. But do you know what? The British people had the guts and courage, and the faith in our country, to vote for it anyway.

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Too many Members of this House have also said publicly “We respect the referendum result”—some even voted on manifestos that said so—while working tirelessly behind the scenes every week to undermine the result and find a way to prevent it from happening. That has also been hugely damaging to trust in our politics.

We will find out only in the years ahead, when all this is over and the history books about this period have been written, exactly how damaging those who have sought to undermine the Prime Minister’s negotiating position have really been to our country. I believe they have been hugely damaging and have largely contributed to where we are today. Only when the history books have been written will we really understand all that has gone on behind the scenes to give the message to the EU that we will stop the UK leaving if we can, in any way that we can. That has been massively damaging to our chances of getting a withdrawal agreement and future deal that this House can support.

Ronnie Cowan: Does the hon. Gentleman agree that another part of the problem is that, at the outset, the UK Government stated that nothing was agreed until everything was agreed? Had we gone to the negotiating table, had some debate and arranged something, we would have created a working relationship between us and the EU27, which we could then have built on, implemented and fine-tuned over time. We started off on the wrong foot, where we have stayed for two and a half years.

Steve Double: I agree with the hon. Gentleman; as I said earlier, many mistakes were made, and some of the serious ones were made right at the start of negotiations, when we started negotiating from a very weak position without really knowing what we wanted from all this. His point falls in that category. We should have been much clearer and much stronger.

Those who seek to promote a second referendum, and have done so for a very long time, have also massively undermined the Government’s negotiating position. Those people have given a message to the EU that the referendum result can be overturned. That has encouraged the EU to give us a bad deal. Everything points to the fact that if there is to be a second referendum—I will do everything I can to stop that happening—and the deal on the table is bad enough, no one will vote for it and we will stay in. Clearly, some of the unguarded comments by leading members of the EU have betrayed that. They think that if they give the UK a bad enough deal, we will reject it and eventually reverse the decision and stay in. Those calling for a second referendum have contributed to our being where we are today.

I do not know whether the Prime Minister will come back from Strasbourg with something. I genuinely wish her well, and I hope she can come back with something substantial and a genuine change to the backstop that is legally binding, which hopefully we can get behind. I hope that happens, but if it does not, it is imperative that we leave the EU on 29 March, as we voted for and time and again have said we will.

Everyone talks about uncertainty. Let us be clear: virtually every business I talk to says that uncertainty is killing them. They would rather know what will happen, even if they do not particularly like it, to have certainty rather than drag this out for months or years to come.

Any extension of article 50 will do no more than prolong the uncertainty, the agony and the debate, with no clear answers for business.

I have come to the conclusion that unless the Prime Minister can get substantial changes to the backstop, the only way to deliver on the referendum result—to keep our commitment to the British people and deliver what people voted for—is to leave on 29 March with no deal. That is what I will be working to achieve.

5.31 pm

David Linden (Glasgow East) (SNP): It is a great pleasure, as ever, to serve under your chairmanship, Ms McDonagh. I thank those who initiated the petition, which has secured over 130,000 signatures, including many from my constituency. I must also thank the hon. Member for Cambridge (Daniel Zeichner) for eloquently opening the debate.

I have the privilege, pleasure and displeasure of summing up the debate on behalf of the Scottish National party. Having listened to the previous speeches, I feel a bit like I am in a European Research Group support group meeting. The hon. Member for Cambridge made an excellent contribution; he spoke passionately in favour of the European Union and reflected on his experience of representing a university town. There is no doubt that our universities will be worse off as a result of our pulling up the drawbridge and adopting the isolationist approach that the Brexiteers seem to advance.

We had an incredibly consistent speech from the right hon. Member for Wokingham (John Redwood). He outlined his fantasy Budget if he was in the Treasury. Unfortunately for him, his party has moved away from that. He rightly spoke about investing more in social care, but he omitted to mention that we have an ageing population and we will need people to look after them when we limit free movement of people. I am not sure that was factored into his economic analysis.

The hon. Member for St Austell and Newquay (Steve Double), who is a friend, spoke about our turning into a national embarrassment. I fear that point may have come already. Legal action is being taken against us for contracts with a ferry company with no ferries. We may have already arrived at the point of national embarrassment—a view shared even by Brexiteers.

The clock is ticking towards leaving the European Union in just 18 days. I cannot believe that this close to Brexit we still do not know what will happen. When I speak to my constituents I find that incredibly embarrassing. Even as a remainer, I find it embarrassing to go round my constituency and explain to folk that we still do not know what will happen. People look to me as a Member of Parliament and say, “You must know what is happening because you are in the House of Commons.” The reality is that the vast majority of us are still getting our information on Twitter about when the Prime Minister is flying to Strasbourg, when we might get updated legal advice from the Attorney General, and when or if at all we might have meaningful votes this week. That is a national embarrassment that brings this place into disrepute.

Ronnie Cowan: The latest Twitter update is that there will be a statement to the House at 9 pm. The right hon. Member for Chingford and Woodford Green
Ronnie Cowan]

(Mr Duncan Smith) has said, “We may have reached a point where there might be an agreement, and we will keep an open mind.”

David Linden: I am grateful for that update at 5.34 pm. A statement is expected at 9 o’clock but it may change a couple more times, so I will take that with a pinch of salt.

The Prime Minister has spent the last two years trying to placate her own party while its members peddle their almost impossible visions of a post-Brexit future to the public. After the referendum, the SNP attempted to extend an olive branch and said we would back a deal that offered to keep Scotland in the customs union and the single market. As the right hon. Member for Wokingham said, that fell on deaf ears. Instead, the Prime Minister opted to lead the country towards the hardest of Brexits, simply to pursue her personal vendetta against immigration. She has done so without a plan or a roadmap of what this Brexit will look like; instead she goes around with meaningful words such as “Brexit means Brexit” and “I’m going to make a success of this.” Ms McDonagh, if you know what that means, I would be delighted to know. For the last two and a half years we have been told that Brexit means Brexit, but what does that mean?

With days to go, we still do not know what Brexit will look like. The Lords EU Energy and Environment Sub-Committee heard last week that the Government still have no idea whether the UK can remain in EU food safety systems after Brexit. Yesterday, Simon Fraser, the former Foreign and Commonwealth Office official, described the state of affairs as “a shocking failure of our government and our parliament, and a national humiliation”.

I could not agree more. The Conservative Government in Westminster have shown they are institutionally incapable of acting in the best interests of the Scottish people.

I have described this chaos without even touching on the effects that Brexit will have for Scotland, its people and our business community. As I said in my earlier intervention, people in Scotland voted 62% in favour of remaining in the EU—higher than anywhere else on these islands. It is estimated that more than 100,000 Scottish jobs are under threat from a no-deal Brexit.

The right hon. Member for Wokingham often talks about economic analysis. That analysis is not from the SNP but from the independent Fraser of Allander Institute, which has outlined that 100,000 jobs would be at risk as a result of a hard Brexit.

Adam Holloway: Will the hon. Gentleman give way?

David Linden: I will—it is nice of the hon. Gentleman to drop in on us.

Adam Holloway: The hon. Gentleman is having a go at my right hon. Friend the Member for Wokingham, but is he aware of my right hon. Friend’s extremely distinguished career in finance and his knowledge of economics?

David Linden: I am—unlike the hon. Gentleman, I was here when the right hon. Member for Wokingham spoke earlier. I am indeed aware of his expertise in finance and some of the advice he has given people, including recently when he advised them to take their money elsewhere.

John Redwood: That is completely untrue and I hope the hon. Gentleman will withdraw that false allegation.

David Linden: No, I will not. I will continue with my speech.

The equivalent of the entire working population of Dundee stands to lose their jobs. The economic effect on Scotland is expected to be even worse than that of the 2008 recession. Businesses, institutions and notable leaders are up in arms over this dereliction of duty. The CBI, the Scottish and Welsh Governments, the National Farmers Union of Scotland, car makers and manufacturers are all united in their opposition to a no-deal Brexit advocated by some speakers in this debate. On top of all that, we face the loss of the free movement of people, which has helped to grow and support our ageing population.

The SNP has been consistent—not a popular position in Parliament—in supporting calls for the extension of article 50 and a people’s vote. That is the only sensible course of action left. The UK Government cannot continue to attempt to strong-arm Parliament into accepting their deal by threatening a no-deal scenario. In his dystopian novel “Nineteen Eighty-Four”, George Orwell described “doublethink” as “holding simultaneously two opinions which cancelled out, knowing them to be contradictory and believing in both of them”.

Instead of reading the book as a cautionary tale, the Prime Minister seems to have taken it as an instruction manual. She has expected the Scottish people to accept three conflicting opinions at the same time: first, we would leave the customs union—a promise made to appease the European Research Group. Secondly, there would be no hard border in Northern Ireland—a promise made to appease Dublin and adhere to the Good Friday agreement. Thirdly, there will be regulatory alignment between Northern Ireland and the rest of the UK—a promise made to the Democratic Unionist party. There is no world in which all three are simultaneously possible.

The Prime Minister knows that, but instead of showing real leadership and working to reach a compromise, she hopes to placate different groups with promises she cannot deliver on, and scare them into voting for her deal by threatening us with no deal.

I will be absolutely clear: we must not crash out of the European Union with no deal. To allow that to happen would be a complete failure of governance and an abdication of responsibility. The Conservative party might be happy with that, but we in the SNP are committed to building a fairer and better future for the Scottish people. Our preferred option is for the whole of the UK to remain in the European Union, but, failing that, our compromise is that the UK should remain in the customs union and the single market. I believe there would be a majority for that in the House. It is clear that further negotiations are needed to find an outcome that works for everyone, so we support the extension of article 50 and a people’s vote.

The Prime Minister is content to lead the country down the garden path with no idea what waits at the end. That is utterly unacceptable. The Scottish people deserve a Government that have their best interests at
heart, but Westminster has shown repeatedly throughout this Brexit mess that it does not have our interests at heart. It is for that reason that many Scots, including many of those who voted no in 2014, are rapidly concluding that the only way to have a Government with our interests at heart is to have an independent Government and to rejoin the family of nations.

Siobhain McDonagh (in the Chair): Order. This is the first time I have had to deal with an issue of whether to ask a Member to withdraw a comment about another Member, so bear with me. Will the hon. Gentleman make it clear that he was imputing no bad motive in his comments about the right hon. Member for Wokingham (John Redwood)?

David Linden: Can you clarify what I am being asked to withdraw, Ms McDonagh?

Siobhain McDonagh (in the Chair): As I heard it, your comments were that the right hon. Member for Wokingham had earned money as a result of giving advice about the EU and the withdrawal negotiations.

David Linden: That is absolutely on the record. The right hon. Gentleman’s declaration of financial interests shows that he does give advice for financial planning. Indeed, that was pointed out by the hon. Member for Gravesham (Adam Holloway). I said on the record what is already in the public domain about advice that has been given by the right hon. Member for Wokingham, and I stand by those comments.

John Redwood: Ms McDonagh, I think what was at issue was the accuracy of the statement. The hon. Gentleman said that I have urged people to take their money out of Britain because of Brexit. I have never said that, it is completely false, and I wish it to be withdrawn.

Siobhain McDonagh (in the Chair): Does the hon. Member for Glasgow East wish to withdraw his comments? The right hon. Member for Wokingham has not, in his view, advised people to take their money out of Britain because of Brexit.

David Linden: I am not willing to withdraw those comments. Indeed, I will be very happy to place a copy of the evidence in the Library before the close of business today.

Siobhain McDonagh (in the Chair): The advice to me is that I cannot force the hon. Gentleman to withdraw his comments. I call Jenny Chapman.

5.42 pm

Jenny Chapman (Darlington) (Lab): It is good to see you in the Chair, Ms McDonagh. The hon. Member for Glasgow East (David Linden) talked about soundbites. We have heard, “Brexit means Brexit,” “No deal is better than a bad deal,” and—my personal favourite—“Red, white and blue—Brexit”. I remember when soundbites were good—I know you do too, Ms McDonagh. I remember, “Tough on crime, tough on the causes of crime”—soundbites that actually meant something. Those were the days.

I congratulate the petitioners and my hon. Friend the Member for Cambridge (Daniel Zeichner) on bringing forward this debate. The fact that thousands of people signed a petition that asks us to put a stop to this whole process speaks to the frustration that is clearly present in many communities up and down the country. I would observe, though, that that frustration, and the petitioners’ preferred solution to it, is not equally shared around our country. Some 100 of my constituents signed the petition, I notice that 1,100 of my hon. Friend’s constituents signed it, and there are other places, which voted more heavily to leave, where I do not think anybody thought it was a very good idea.

It is pretty clear that what started off as a division within the Tory party has spread across the country, and we find that we now have a nation divided. I hope you are proud of what you have done. I am not. I deeply regret the state we have got ourselves into. I voted remain, but I said the day the result became clear and the moment I found my constituency had voted to leave that I would respect that result.

I voted to trigger article 50. My party supported that position, and we supported starting negotiations, but what a mess you have made of it. I never, ever thought, even in my—[Interruption.] What a mess the Conservatives have made of it. I correct myself. Ms McDonagh—I would never suggest that you would have made such a bad job of this negotiation. If only you were leading it, I am sure we would be in a much better place by now. It could hardly be worse. That is clearly what is in the minds of the petitioners, who just want it to stop. They have had enough. I know exactly where they are coming from, but I do feel, even at this stage, that I must continue to honour the decision my constituents made.

Revoking article 50 is clearly possible. The European Court of Justice, in its ruling on the matter, said we could revoke article 50 should we want to. I think it was the hon. Member for Ribble Valley (Mr Evans), who is no longer in his place, who said that that would be seen very negatively, particularly by communities in which people voted very strongly to leave. If we revoked article 50 unilaterally, without the consent of the British people, he would probably be right.

It seems to many people who think we should be looking for a way out of this situation that the only way to do that is to have another vote. That is not something I would ever enter into lightly or, I have to say, with any enthusiasm, but given the way the Government have mishandled this process, I find myself wondering whether only two options remain. One is to have a different deal that could get through Parliament. I will talk a little about what that might look like. The other may be to have another vote. I cannot over-emphasise my reluctance about that. I agree with most of the arguments against having another vote—arguments about division and trust in politics—but, even so, that may be the only option that remains if we are stuck in this impasse and we need to break the deadlock. Given where we are today—it looks like, in 24 hours’ time, we will be voting again and rejecting the Prime Minister’s deal, probably in almost the same way we did only a few weeks ago—we need to agree a way forward.

Government Members spoke at length about the backstop. The backstop is not really the fundamental problem. The best way to deal with the backstop is to have a clear vision of the future, to know where we are
going and to know what kind of relationship we are going to have with the European Union. That is how we would avoid ever having to use the backstop. The problem we have is that the Prime Minister has been unable to be clear—in her own mind, perhaps, but certainly with Parliament—about where she intends to take the country after we have left. I can only imagine that is for reasons of party management, which, given what we have seen today, I think we can all understand. Because she has not been clear—because the political declaration is incredibly vague and could imply two very different visions of Brexit—we have been forced to focus on the backstop.

That really has not worked very well for the Prime Minister, if I can put it like that. She is now having to try to negotiate something that she hopes will be legally binding and will satisfy the needs of the Government Members who have spoken in the debate. I somehow doubt it. Perhaps it will be a form of unilateral mechanism. Perhaps it will be an end date. But even if either could somehow be negotiated, I doubt whether that would do the job that she needs to have done. We would still be lacking the fully formed vision of the future direction of our country. I do not think that will be enough for MPs to be able to walk through the Lobby and say, “Yes, we support this,” because we care deeply about what happens to our constituents. We were all elected on manifestos and promises that said that we wanted to make our constituents more prosperous, to secure their jobs and to bring more employment to our constituencies. I said that the three times that I have been elected, and that is the promise that I would never, ever break.

Adam Holloway: I greatly appreciate the hon. Lady’s thoughtful speech, but just because the political class has messed it up, does that mean we have to ignore the will of the British people and go back to them to get what the political class thinks is the right answer?

Jenny Chapman: It is not the political class that has messed it up; it is the Tory party. I do not think even somebody as unsympathetic to my side of the House as the hon. Gentleman can lay this at Labour’s door.

Adam Holloway: I totally agree with the hon. Lady. It is an appalling spectacle to see Conservative MPs going against the will of their constituents. I quite agree with her.

Jenny Chapman: I am grateful that the hon. Gentleman agrees with me. I do not see how this could have gone much worse. It is appalling to see businesses spending millions of pounds—which they should be investing in their workforce, their sites and their products—on consultants and preparations for a no-deal departure, because the Government have refused to rule it out. The Conservative party will be judged on that very dimly in the future. Businesses in the north-east in the automotive, chemical and pharmaceuticals industries are clear with me that they are spending vast amounts on preparing for the idea that we will leave without a deal in 18 days. Even though Parliament has rejected that outcome, the Prime Minister dare not face down her own party and be clear that that is not what she intends to do.

Steve Double: Is the hon. Lady’s experience the same as mine? When I have asked businesses in my constituency if they would prefer a no-deal Brexit or a Labour Government led by the current leader of the Labour party, every single business I have spoken to said, “I will take a no-deal Brexit every time.”

Jenny Chapman: The hon. Gentleman is cheap. We are 18 days away from leaving the European Union. His party does not have a negotiated deal that could get through this Parliament. That is where he is; it is his party that has done that, not my party. Businesses ask me what a Labour Brexit would look like, and I can tell them. They say to me, “Yes, that is a future I can work in. That is an economic framework that I can keep my business thriving in.” They look at what is happening now, with the hon. Gentleman’s party in power, and they are horrified. I am horrified, and he should be horrified. It is nothing to be proud of. He can make cheap comments about my party leader if he likes—everyone knows my views about this—but it is his party leader who has misled and mismanaged this process, not mine.

We now have two options. My party leader, who the hon. Gentleman so derides, has written to the Prime Minister outlining a sensible deal that is negotiable. It has been well received by colleagues in the European Union, and is actually quite well received by Members on the hon. Gentleman’s Benches. The options set out in that letter ought to be put to the test of a vote in Parliament. Why is the Prime Minister too afraid to do that? It is because when we put a customs union to the vote in June, and the Prime Minister whipped against it as hard as she could, we lost by a grand total of six votes. I suggest that that is something that could find support in Parliament, and I would like to get it before the House of Commons so we can test it.

Such a deal would be supported by businesses, trade unions and the CBI, as well as in Northern Ireland—the Ulster farmers have been crying out for it. Everybody who has any real interest in this issue and has looked at it carefully has come out and supported that proposal. It is a real shame that the Prime Minister is so cowed by her own party that she will not put it before the House of Commons.

The Labour party wrote to the Prime Minister. We asked for a “comprehensive UK-wide customs union…Close alignment with the Single Market…Dynamic alignment on rights and protections…Clear commitments on participation in EU agencies…Unambiguous agreements on the detail of future security arrangements”.

The right hon. Member for Wokingham (John Redwood) is never going to agree with that; it is not his vision for Brexit. I am not going to attempt to persuade him that it should be, because we would be here a long time. I accept that. He is entitled to vote for a different vision of Brexit, if that is what he feels is right. Surely, Members are entitled to vote for what we think would be the right outcome, if, as we believe, it is negotiable even at this late stage. If the deal does not get through tomorrow, it behoves the Minister and his colleagues to work out how it would work and what the process would be to enable us to have a vote on a different type of deal, which we could negotiate with Brussels.
Whatever happens, we cannot have a border in Northern Ireland; everybody accepts that. However, nobody has provided a credible means of achieving that. We have had suggestions about “alternative arrangements”—whatever they are—and there has been talk about technology. Our team visited the border between Norway and Sweden, which is the most technologically advanced in the world. There is infrastructure there to make checks, take payments and provide security, because it is a border between two different customs territories. There is nowhere on the planet where there is a border between two different customs territories and no infrastructure. Try as we might to find a different solution—and we did try—we have been unable to do so. It seems as if no one else has been able to find one either. It is impossible not to have border infrastructure if there is no customs union. It cannot be done. For that reason, as well as all the benefits to manufacturing that are important to me in north-east England, we have concluded that we need to be part of a customs union after we leave the European Union.

The chaos we have seen, the way the negotiations have been mishandled, and the situation we are in, just days away from 29 March, make me embarrassed for Parliament. Unfortunately, the blame can only be laid at the door of the Prime Minister, because of the way she has led the process. The Minister is a decent person, and it falls to him—

**John Redwood:** The hon. Lady is asking good questions about what our business will be, but I fear our ministerial friend cannot answer tonight. We shall probably find out later from the Prime Minister, who will be controlling those things.

The hon. Lady said she thought a second referendum might be a good idea. Can she tell us what the question would be? If it is “Accept the withdrawal agreement or stay in,” there is no option for leave. If it is “Accept the withdrawal agreement or leave without a deal” there is no option for remain; so what would the question be?

**Jenny Chapman:** I do not think I have ever said that a second referendum would be a good idea. It is something I should be incredibly reluctant to support, but I have to recognise, if I do not want to leave without a deal, that the only thing that stands between leaving with a deal and leaving without one may be to put the issue back to the country. It is not something I want to happen, at all. Because I am not enthusiastic about it I have not thought through what the questions should be. That is one of the problems with the proposal for another referendum. Those who propose it have not made the matter clear. It is deeply problematic and risky. Who knows where it might lead, and what the experience might do to our country? I am not enthusiastic about it at all; I want to make that clear—but I have to accept, given that I do not want to leave without a deal, that it may be necessary.

**David Linden:** One thing that I have been finding difficult in Scotland is Labour’s position on a people’s vote. Is the hon. Lady saying that, 18 days out from Brexit, and possibly looking over the cliff edge, the British Labour party and Scottish Labour party have not really thought through what the fall-back option is when 100,000 jobs could be lost from the economy? Does she understand that that is why Labour in Scotland is in such a perilous position—because 18 days out it does not have an answer on a people’s vote?

**Jenny Chapman:** We do. We would accept a people’s vote, but we would also accept a deal along the lines that I have outlined. I know that being able to back either option might be a little complicated for some colleagues who like a nice single answer, but Brexit is not like that, and never has been. The position that the British Labour party adopted is not where we wanted to be. Either option might be a little complicated for some colleagues who like a nice single answer, but Brexit is not like that, and never has been. The position that the Labour party adopted is not where we wanted to be. The situation is not of our making. However, the situation we are in now, with just 18 days to go, means that we would be prepared to accept either one of those options in preference to the deal that will probably be rejected tomorrow, or leaving without a deal. I should hope that the hon. Gentleman could understand what I have just explained to him.

I shall conclude now, Mr Hosie—it is good to see you in the Chair. However, I should like the Minister to explain clearly and precisely, if he can, what we shall be voting on tomorrow.
The Parliamentary Under-Secretary of State for Exiting the European Union (Chris Heaton-Harris): This is the first time I have served under your chairmanship, Mr Hosie, and I have been looking forward to it. I hope I do not get into as much trouble as the hon. Member for Glasgow East (David Linden) did earlier, when he was very much out of order. If you would pass on our thanks to Ms McDonagh for the way she chaired the first part of the sitting, it would be much appreciated.

I thank the hon. Member for Cambridge (Daniel Zeichner) for opening the debate on behalf of the Petitions Committee in his normal courteous manner. He and perhaps the hon. Member for Glasgow East will remember, as I do, that there are people with principled positions on both sides of the argument. I know that the hon. Gentleman is wrong and they are convinced that I am wrong, but in our own principled ways we go about our debate in the most courteous fashion, and I am sure that the altercation we had earlier can be sorted out in a generous way.

It is a pleasure for me to be responding this afternoon because I am a big fan of my right hon. Friend. Friend the Member for Wokingham has a plan. There is a plan called the Malthouse compromise A and there is a Malthouse compromise B plan. I think that the Opposition have a plan of their own, although it changes rather. So we are not short of plans at the moment. We are, however, short of a plan that can get the support of Parliament.

I could just answer the petition by saying that there are plenty of plans about, but I will now I will outline the position that the Government continues to hold on the question of revocation. It remains a matter of firm policy that we will not revoke the article 50 notice, a position which the Prime Minister reminded the House of as recently as two weeks ago, when she stated:

“I have been clear throughout the process that my aim is to bring the country back together... This House can only do that by implementing the decision of the British people”.—[Official Report, 26 February 2019; Vol. 655, c. 167.]

I will outline some of the reasons the Government have chosen to take this position. First, we will not revoke article 50 because of the clear and decisive result of the 2016 referendum. In 2016, the Government held a referendum on the question of our membership of the European Union. When we held that referendum, the Government pledged to respect its result, whatever the outcome. As the Prime Minister recently said in the House,

“Parliament gave the choice to the people. In doing so, we told them that we would honour their decision.”—[Official Report, 26 February 2019; Vol. 655, c. 168.]

Almost three quarters of the electorate took part in that referendum to have their say about the future of the United Kingdom and its relationship with the European Union. Almost three quarters of the electorate—millions of British people—took part in that referendum trusting that their vote would count, that their voices would be heard and that their will, democratically expressed, would be respected. With that in mind, 17.4 million people voted to express to the Government that their democratic wish was for the UK to leave the European Union. As I have highlighted a number of times before, that is the highest number of votes and the biggest democratic mandate for any course of action ever directed at any UK Government. My right hon. and hon. Friends will see that if we move to revoke article 50, we would be breaking the trust that the British people placed in their Government when they cast their votes.

Further to that point, not only did the Government make a commitment before the referendum vote to uphold the result, but the Government, and indeed Her Majesty’s loyal Opposition, made express commitments to the British people after the referendum result to both endorse and uphold it. Parliament—encompassing both Government and Opposition members—endorsed and validated the 2016 result by voting with clear and convincing majorities in both Houses in favour of the European Union (Notification of Withdrawal) Act 2017. That is, Parliament voted to implement the instruction delivered by the 2016 referendum by voting to trigger article 50 and exit the European Union.

Next, Members of both major parties stood in the 2017 general election and were elected on manifestos in which they committed themselves to upholding the referendum result. I know that is uncomfortable for
many hon. Members in both major political parties, but it is something our electorate will not forget. For those of us in leave-voting areas, it is something that they do not let us forget and remind us of heavily on a daily basis. We all risk breaking that promise made to the British people in our election manifestos by revoking article 50.

The British people must be able to trust in Government and in democracy to act on their will and to keep promises. The Prime Minister has made clear in recent statements the very real concern that undoing the 2016 referendum result “could damage social cohesion by undermining faith in our democracy.”—[Official Report, 21 January 2019; Vol. 653, c. 26.]

Instead, as she emphasised, our “absolute focus” should be on agreeing a deal and leaving the European Union on 29 March, as instructed and as promised.

The hon. Member for Darlington asked me what is likely to happen in the next few days. She is quite right; I am not Mystic Meg and I do not have a crystal ball. However, I did listen to the urgent question and the answer given to it on the Floor of the House today, where commitments were made along the lines that the hon. Lady outlined earlier. We will find out more, because I believe the Government will be making a statement later today, updating the House on the progress of the discussions that have been happening throughout the day.

I will not try to pre-empt what on earth the conclusions might be, but as soon as there is a conclusion to those negotiations, the House will be updated, and a meaningful vote will take place tomorrow. The motion will be tabled today, ahead of that debate, and if the hon. Lady cares to read the rest of the statement given by my fellow Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Worcester (Mr Walker), she will get all the answers she requires in great detail.

I reiterate that it remains our position not to revoke article 50. We will not frustrate the outcome of the 2016 referendum. It is the responsibility of this Government to deliver the exit that people voted for, and that is what we shall do.

6.15 pm

Daniel Zeichner: It is a pleasure to serve under your chairmanship, Mr Hosie. On behalf of the Petitions Committee, I thank everyone for their contributions to the debate. Passions run deep, and I think our constituents would expect us to speak with passion on these issues. There are strongly held differences of opinion.

One of the things I wanted to use this debate for was to remind people that the 48% feel strongly too, but I am disappointed that during the debate I got no sense that the other side understand how people in the 48% feel. I am not sure there will be a successful resolution until solutions are brought forward that respect both sides of the debate. On that note, I must say how very impressed I was with the contribution from my colleague on the shadow Front Bench, my hon. Friend the Member for Darlington (Jenny Chapman). If the negotiations had been conducted in that spirit and with such care, we would be in a very different place today.

We frequently hear about “getting on with it”. I do not think people quite realise where we will be standing on 29 March if we go out either with no deal or with the Prime Minister’s deal. It will be not a matter of getting on with it, but the start of it—the start of an endless period of negotiation and rancour in the years ahead. That is one of my great fears. As for fear of the unknown, there is a reason to fear the unknown; it is sometimes quite sensible to fear that. I caution against a leap into the dark.

Finally, I will slightly disagree with my hon. Friend, because it seems to me that we have learned so much more in the past few years that it is not unreasonable to say, “The position is now very different from where we were in 2015, and the sensible thing would actually be to go back to the people to ask them whether this is what they want.” I do not see anything remotely undemocratic in that, and my guess is that is where we will end up.

Question put and agreed to.

Resolved.

That this House has considered e-petition 239706 relating to leaving the European Union.

6.17 pm

Sitting adjourned.
Fire Safety and Sprinkler Systems

9.30 am

Jim Fitzpatrick (Poplar and Limehouse) (Lab): I beg to move,

That this House has considered fire safety and sprinkler systems.

It is a pleasure to see you presiding this morning, Mr Gray. I am grateful to the Backbench Business Committee for providing time for the debate, which the hon. Member for Southend West (Sir David Amess) and I requested on behalf of the all-party parliamentary fire safety rescue group. It is good to see a number of members of the group present to support the debate. I am also grateful to various organisations for their briefings, including the Library, the London Fire Brigade, the Fire Brigades Union, the National Fire Chiefs Council, the Fire Protection Association, the Business Sprinkler Alliance, the Association of British Insurers, the Royal Institute of British Architects and the Royal Institution of Chartered Surveyors.

This is the first dedicated debate on this subject since 2014, when the first ever Fire Sprinkler Week took place. Several colleagues who were present at that debate are here again today. Although this is the first dedicated fire sprinkler debate since then, sprinklers have been mentioned many times in other debates during the intervening years, not least because of the Grenfell tragedy. The all-party group has been campaigning strongly on various matters, especially since the 2013 coroner’s report on the Lakanal House fire. The four key issues are: a full review of approved document B to update building regulations and fire guidance, which is well overdue; an assessment of the progress made in deploying fire sprinklers in Scotland and Wales, which is clearly affording better protection to homes and businesses in those countries, leaving England behind; a reversal of Government guidance on fire sprinklers in new build schools; and a requirement to install fire sprinklers in all domestic dwellings, especially high-rise buildings, and the retrofitting of them in all high-rise buildings, especially post Grenfell. I will look at the first three briefly before focusing on the last item.

The Government are hiding behind the various inquiries after Grenfell: the public inquiry, the Dame Judith Hackitt review and the police criminal investigation. There is almost a standard response: “Let’s not anticipate their conclusions.” I say almost, because the Government did not wait to pronounce on cladding. They recognised that there was urgency and made a decision, which was a good job. That means that we do not have to wait for everything. On approved document B, the all-party parliamentary group was told in 2011 that the review would be completed and published by 2016-17. Not only was that not the case, it had not started properly, and Dame Judith is now overseeing a lot of that work.

In Scotland and Wales, better protection is now required for commercial coverage, and in Wales for domestic dwellings. On schools, last Friday the Government launched a call for evidence on “Building Bulletin 100: Design for fire safety in schools”. In 2007, the Labour Government issued revised guidance that encouraged new schools to be covered by fire sprinklers, but the coalition reversed that guidance. Whereas previously the number of new schools that were being sprinklered rose to 70%, after the coalition’s reversal that figure dropped back to 30%.

However, the main issue—the issue that I want to focus on, that is uppermost in the minds of the public, and on which the Government can take action—is the retrofitting of fire sprinklers in high-rise buildings and sprinklers in all homes. It has been well documented that sprinklers were considered for the Grenfell refurbishment at a cost of around £200,000 from an overall budget of nearly £10 million, but were not fitted. What a mistake. Had Grenfell been a new building, it would have been a requirement. If the Government think that sprinklers are needed for new buildings, why not for those already built, where the majority of people living in high-rise buildings actually reside?

Turning to the points raised by those who supplied briefings, the London Fire Brigade said that sprinklers save lives; they are not a “nice to have” or a luxury. The London Fire Commissioner, Dany Cotton, has said repeatedly that they are a “no-brainer”. They are highly effective in detecting fires, suppressing fires rapidly and raising the alarm. Sprinklers are not expensive; if included at the design stage, they can cost as little as 1% of the total build. There is also overwhelming public support for sprinklers. It is deeply concerning that in recent years, on the two occasions when the Government have reviewed sprinklers, protection has moved in the wrong direction: first, in 2013 through section 20 of the London Building Acts (Amendment) Act 1939, and secondly in 2016—resulting in less coverage, not more.

The Royal Institute of British Architects calls for a requirement for sprinkler systems in all new and converted residential buildings, as is already required in Wales, and in all existing residential buildings above 18 metres. It states that the urgency for change in building regulations is simply not as evident in England as in our neighbouring countries.

Marsha De Cordova (Battersea) (Lab): I congratulate my hon. Friend on securing this important debate. Does he agree that, given the urgency, the retrofitting of sprinklers should be a priority for the Government, and that they should not wait for any outcomes of reviews? There is overwhelming evidence that we need to act now.

Jim Fitzpatrick: I am grateful to my hon. Friend, for whom I have some affection, having been an operational firefighter in Battersea for 13 years. I will come back to her point later, because it is central to the issue that I am raising.

The ABI states that in the UK no one has ever died from a fire in a fully sprinklered building. It recommends that sprinkler systems be fitted by qualified engineers, using accredited systems and equipment, to a recognised standard. The ABI has also commented on sprinklers in warehouses, care homes, schools and high-rise buildings.

The National Fire Chiefs Council wants sprinklers to become a requirement in all new high-rise residential structures above 18 metres, and wants student accommodation to be included. It says that where high-rise residential buildings exceed 30 metres,
there should be a requirement to retrofit sprinklers when those buildings are scheduled to be refurbished—and should be retrofitted regardless of future refurbishment plans where such buildings are served by a single staircase.

Back in 2014, we debunked the myths about fire sprinklers as depicted in TV adverts, drama productions and movies. The issue of cost has also been successfully challenged: the cost has been shown to be much less than was claimed by opponents. The tragedy of Grenfell is screaming out for Government action. To delay further is irresponsible at worst.

In 2014, the hon. Member for South Derbyshire (Mrs Wheeler), who is now the Housing Minister, said:

“I am proud to be an ambassador for the Derbyshire fire and rescue service...I am delighted to tell everybody in today’s debate that my local council, South Derbyshire...will be building new council housing because of the changes to housing funding, and because of that, it will be installing sprinklers in all the new council houses and council properties that it builds in future.”

If it is good enough for South Derbyshire, why not for the rest of England? In the same debate, the then Fire Minister, the right hon. Member for Great Yarmouth (Brandon Lewis), proudly claimed that fire deaths were continuing to fall. Sadly, that is not the case now.

The Government, local authorities and housing associations that rent in the public sector should, as a matter of urgency, agree to install sprinklers as soon as possible in all their housing stock. All private rented accommodation should start planning to fit sprinklers in all new builds and during all refurbishments. Without sprinklers, some 300 people will die and thousands will be traumatised each year in domestic fires. Although most casualties occur in ones, twos or family groups, there is no guarantee that there will not be another Grenfell. The long period of fewer fires and fewer deaths has plateaued over the last five years, with cuts the most likely explanation.

Ruth George (High Peak) (Lab): My hon. Friend is making an excellent speech. He mentioned the Housing Minister, the hon. Member for South Derbyshire (Mrs Wheeler). The chief fire officer for Derbyshire is the lead officer for the National Fire Chiefs Council, which proposed unanimously that fire sprinklers be fitted urgently, without us awaiting the full completion of the consultation on approved document B. If all our fire officers are saying that, should the Government not go ahead?

Jim Fitzpatrick: My hon. Friend makes a very important point, which I shall come back to in a moment.

Things that the Government can do to check the plateauing of deaths in fires include stopping any further cuts to the fire service, funding it appropriately, restoring the guidance on sprinklers in new schools, accelerating the review of approved document B and publishing it as soon as possible. However, the most urgent focus should be on fire sprinklers in homes, especially in high-rise buildings.

In one of my first meetings as fire Minister in 2005 or 2006, a senior civil servant advised me, “There’s room for a brave decision here, Minister.” I said that I recognised that as a line from “Yes, Minister” and told them to go away and bring back something else. Minister, there is no room here not only for a brave decision, for a common-sense, pragmatic decision and for the right decision, but—most importantly—for a decision that saves lives.

The majority of people who die in fires are the old, the young, the poor, the sick or the vulnerable. Sprinklers are needed to improve fire safety in the UK’s buildings. The NFCC, the ABI, the EPA, the London Fire Brigade, the FBU, RIBA, RICS and the public all support them. The Government need a win, and this is an opportunity.

Several hon. Members rose—

James Gray (in the Chair): Order. A glance round the Chamber shows that plenty of hon. Members wish to speak. I do not really believe in time limits, but if colleagues could honourably restrict themselves to four or five minutes each, it would be a courtesy.

Sir Mike Penning (Hemel Hempstead) (Con): As always, Mr Gray, it is a pleasure to serve under your chairmanship. I declare an interest as a former firefighter, a former member of the FBU—I think technically I might still be one—and a former fire Minister when responsibility for fire was first brought into the Home Office.

Not all of what we ask today is in the Minister’s gift. Personally, I think that the fire Minister should have much more control over building regulations. When the hon. Member for Poplar and Limehouse (Jim Fitzpatrick) and I were firemen many years ago, most fire prevention work was done in-house in the fire service; I remember quite junior officers going away for up to two years to become fire prevention officers. Long before the terrible Grenfell disaster, we spent years and years, under numerous Governments, discussing whether we should have sprinklers in the home. As the hon. Gentleman says, the people who die in fires tend to be the most vulnerable. That is a national catastrophe.

Sprinklers have changed enormously over the years, from the drenching sprinklers that swamped everything to get the fire out and destroyed nearly everything apart from people’s lives, to the very fine particulate sprinklers that we have now, which create more of a mist. The need to protect environments as well as lives is much more obvious now, and the new sprinklers do that.

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

9.40 am

I support all the calls being made. I do not think that we need to wait for this or that report, because it is blatantly obvious, as old-fashioned common sense tells us, that there is a strong correlation between sprinklers and lives saved. As we have heard, where sprinklers have been installed, no lives have been lost. I do not want to say too much about Grenfell, but there is a strong possibility that the fire started inside the building and then spread to the outside and the cladding. A sprinkler system is inside, not outside. Quite simply, if the fire had never got to the cladding in the first place, the situation would almost certainly have been very different.
Sir Mike Penning: May I make a tiny bit of progress first, because of the time constraints that we are quite rightly under? It is fantastic to see so many colleagues here.

It is obvious common sense to have sprinklers in all new housing. Interestingly enough, they not only save lives but make insurance premiums go down. As with other types of insurance, such as telematics in car insurance, we have driven the industry to say, “If you install this, things could be better and your premiums could be lower.” Sprinklers also matter to developers choosing to buy properties in a certain area. Surely they must be the way forward. I will come on to social housing in a second, but let me first give way to my hon. Friend.

Kevin Hollinrake: I support the point made by my right hon. Friend and the hon. Member for Poplar and Limehouse (Jim Fitzpatrick) about the need for sprinklers. My right hon. Friend mentions the spread of fire. Does he recognise that the Grenfell tragedy could have been averted if the spread of fire by combustible cladding outside the building had been prevented? At current rates of progress, it will take five years to remediate all the private sector buildings in the UK. [ Interruption. ] The Minister shakes his head, but that is the current rate of progress. Where ownership or responsibility is unclear, does my right hon. Friend agree that the Government should step in and provide a fund to allow remediation work to take place more quickly?

Sir Mike Penning: I am sure that the Minister will respond to my hon. Friend’s point. Obviously we would like to see people sleeping in homes that are safe, and the faster that happens, the better. I am sure that the Minister feels exactly the same.

If the Government do not take action on sprinklers, they are really saying that property is more important than people’s lives. They may say that the costs are high or that the developers do not want sprinkler systems, but actually we have found that installing them in all new builds and major refurbishments would cost less than 1% of the build cost—not the retail value, the build cost. I cannot understand anyone in the 21st century arguing against installing sprinklers in all new properties. The insurers insist on it in most commercial and retail properties, and surely lives are more important.

As an ex-fireman and ex-Minister, I know the advice that the Minister has been getting, but he needs to turn round and say, “I am afraid that some of that advice is tosh.” The cost implications are there. New build could start tomorrow and refurbishment costs can be met. Now that we are building more social housing than ever—in my constituency we are building like wildfire, because we need more council houses—surely the Local Government Association could bring councils together to say that sprinklers should be installed.

I will not go into carbon monoxide and smoke detectors, but the successes in that area have caused a sudden drop in fatalities. We need to do more work on carbon monoxide, but this debate is about sprinklers. Sprinklers need to be in everybody’s homes as soon as possible.

9.46 am

Emma Dent Coad (Kensington) (Lab): It is a pleasure to serve under your chairmanship, Mr Gray. I congratulate my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick), the secretary of the all-party fire safety rescue group, on initiating and leading this extremely important debate in the light of the atrocity at Grenfell tower nearly two years ago. I also thank the group’s chair, the hon. Member for Southend West (Sir David Amess), for his leadership over the past 20 years. I was delighted to be appointed as a vice-chair last year.

I am here to make a difference. First, I will challenge the resistance shown by the Government and their advisers towards the overwhelming and compelling evidence of the benefits of fire sprinklers to property and life. Their protection extends to the firefighters and other first responders to whom so many of my community owe their lives. Those who risk their lives every day to save ours also need protection.

As one of a package of fire safety measures, sprinklers work where other measures have failed. Where installed in flats, they have controlled or extinguished 100% of fires, according to research carried out by the National Fire Chiefs Council in May 2017, a month before the fire. The Building Research Establishment’s 2012 cost-benefit analysis confirmed that sprinklers are cost-effective in most blocks of purpose-built flats and in larger blocks of converted flats. Why have the Government not implemented that seven-year-old independent report? The public inquiry is reviewing what Ministers have failed to implement since the study in 2012, the coroner’s rule 43 letter in 2013 after the Lakanal House inquest, and the NFCC research. On behalf of a bereaved community, I ask the Minister to encourage the Secretary of State to push ahead with the building regulations review and, please, to act on the findings now.

Hon. Members will be aware that, following the atrocity at Grenfell, a full technical review has been instigated of approved document B, with a call for evidence. The NFCC has responded and set out its advice. I hope that hon. Members agree that it is well placed and qualified to determine the requirements and that we should support its position. All the chief fire officers in the country are saying with one voice that that regulation needs to be improved, so I hope that the Government will listen to them, rather than waiting for the result of the review, and that hon. Members will support this interim measure to speed up the process and take action to protect lives against fire.

A change to guidance alone will not address this matter, as demonstrated by the approach to schools, which has guidance in the form of Building Bulletin 100. That document defines the expectation for automatic fire sprinklers in schools as a property protection, and saw the inclusion of sprinklers in 70% of new schools over three years, between 2007 and 2010, but that has since fallen to an alarmingly low level. The London Fire Brigade commissioner has said that it relates to very few schools now—only four of the 84 schools it has attended have had sprinklers.

The Hackitt report defines high-rise residential buildings in need of sprinklers as those of 30 metres, or 10 storeys. The most recent London Councils position is to support sprinklers in buildings of 18 metres, or six storeys—not just for new build, but also for retrofitting in existing buildings. It has asked that the work for council-owned buildings is funded by the Government in full. The Royal Institution of Chartered Surveyors, the Royal Institute of British Architects and the Chartered Institute of Building have jointly called on the Government...
to require the installation of sprinklers in all new and converted residential buildings of 11 metres, or four storeys. RIBA has expressed its concern to me about the very high-rise buildings that currently have planning permission but are yet unbuilt, and what rules will apply to them.

Different rules govern fire safety in England, Wales, Scotland and Northern Ireland, but fire does not respect political or geographical boundaries. Councils, developers and social and private landlords need clarity from the Government and are demanding action now, without further confusion or delay. As one of the Grenfell survivors, who predicted the fire, has said, without action now, “Grenfell 2 is in the post”. The Government must not let that nightmare prediction come true, and must listen to the experts—the National Fire Chiefs Council, the Building Research Establishment, London Councils, RICS, RIBA, CIOB—and legislate now, to save lives.

9.51 am

Sir David Amess (Southend West) (Con): I congratulate the hon. Member for Poplar and Limehouse (Jim Fitzpatrick) on securing the debate. He has been a magnificent voice leading on fire safety issues in Parliament. If his voice had been listened to over the years, we would not be in the powerless state that we are at the moment.

I congratulate and thank all the members of the all-party parliamentary fire safety and rescue group. It is a wonderful group and we speak with one voice: we want sprinklers to be installed on a mandatory basis in certain buildings. If we had been listened to at the outset, there would not have been the Lakanal disaster and there would not have been the Grenfell disaster. I am in absolute despair: Ministers come and go, and yet the advice remains constant from officials and others. That advice is absolutely wrong. It has cost lives.

The debate is pertinent because changes to building regulations approved document B guidance are currently being considered following the Grenfell Tower disaster. That was nearly two years ago, but I am sure it only seems like yesterday to the hon. Member for Kensington (Emma Dent Coad).

Mr George Howarth (Knowsley) (Lab): I endorse everything that the hon. Gentleman says about the work of the APPG. Is the difference between us and the Government not that we have been willing to listen to expert opinion, and to take that into account when deciding the appropriate way forward? Surely, this is the time to listen to expert opinion.

Sir David Amess: The right hon. Gentleman is absolutely right. We have the privilege of not just one, not just two, but three former fire Ministers here today. It is about time that the present Government listened to their expertise on the subject. I cannot think of any meeting where the APPG has not had an item on the agenda about automatic fire sprinkler protection.

We should never have got to the position of the Grenfell Tower fire tragedy, especially after the warnings and recommendations of the coroner at the Lakanal House fire inquest in 2013, and the rule 43 letter to the Secretary of State. We have all the correspondence about what the APPG was trying to do at the time.

All Governments of all colours have failed us. On 4 July 2017, the Minister for Policing and the Fire Service, my right hon. Friend the Member for Ruislip, Northwood and Pinner (Mr Hurd), said that “we may have to confront an awkward truth. That over many years and perhaps against the backdrop of, as data shows, a reduced risk in terms of fire, in terms of number of incidents and deaths, that maybe as a system some complacency has crept in.”

Well, I think that is what Dame Judith Hackitt feels about the situation, and we will just have to see how that pans out. Claims of complacency could never be aimed at the APPG.

In 2012, the Building Research Establishment updated its 2006 research into the cost-benefit analysis of installing residential fire sprinklers and concluded that sprinklers are cost-effective for most blocks of purpose-built flats, all residential care homes, including those with single bedrooms, and traditional bedsit-type houses in multiple occupation, where there are at least six bedsit units per building and the costs are shared. The APPG has consistently asked why the Government have not reflected those changes in its guidance in approved document B. The intransigence is absolutely unacceptable.

I say again: the advice has been totally wrong. The APPG, the Royal Institute of British Architects, the London Fire Brigade, the Fire Protection Association, the National Fire Chiefs Council, the Fire Sector Federation, the Association of British Insurers and many others cannot all be wrong on this issue, but the advisers are still giving the wrong advice.

In March 2013, the Southwark coroner issued a rule 43 letter to the Secretary of State for the then Department of Communities and Local Government following the Lakanal House inquest, which stated:

“Evidence adduced at the inquests indicated that retro fitting of sprinkler systems in high rise residential buildings might now be possible at lower cost than had previously been thought to have been the case, and with modest disruption to residents. It is recommended that your Department encourage providers of housing in high rise residential buildings containing multiple domestic premises to consider the retro fitting of sprinkler systems.”

The response from DCLG was lamentable. It said that “any fire safety measures which might need to be implemented or installed in any particular building will need to be determined primarily by a careful assessment of the life-risk to the residents and others in the building.”

We know that. The word used in the letter is “encourage”.

At the Lakanal House coroner’s inquests in March 2013, the London Fire Brigade commissioner was asked by the barrister assisting the coroner whether, if sprinklers had been installed, the lives would have been saved. The commissioner replied with an unequivocal yes. That is what happened at the inquiry. What happened at Grenfell is an absolute disgrace.

The National Fire Chiefs Council commissioned a research study by Optimal Research collecting data on five years of real fires that had occurred in the UK where sprinklers had been installed. Its findings, published last year, showed that, on 99.5% of occasions in all buildings and in 100% of occasions in flats, fires were avoided when sprinklers were installed. Sprinklers are not a panacea; they are only one of a package of
measures. I am sure the Minister may make some remarks along those lines, but sprinklers can be used to make properties safe from fire.

Let me close by giving an estimated progress report on the retrofitting of automatic fire sprinkler protection in residential tower blocks. I am advised by organisations that manufacture automatic fire sprinkler systems that an estimated 1,000 towers have commenced or committed to installing sprinklers in existing tower blocks as a consequence of the Grenfell Tower fire tragedy. Already, Wales and Scotland are much further ahead in regulating for automatic fire sprinklers in their built environment. I say to my hon. Friend the Minister, who is a good and wise man: this nonsense can no longer go on and we will not accept it. We want action on this, and we want sprinklers to be installed retrospectively, particularly in all new school buildings.

9.59 am

Patricia Gibson (North Ayrshire and Arran) (SNP): I will try to keep my remarks brief, as there is a lot of pressure on time. I am delighted to participate in the debate. I congratulate the hon. Members for Poplar and Limehouse (Jim Fitzpatrick) and for Southend West (Sir David Amess) on bringing the debate forward. The Grenfell tragedy has brought the whole issue of fire safety sharply into focus and forced us all to re-examine and re-evaluate building regulations to ensure that they are fit for purpose and properly adhered to.

Building regulations are devolved, and the Scottish Government have responded extensively. The Scottish Housing Minister, Kevin Stewart MSP, has announced that amendments to the Housing (Scotland) Act 1987 are being brought forward. In addition to other fire safety measures, regulations will ensure that sprinkler installation is mandatory in flatted accommodations, large multi-occupancy dwellings and places that deliver care. We must do all we can on fire safety; there is no room for complacency in any part of the United Kingdom. We must make the improvements necessary and monitor them to ensure they are fit for purpose.

The hon. Member for Poplar and Limehouse, among others, made an impassioned case for sprinklers. The case was very well made. We know there is a correlation between sprinklers and reducing fatalities in fires. The fire at Grenfell taught us all a lot in many different ways, both about fire safety and about the kind of society we are trying to build. Most importantly, every single person is entitled—as a right—to the same high levels of fire safety protection. Homes, schools and hospitals must all be as resilient to fire as we can possibly make them. In Scotland, we have had the tragedy of the fire at the Glasgow School of Art—twice—which is still being investigated. There may be a public inquiry into it, so I limit my comments on that.

As we have heard, sprinklers are not expensive and are not an added extra. They are essential for building safety and public safety. We must all be vigilant on this issue. In the face of such a tragedy as Grenfell, we should all be humble and see what lessons can be learnt for the future, so that a tragedy on that scale is never allowed to happen again. I urge the Minister to heed the conclusion of the National Fire Chiefs Council:

“Standards in England must be enhanced and brought in line with national policy in Scotland and Wales with regard to water suppression systems.”

I take no pleasure in saying that. I believe that all people, right across the United Kingdom, are equally entitled to the highest safety standards. Today we have seen impatience in the Chamber at the lack of action. I look forward to hearing the Minister say that he will listen to the national fire chiefs and Members in this Chamber, and that all necessary improvements, especially sprinklers, will be implemented as soon as possible, so that the highest safety standards are reached and maintained for the future.

10.2 am

Peter Aldous (Waveney) (Con): It is a pleasure to serve under your chairmanship, Mr Gray. I congratulate the hon. Member for Poplar and Limehouse (Jim Fitzpatrick) on securing this debate. He is a champion for addressing fire safety issues. With his lifetime of experience in this field, we should all listen very carefully to what he says. However, we should not be having this debate. Action to address the issues that we are raising should have been taken a very long time ago. A failure to do this has meant that lives have been lost and firefighters have been asked to take unnecessary risks.

On 14 July 2010, Wessex Foods—a large food processing factory on the south Lowestoft industrial estate—burnt down. No one was hurt, but 150 people lost their jobs. Nearby businesses were disrupted for days and weeks. Residents were evacuated from their homes and there were significant environmental impacts, such as the odour from rotting meat and 50 million litres of water being used to tackle the fire. It took 10 days to extinguish the fire, during which time almost every firefighter in Suffolk attended the scene. If sprinklers had been fitted at Wessex Foods, the firefighters from the nearby Stradbroke Road station would have been back there within an hour.

I first took part in a fire sprinklers debate in early 2011. My ask at the time was very simple: the overwhelming evidence and support for the widespread use of sprinklers should be taken into account in the review on part B of the building regulations, which was due to start in 2013. It is completely wrong that the review is taking place only now. The time for talking has gone, and we need action.

Back in 2012, the various property and professional bodies were not all fully engaged. They are now, and they speak with one voice. The Royal Institution of Chartered Surveyors, of which I used to be a member, the Royal Institute of British Architects and the Chartered Institute of Building are all calling for building regulations to be harmonised across the four home nations; for sprinklers to be installed in all new and converted residential buildings, hotels, hospitals, student accommodation, schools and care homes of 11 metres or above in height; and for retrofitting to existing buildings when refurbishment occurs as “a ‘consequential improvement’ where a building is subject to ‘material alterations’.”

The insurance industry is also calling for action, proposing that sprinklers should be compulsory in warehouses under 2,000 square metres and in new build schools and care homes.

We have kicked this particular can down the road for too long, with devastating consequences. We now need action, and I urge the Minister to acknowledge this and to provide a suitable roadmap in his summing up.
10.5 am

Paul Blomfield (Sheffield Central) (Lab): I will keep my remarks brief. I congratulate my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick)—as has just been said, he speaks with enormous authority on this matter and the Government should listen.

Like many of our cities, Sheffield has seen a huge growth in high-rise developments in recent years. They are largely privately owned developments, and many are for student accommodation. I am grateful that my hon. Friend highlighted the need to include purpose-built student accommodation in the requirements for sprinklers. Many of the developments are for other purposes—mainly for rent, although some are for owner-occupation. There are complex ownership arrangements between developers and the owners of the freehold, and there are complex leasehold and management agreements. The people who live in them look to the local authority to guarantee their safety, and it is a responsibility that Sheffield City Council is keen to respond to. It acted unilaterally, without financial support, to retrofit sprinklers in its own properties after the Grenfell disaster, and it wants to go further on private sector properties.

When the Ministry of Housing, Communities and Local Government wrote to local authority chief executives in March 2018 to say it was “vitally important that we identify any remaining private high rise blocks with potentially unsafe ACM cladding” and to offer funding, the council was quick to respond. It set together a plan to compile a comprehensive register of all high-rise accommodation, set out ownership and management details, provide information on construction and materials used, and undertake a risk assessment and outline what was needed to make the property safe, including sprinkler systems. It would have cost just £740,000 over two years, but the Government offered just 5% of that cost from the money that had been set aside. Recognising that councils have faced disproportionate cuts—Sheffield has lost around 60% of its funding from central Government—does the Minister think that providing only 5% support for that work was adequate?

Sprinklers are key to saving lives when fires start, but we need to remove the risk of them starting in the first place. The Minister will be aware of the formation of the UK Cladding Action Group to voice the concerns of people who own flats in tower blocks with ACM cladding. It was reported in the last couple of days that only 10 of the 173 private buildings that were discovered to have combustible cladding have been fixed—this point was raised by the right hon. Member for Hemel Hempstead (Sir Mike Penning) a moment ago. The barrier to action appears to be disputes over the funding and responsibility for the work.

Among the blocks affected is Metis Tower in my constituency. Residents there face a bleak future. One of those who contacted me, William Martin, summed up his situation in a plea to the Secretary of State:

“I’m a first time buyer stuck with a property covered in failed cladding. The freeholder is denying responsibility and the developers have ceased trading. I’m currently living out a nightmare and facing financial ruin. I and many others desperately need your help.”

A company called HomeGround represents the freeholder, Adriatic, and says that it is not the landlord and is therefore not responsible. It points fingers at the property management company, Fairways, which says that it is awaiting legal clarification on who is responsible. The suggestion is that the responsibility for the re-cladding will fall on those who own the flats, who face individual bills of upwards of £20,000 each. That is disgrace—single residents cannot afford those sums. William says that he cannot get rid of the property or move on when he wants to, and that frankly, he feels trapped in a prison. That is not acceptable. If someone buys a dishwasher that is found to be faulty because of a fire risk, we put safety first: the product is recalled and the manufacturer takes responsibility. If that is good enough for domestic products, why is it not good enough for the homes that house them?

I recognise that some developers and freeholders accept responsibility, but others do not. The Government must act. We need first to make the building safe, and we need to make sure that the individual residents who own the flats do not foot the bill. The Government should hold the developers and freeholders to account. If the law is not currently up to the task, we need to change it. I hope that the Minister will outline what action the Government will take in that respect.

10.11 am

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Gray. I thank the hon. Member for Poplar and Limehouse (Jim Fitzpatrick) for securing this important debate. Like my right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning), I declare an interest: I was a member of the Fire Brigades Union for 31 years and I think I am a fully paid-up out-of-trade member as I speak.

Experience over decades has shown that sprinkler systems, whether stand-alone or as part of other fire protection measures, are designed to contain or extinguish fire, and are certainly adept at reducing the spread of fire, if not altogether preventing it. They are a valuable asset for buildings with high occupancy numbers and potentially protracted evacuation times. Those of us who have experience as emergency responders know that despite exit signage, calculations of flow rates, widths of exit routes and so on, public behaviour in an emergency situation is often unpredictable. Sprinklers are also a life-saving asset in domestic dwellings.

A properly installed, acceptance-tested and maintained sprinkler system affords reliable protection for occupiers and, equally importantly, firefighters, in the unfortunate event of a fire breaking out, and brings reassurance to the insurers of the buildings and individuals. The difficulty in bringing the public and developers on board is the mistaken perception that sprinkler systems drive up prices to a horrendous level. That is not the case; it is a mistaken perception that sprinkler systems drive up prices to a horrendous level. There is also wariness about accidental water damage increasing in the cost of a property—estimated at around 1%—but what is the price of life? Surely, lives are priceless.

There is also wariness about accidental water damage should the system fail and inappropriately discharge, but that is a very rare occurrence. A popular misconception is that all sprinkler heads in a building could suddenly activate rather than it being generally limited to the compartment of origin. In many instances, a single sprinkler head activates—perhaps with a neighbouring one—and the damage is minimal. We should bear in mind that fire water run-off from firefighters’ hoses—as
my colleagues who worked in the fire service will know—has the potential to inflict much greater water damage, and has done so in the past.

Reliable and responsive installations are now seen as preferable to, or at least complementary to, large-scale offensive firefighting in buildings where, because of changes in construction methods and increased use of artificial materials, generated heat levels are absolutely unbelievable because of the additional fire loading, which is much greater than in my days of firefighting. A sprinkler system potentially reduces the heat release rate and the danger of flashover, to which all firefighters are vulnerable when they enter an ignited building. Sprinkler systems also prolong air quality by slowing down the accumulation of smoke—smoke alone can be the killer, not necessarily the fire itself. All that is to be said, it is simply common sense that the natural life-line of defence against fire to save life, with operational firefighting the last resort. There are many examples at home and abroad of sprinkler systems saving lives. In 2011, a building in Dubai became the world’s tallest residential building, and was referred to, oddly enough, as the Torch. It hit the headlines again in 2015 when a fire broke out and took hold on the 50th floor of the 79-floor structure. What an impossible task for the firefighters to deal with—it was quite unbelievable. The safe evacuation of that massive residential structure was down to passive and active measures, including the successful operation of a sprinkler system, which allowed containment of the fire and the safe evacuation of individuals.

Nearer to home, in Wales, the Building Regulations &c. (Amendment No. 3) and Domestic Fire Safety (Wales) Regulations 2013 introduced a requirement to fit automatic fire suppression systems in residences before first occupation. The regulations covered care homes and rooms used for certain residential purposes and dwellings. In Scotland, sprinkler systems are already mandatory in certain circumstances and will be extended to new flats in 2019. That is the welcome result of the hard work of a Scottish ministerial working group, which was set up after the Grenfell tragedy. Regrettably, England appears to be falling behind its neighbours.

Most studies over the years have concluded that sprinklers lead to a much lower or zero death rate, particularly in residential buildings, and I urge the Minister to consider any measures that would reinforce such a reduction and support enhanced life safety. Sprinklers are a natural progressive partner to detection. We have seen the success of smoke detectors. As has been said, it is simply common sense that the natural progression is with sprinklers.

The need for sprinklers is not a whim; it is evidence-based common-sense approach. Let us act now to further reduce the risk of fire deaths and to secure a safer operational environment for our firefighters. Every fire authority has a responsibility and a duty of care for those people and we can make their high-risk job that bit safer. I ask the Minister to act now, in the light of the clear need for sprinklers, to drive that forward, for the safety of individuals and of firefighters, and to secure properties and allow businesses to avoid being badly impacted by the ravages of fire.

Jim Shannon (Strangford) (DUP): I thank and congratulate the hon. Member for Poplar and Limehouse (Jim Fitzpatrick) on securing a Westminster Hall debate on the critical issue of fire safety and sprinkler systems. He has shown that he is at the forefront of the pursuit of the matter. I do not say this to give him a big head, but the honest truth is that his expertise and knowledge have allowed him to express the key points that he feels need to be addressed. We are fortunate to have the opportunity to back him and further reinforce those points.

We do not have the legislation that I would like in Northern Ireland. We are similar to England in that respect. How I envy the regulations that were introduced in Scotland in 2006, and in Wales in 2016. I often say that Scotland very often leads the way in many things, and it has certainly led the way on this issue, for which we must give credit where it is due—Scotland deserves that. Unfortunately we have a difference of opinion when it comes to the referendum, but that is by the bye. None the less, I recognise good when I see it.

The key in safety is whether something will save lives. Will sprinklers save lives? Yes, they will. Should they be in every apartment block? Yes, they should, but they are not, and they should never be viewed as a “nice to have” or a luxury.

David Simpson (Upper Bann) (DUP): There has been a lot of discussion on that point today; some have mentioned that this debate has been going on since 2011. If there are to be new regulations and procedures, surely the role of this House is to fast-track any legislation, so that we will not be sat here in the same circumstances in another two or three years.

Jim Shannon: My hon. Friend is absolutely right. He reinforces a point made by the hon. Member for Poplar and Limehouse, who said very clearly that we do not want to be sat here in a few years’ time having the same discussions, not having moved forward. As always, we look to the Minister and hope for positivity in his response.

Sprinklers are not the panacea for fire safety, but the evidence base tells us that they can have an impact on fires as part of fire safety measures. They are part of the compendium of fire safety measures that we need. They protect the environment from large emissions, smoke and volumes of contaminated water. I am not the only one who watches many films on TV—others have mentioned this—but in films where an actor appears after the sprinkler system has been on, it looks as though he has dipped himself in a pool of water, and all the stock is ruined. The fact is, however, that sprinkler systems today are not like that. They use 90% less water than hoses, thereby reducing and preventing costly water damage. Sprinkler systems are therefore constructive and positive, and can do their job well. Sprinklers are not expensive if they are included at the design stage, costing as little as 1% of the total build. That is the time to put sprinklers in—not later on, but at the very beginning. According to the latest poll, the general public want them in their buildings, so we have to respond to what we are being told.
Where are we now? Self-regulation is the norm, but is clearly not working. The fire brigade has asked Government to step up and step in. Also, we cannot ignore the campaign of the National Fire Chiefs Council, which is asking for a new UK-wide regulatory system for sprinkler systems, which are essential. We should consider the know-how of the fire personnel whom we rely on to put fires out. The fact that this is their campaign and their initiative underlines its importance.

Housing developers are consistently ignoring expert advice on sprinklers, every year, including in large projects. In 2016, in the last survey of new or refurbished buildings, only two out of the 15 blocks checked had sprinklers fitted. Again, that underlines important shortfalls. The advice given to developers is apparently disregarded, so regulations need to be brought in and enforced, as my hon. Friend the Member for Upper Bann (David Simpson), the hon. Member for Poplar and Limehouse and others have emphasised. That is where councils and local authorities can fulfil an important role quickly.

In a briefing I received, an example was given of a balcony fire. It took hold of not just one apartment block, but five, in a very short time. This illustrates the importance of sprinklers: within the 19 minutes between the call and the fire engines arriving, the fire had been controlled by the newly installed sprinkler system. I thank the Lord for that; it illustrates what sprinklers can do in the right place—they did the fire brigade’s work. That is what they were tasked to do, and it went well.

What do we need? We need sprinklers to be fitted into all residential care homes and sheltered accommodation, and existing homes should be refurbished to include them. Often such flats or apartments house people with mobility or health issues, who could suffer fatal or life-changing injuries. That also applies to schools, because the safety of our children is important. We need stringent controls. A change to our rules and regulations is needed for hotels, student accommodation, warehouses, historical buildings and deep-base complexes. The debate has given us a chance to air the issues, and I am happy to be part of that. I look to the Minister for his response.

The first point is that, as many Members have indicated, sprinkler systems work. According to the London Councils briefing for today, “automatic fire suppression systems...operate on 94 per cent of occasions and when they do operate they extinguish or contain the fire on 99 per cent of occasions. They reduce fire injuries and fire damage by 80 per cent. They also reduce the environmental impact and the economic cost of fire.”

Also, as has been said, no one has ever died from a fire in a fully sprinklered building.

The relatively minimal cost—1% of build costs—of installing sprinklers has also been mentioned. In addition, as the London Fire Brigade reminds us, sprinkler systems on average use 90% less water than hoses, and can prevent costly water damage. Introducing such systems seems to be a bit of a no-brainer.

I can think of two examples from my constituency. In 2012, opposite the BBC Television Centre, we had a major fire in the Dairy Crest warehouse, which had a huge amount of combustible material in it—explosive material, too. It needed 15 fire engines and 75 firefighters. I think about the unnecessary risk to the lives of firefighters on such occasions. In 2016, a year before the Grenfell Tower fire, there was a major fire in Shepherd’s Court, overlooking Shepherd’s Bush Green. There were fortunately no casualties, but there was a full evacuation of the building. Six flats were substantially damaged by fire, but I think another 20 were substantially damaged by water. The consequence of fires, even when successfully extinguished without injury, is often huge costs and disruption to people’s lives over many years.

All that indicates the way in which we ought to be moving, and where we hope to see the Minister moving us. However, I have one other point to make, which is also made by London Councils: “While...sprinkler systems are very important, it is important to point out that they are not a substitute for a holistic, whole buildings, risk-based approach to fire safety.”

The Royal Institute of British Architects makes four recommendations on where it thinks fire safety should be going. They will not be a panacea and cover everything, but looking at those four areas will go far towards reducing risk. No. 1 on the list is sprinklers: “a requirement for sprinklers/automatic fire suppression systems in all new and converted residential buildings...and in all existing residential buildings above 18m from ground level”, as already required in Wales.

The other three recommendations are equally or more important. One is alternative means of escape. Buildings, including in my constituency, are still given planning consent although they have only a single means of escape—blocks that in effect replicate Grenfell Tower: 20-storey blocks of flats with a single means of escape—and that is purely for commercial reasons. It should not be tolerated.

The third recommendation is for centrally addressable fire alarms. That deals with the stay-put policy and what happens when it fails. Is there a fail-safe method of warning people when a building needs to be evacuated?

The fourth recommendation, which will come as no surprise to the Minister, is an extended ban on the use of combustible cladding. That is not the main topic today, but it is one that we return to time and again, because the Government’s measures are wholly inadequate. We have taken a long time to deal just with the issue.
of aluminium composite material cladding, and the Government are only now getting on to other forms of cladding, often more combustible than ACM, that are estimated to be on more than 340 high-rise buildings out there. Even the ban on use for new build or refurbishment projects is inadequate. It does not cover hotels, office buildings or lower-rise buildings used by vulnerable people, such as hospitals and care homes. Until we have a comprehensive approach not only to fire safety generally but to the removal and installation of cladding systems—not just cladding, but cladding and installation together—we are not seriously tackling the problem, or seriously dealing with the legacy of Grenfell.

10.28 am

Alison Thewliss (Glasgow Central) (SNP): It is a pleasure to see you in the Chair, Mr Gray.

I thank all hon. Members who have spoken today. It is good to see such comprehensive agreement in a Westminster Hall debate that action must be taken, and on what that action must be. I was struck in particular by the comments of the hon. Member for Southend West (Sir David Amess) who talked about “unacceptable” intransigence, “lamentable” action and all Governments failing in this respect. I urge the Minister to listen carefully to what everyone said this morning. It is absolutely clear that there is no difference of opinion among people whose differences of opinion are usually vast. Everyone has agreed on the action that needs to be taken. I will not diverge from that.

I pay tribute to the people affected by Grenfell; their strong reaction inspires us all to do more and to do better. The hon. Member for Kensington (Emma Dent Coad) spoke movingly on behalf of her constituents and urged the Minister to act on the evidence. We need to keep up the pressure and momentum. If we let people down, more people will die or be injured as a result of further fires.

The hon. Member for Poplar and Limehouse (Jim Fitzpatrick), a former Member no less, has great expertise on this matter and is diligent in ensuring that the House never forgets the risks of fire. I have never been a firefighter like some Members in the debate, but I served as a councillor for a while, with the hon. Member for Ayr, Carrick and Cumnock (Bill Grant), on the Scottish Fire and Rescue Service board. In June 2007, it did a demo of how sprinklers could stop fires. I was struck by the damage of a burnt-out husk of a room, compared with the minimal damage from sprinklers.

The myths about the cost and how the systems work continue, but the evidence is that they cause far less damage and harm than a fire burning an entire house, room or building. We must take heed of the changing damage and harm than a fire burning an entire house, room or building. We must take heed of the changing development of sprinkler systems, as the right hon. Member for Hemel Hempstead (Sir Mike Penning) mentioned. They have developed over the years. They are not the same systems as once existed but are very sophisticated. There is no barrier other than willpower to get them into buildings as soon as possible.

The Scottish building regulations are robust; the Scottish Government took prompt action following the Grenfell tragedy to improve existing legislation. The ministerial working group on building and fire safety did not hang around; it got on with the job, looked comprehensively at everything and came forward very quickly with minimum standards for smoke alarms across all kinds of property.

The minimum requirements will be that at least one smoke alarm will be installed in the room most frequently used, such as the living room; at least one smoke alarm will be in every circulation space on each storey, such as hallways and landings; at least one heat alarm will be installed in every kitchen; and all alarms should be ceiling mounted and interlinked. That is a huge difference, and it will apply to all properties from 2021, including in the private rented sector and new build homes. It is important that that change is comprehensive, because if we leave one housing sector behind, that is where the risk will remain. Often, that means people in poorer accommodation, who cannot access their rights and are most at risk of dying in fires.

Our response has been far more extensive than what has taken place in England. We will make sprinkler installation mandatory in flatted accommodation, larger multi-occupancy dwellings and places that deliver care. The hon. Member for Hammersmith (Andy Slaughter) mentioned that we need to look at single means of escape. We are looking at measures to improve evacuation procedures, including the requirement for sound alerts, two escape stairways in all new high-rise residential buildings, and creating specific fire safety guidance for the people in dwellings, because people need to know that the flat they live in now might be different from the flat they used to live in. They need to know how to react.

Building owners and developers will be required to prepare and maintain a compliance plan for transparency about the building’s inspection regime, to both residents and regulators. That will help to maintain monitoring. As Members have said, we do not want to slip into complacency. Once a building is built, that is not the end of the story. People will live in that building for many years to come, and they need to know how best to prepare themselves.

Sir Mike Penning: The hon. Lady’s point is massively important. It is not just about the cost of installation; there may be a sprinkler system in a brand-new, modern house, but that has to be maintained and checked, like any gas product or anything else. Insurance companies will be important, because most insurance policies these days include pipe work and other things, so the cost should not be prohibitive, but people—and local authorities—will worry about the ongoing cost of having a sprinkler system in their property when they have to pay for it. However, the savings will be as great as the cost.

Alison Thewliss: I agree with the right hon. Gentleman; I was coming to the point about insurance premiums. People’s insurance premiums can be reduced if they have a burglar alarm fitted, and we need the same incentives for sprinklers. That needs to be a part of the environment, as it is for retail and commercial properties.

There is an important point about the cost of sprinkler systems. The Scottish Housing Minister, Kevin Stewart, has called for VAT to be removed from cladding. We need to look at removing VAT for sprinkler systems, too. That would be a significant saving to help people to install these items. There would be significant savings.
for property owners and housing associations—the full gamut of people involved in the property sector. A 20% reduction in the cost of installing something is pretty significant, and it could allow programmes to go forward more quickly than otherwise. I urge the Minister to speak to the Chancellor to see what can be done, certainly ahead of the Budget later this year, as we are probably too late for the statement later this week. That would be a real win for this Government to incentivise people to take action on cladding and sprinkler systems.

The hon. Member for Ayr, Carrick and Cumnock spoke powerfully about firefighter safety. That has been missing from this debate. When firefighters go into those situations, they need to be kept safe. Nobody wants firefighters to lose their lives. I was interested in what the hon. Gentleman said about engineering out issues and ensuring that when new buildings are constructed, their fire safety is part of the plans from day one.

As part of my work in the all-party parliamentary group on working at height, I was having a conversation about materials used in buildings that may test well in isolation, but when put in a building become more dangerous. I urge the Minister to consider doing more to ensure that materials are testing in situ, to avoid the situation of Grenfell, where the whole of the cladding on the outside of the building went up. Testing in situ and the appreciation of the impact on materials when used in a building must be taken into account.

There are significant differences in how Scotland has defined “high rise”. The hon. Member for Kensington mentioned that it is 18 metres in England, and 11 metres in Scotland. Far more buildings will be caught by the regulations at 11 metres. Regardless of what we regard as high rise, it is important that people in bigger buildings can get out safely should there be a fire. There is a lot of student accommodation in my constituency—I was glad that the hon. Member for Sheffield Central (Paul Blomfield) mentioned that issue. Students can be more vulnerable, living away from home for the first time, in accommodation that is new to them. Having sprinkler systems would be most useful.

A couple of hon. Members mentioned water damage as a result of fires being extinguished. That has been a significant issue in my constituency lately, because the O2 ABC was damaged hugely by the water from the fire being put out at the Glasgow School of Art. That water was not from the mains but from the Clyde, and had been pumped uphill to put the fire out. Extinguishing fires can cause significant damage to buildings, which in many cases could be prevented by comprehensive sprinkler systems. I urge the Minister to look at how sprinklers can be sensitively retrofitted in historic buildings. They are significant—we are in one now. We need to ensure that all buildings where the public go are well protected from fire.

There has been comprehensive agreement today. There are good examples from Scotland and Wales of how action can be taken swiftly. We should act without any further delay, before any more incidents occur and there is any further loss of life. The Minister knows what he needs to do; I very much ask him to get on and do it.

Sarah Jones (Croydon Central) (Lab): It is a pleasure to serve under your chairmanship, Mr Gray. I congratulate my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) on securing this debate. Given that the call for evidence on approved document B of the building regulations ends on Friday, this debate is exceptionally timely, and I hope that the Minister has listened carefully to the wise words of the secretary of the all-party fire safety rescue group. Hon. Members are clearly as one on the need for change, and that case has been made conclusively this morning.

The need for urgency percolated through everybody’s speeches. The hon. Member for Southend West (Sir David Amess) said that this “nonsense” must not go on, and the right hon. Member for Hemel Hempstead (Sir Mike Penning) asked whether property is more important than people’s lives. My hon. Friend the Member for Kensington (Emma Dent Coad) said that Grenfell 2 is “in the post”, and my hon. Friend the Member for Hammersmith (Andy Slaughter) said that we should consider the cost and that this issue is a “no-brainer”. The hon. Member for Waveney (Peter Aldous) said that we have kicked the can down the road for too long. We heard sensible arguments from all those who contributed this morning, including on the important need to protect firefighters as well as residents, and the fact that modern sprinkler systems can be installed at less cost and with less damage if they need to be used.

In 2019, we find ourselves in the sorry position of knowing that our fire safety and sprinkler regulations are woefully inadequate, and almost two years on from the Grenfell Tower fire, we are still waiting for the Government to act. Seventy-two people died in the Grenfell fire, and that fire and its aftermath exposed a litany of fire safety failures across thousands of buildings. Hundreds of blocks are draped in flammable Grenfell-style ACM cladding, and many more are covered in other types of flammable material that is as yet untested. There are tens of thousands of faulty fire doors, and a huge discrepancy in the provision of sprinklers. We also know that warnings came years earlier. The coroner’s investigation into the Lakanal House fire recommended in 2013 that sprinklers be retrofitted in social housing, and similar calls were made by members of the all-party fire safety rescue group in the same year. In 2016, a building regulations review was promised by the Government but never delivered. The London Fire Brigade stated:

“It is deeply concerning that on the two occasions in recent years when the Government has looked at reviewing sprinklers legislation or guidance it has been in the wrong direction—seeking to weaken rather than strengthen it.”

As has been said many times this morning, no one has died in a fire where a sprinkler system was installed, yet in England sprinklers are a legal requirement only in new residential blocks that are more than 30 metres tall.

Labour party research found that more than 96% of tall council tower blocks in London do not have sprinklers—a huge number. Although 3% of those blocks are now looking to install sprinklers, the vast majority have no plans to do so because they do not have funding. Installing sprinklers at Grenfell would have cost a few hundred thousand pounds. Croydon’s fully retrofitted stock post-Grenfell cost £10 million, and Birmingham has projected a cost of approximately £30 million to
retrofit more than 200 blocks. Despite repeated calls from local authorities and the Prime Minister’s promise that the Government will do “whatever it takes” to keep our people safe, no funding has been provided by the central Government for sprinklers. We do not pretend that these changes come without cost—of course they have a cost, but what is the price of safety? As we have heard, the rules in Scotland and Wales are more comprehensive, and a multitude of experts have called on the Government to reduce the height requirement for sprinklers, and to extend that requirement to other buildings.

The problem goes wider. Over new year, the Shurgard fire exposed our backward laws and regulations on fire safety across the board. Shurgard operates in Belgium, France, Germany, Denmark and the Netherlands, where sprinklers would have been required by law in a warehouse the size of the one in Croydon. In this country, however, there are no such requirements, and the property of nearly 2,000 people got burned.

I do not need to list the individuals and organisations calling for change. My hon. Friend the Member for Hammersmith listed RIBA’s excellent four pillars for reform, including a requirement for sprinklers and automatic fire suppression systems in all existing residential buildings above 18 metres. In addition to the questions raised today, will the Minister listen to RIBA and implement its sensible set of policies? Will the Government extend their ban on flammable cladding to schools, hospitals and care homes, and introduce a requirement for sprinklers in schools and hospitals? Will they consider a fire safety fund that is available to help council and housing association landlords with the costs of retrofitting sprinklers and other urgent remedial work? Two years on from the Grenfell fire, will the Government understand the need for urgent action, get a grip on the situation and act, so that we can hold our heads up high and say that we have done what we could to stop such a tragedy happening again? There has been much talk in other places of the “Malthouse compromise”. If the Minister were to act today to prevent future deaths, we would call it anything he wanted, and we would thank him for it.

10.45 am

The Minister for Housing (Kit Malthouse): It is a great pleasure to appear before you once again, Mr Gray. I congratulate the hon. Member for Poplar and Limehouse (Jim Fitzpatrick) on securing this debate, and my hon. Friend the Member for Southend West (Sir David Amess), and other Members, on the formidable platoon of people who they marshal on this issue on a regular basis. As our call for evidence on the technical review of building regulations fire safety guidance is closing, I welcome this opportunity to respond to the debate.

I hope hon. Members recognise that ensuring that people are and feel safe in their homes is a priority for the Government, and that includes all parts of the Government, both elected and non-elected. Notwithstanding remarks by a number of Members about the official advice that Ministers receive, I hope people recognise that officials in the Ministry of Housing, Communities and Local Government are as dedicated to the cause of fire safety as everyone else, and that their views and the advice they give are drawn from as wide a range of experts in the field as possible. As the former member of the London Assembly responsible for the constituency that contains Grenfell Tower, it is of particular importance to me that we reach a resolution on this issue quickly.

Before coming to sprinklers, I wish to update hon. Members about wider work that is under way on fire safety. In the immediate aftermath of the terrible Grenfell fire we acted quickly to establish the building safety programme, which worked tirelessly to identify and remediate buildings with unsafe cladding. Thanks to the testing and hard work of local authorities, we are confident that we have identified all social housing with unsafe ACM cladding systems in England, and we have made good progress in making those buildings permanently safe. Of the 158 social sector buildings, 125 have either started or completed remediation, and plans and commitments are in place to remediate the remaining 33 buildings. To help ensure swift progress, we have made £400 million available to social sector landlords to fund that remediation. I regret, however, that remediation in the private sector has been more challenging, with negotiations in some instances disappointingly slow.

Since Grenfell, we have worked intensively with local authorities to identify high-rise buildings with ACM cladding, and we have provided £1.3 million to assist them. Local authorities across England have assessed around 6,000 private sector high-rise buildings. They needed to take samples to test, and in some cases legal action was required to get owners to co-operate in that testing. We have taken strong action to give local authorities the support they need to enforce the removal and replacement of unsafe cladding. We have established a taskforce to oversee the remediation of private sector buildings, as well as a joint inspection team to support local authorities in pursuing enforcement action.

On 29 November, the Government went further and announced that we will back local authorities to take emergency action, including financial support, where building owners are not co-operating with remediation. As a result, we have made progress with commitments from owners to replace unsafe cladding. By the end of December 2018, 218 out of 266 privately owned buildings had either started, completed, or committed to remediation. Forty-eight private residential buildings remain where the owners are not currently co-operating, and that number has fallen from more than 200 buildings in June last year. We remain concerned about and engaged with leaseholders who, through no fault of their own, find themselves in a difficult and stressful situation. I recently met the hon. Member for Poplar and Limehouse to discuss the New Providence Wharf development in his constituency.

Sir Mike Penning: I am really pleased, and I think all hon. Members and people around the country will be pleased about the progress made on private leasehold properties. However, no matter how hard we try, and however many threats we make, a small group will fall through the net, particularly where developers have gone into liquidation. That is exactly where the Government need to step in, sometimes with the help of insurance companies—for example, when the situation with mesothelioma was terrible and many people did not get the compensation they deserved, we stepped in to pay a tariff on those insurers. All these properties will have been insured, and people should get the compensation they need.
Kit Malthouse: I recognise the point that my right hon. Friend makes; he is quite right. Of the remaining private sector buildings, there are some where there is a dispute about the extent or type of cladding—whether it is thin or decorative, and what percentage of the building it covers—but there are a small number where the situation that he raises will pertain, where for reasons of absence, insolvency or intrinseness we may need to take more forceful action.

I have said that if local authorities assess that there is a category 1 hazard and a threat to life in a building, they have the power to enter that building, do the necessary work and we will support them financially in doing so. In the final analysis that can be the result, but we are considering what action we can take in the circumstances that my right hon. Friend raises. I would like to reassure everybody that the Secretary of State and I, as well as senior officials, are engaged in serious and intense discussions with building owners to try and resolve these situations.

Our timber fire doors testing programme is almost complete; there have been no failed tests to date. However, we had previous issues with glass-reinforced plastic composite fire doors and we stepped in quickly to ensure that defective products were removed. My Department has been working with industry to ensure that defective doors already in situ will be remediated. We have not stopped there. While the focus on aluminium composite material cladding following the Grenfell Tower fire was the right priority, we are now moving into a phase of testing a range of non-ACM cladding, such as zinc and high-pressure laminate cladding. Those tests are starting shortly.

We will take the advice of the independent expert advisory panel on these findings and take appropriate action. At this stage I am not able to say what that might entail. It could be further advice to owners, it could mean further testing or it could mean further remediation of residential high-rise buildings if necessary. I will ensure hon. Members are kept updated on this important area of work.

Alongside the focus on remediation, my Department is taking forward the recommendations in Dame Judith Hackitt’s report. We published our implementation plan in December, which set out the principles of our approach, and a more detailed consultation is expected later in the spring.

One priority, alongside the remediation work and the recommendations in Dame Judith’s report, has been to deal with immediate issues of concern. At the end of November we introduced new regulations implementing the ban on the use of combustible materials in the external walls of high-rise buildings. These regulations are now fully in force. In December we issued strengthened guidance on assessments in lieu of tests. We consulted last year on a clarified version of the building regulations fire safety guidance, approved document B. We received more than 1,300 responses on the draft, which we have been working through. We are working towards publishing the revised, clarified guidance later in the spring.

As I mentioned at the beginning of my speech, we issued a call for evidence to inform our technical review of the fire safety guidance, which will close shortly. We have received 150 responses and I am grateful for the input of the all-party parliamentary group on fire safety to this work, which is shaping the debate. I cannot go into the full detail of what that call for evidence covered, because of time constraints, but it sets out a wide range of issues, across the full range of topics covered by approved document B, many of which have been mentioned by hon. Members today, although of course it was open to stakeholders to suggest other issues for consideration.

This debate has focused particularly on sprinkler systems. I understand the urgency and passion with which hon. Members have expressed themselves today and I share their desire for the Government to address the issue quickly. The call for evidence asked for data and views on sprinkler provision. Current building regulations guidance sets provisions for sprinklers in flats in blocks of flats over 30 metres tall. I know that there is intense debate about what should be considered to be the right height threshold; that debate is taking place in Scotland at the moment.

I am also conscious that the Scottish and Welsh Governments have recently taken action or are about to take action on this matter. These are obviously important considerations for the position in England. Members will understand that at this stage in what is essentially a legal process, I cannot make any firm commitments beyond reinforcing the point that we will consider the responses to the call for evidence carefully. We will set out our plans for how we propose to respond to the call for evidence as soon as we can. I recognise the need for speed.

Building regulations only apply when building work is under way. There is a separate question about whether sprinkler systems should be retrofitted to existing buildings, and, if so, how and whether this should be mandated. Retrofitting of sprinkler systems into existing tower blocks may not always be the answer to ensuring fire safety. Members may have seen that there was an enormous Ocado warehouse fire in my constituency a few weeks ago. I understand that the warehouse had an extensive fire suppression and sprinkler system, and it still went up in flames. Happily, there were no casualties but nevertheless it has left about 800 of my constituents worried about their future employment.

Decisions on whether to install a fire suppression system should be informed by a robust analysis of the specifics of a building, in consultation with the fire services. It was with this in mind that my Department offered local authorities a significant package of financial flexibilities through the housing revenue account, if they undertook analysis and decided that the installation of sprinklers was the right way forward. No local authorities have taken up the offer of these flexibilities to date, but I am willing to discuss the issue with any of them who may be considering taking up the offer made.

In the future we would expect the safety case approach for existing high-risk residential buildings, as recommended by Dame Judith Hackitt and which we will be implementing, to be the vehicle for building owners to consider what risk mitigation measures, including sprinkler systems, they need to consider and put in place. In doing so, if there is pressure from residents in any particular building to provide sprinklers, then I would expect local authorities and landlords to be alive to that and consider their options carefully.

I thank hon. Members for raising this important issue and for all their contributions. It is a timely debate, given the stage we are at in considering the review of approved document B, and I can assure the House that
we will consider the issues raised today very carefully. I recognise the passion and commitment Members have for this cause, particularly those in the APPG. I also recognise the concern across the country among residents who live in high-rise buildings and feel insecure, whether that is because of the cladding or the general atmosphere around fire safety. It is critical for us as a Government to get this right, and I can reassure everybody that we will give it as much energy and urgency as we possibly can.

10.56 am

Jim Fitzpatrick: I am grateful for your excellent chairing this morning, Mr Gray. Movers of debates usually get about 30 seconds to respond to contributions and we have several minutes. I will not take all that time, as I can see the mover of the next debate and the Minister both in their places, and they would welcome a little extra time.

On the warehouse fire the Minister mentioned, I know he will look very carefully at the report. From my understanding, the sprinklers worked and did the job they were supposed to do, but the nature of the building, the density of the packing, the depth of the warehousing and the fact the robots were still working while firefighters were there complicated the matter out of all proportion. I do not see that as a failure of sprinkler systems, which are supposed to operate for up to 90 minutes anyway. The fire took hold long after the sprinklers were turned off. I know the Minister will look at that.

I am grateful to all colleagues who spoke in the debate—we have had 12 speeches and a couple of interventions—and to the Front Benchers for their responses. I am very grateful that the Minister did not say no. I know there were a lot of qualifications, but he did not say no. The matter is complex and the Minister is highly regarded. He is a key figure in London politics and he saved Brexit single-handedly, with the Malthouse compromise, as mentioned by my hon. Friend the Member for Croydon Central (Sarah Jones). It may not have been his most popular move among a number of colleagues, but none the less he takes credit for that.

The Minister is also doing sterling work on leasehold reform. I am grateful for the meeting I had with him last Thursday on the particular block in my constituency and the developer who was being intransigent. As my hon. Friend the Member for Sheffield Central (Paul Blomfield) mentioned, we look forward to progress on cladding, remedial work, costs and protections for leaseholders in due course.

The Minister defended his civil servants, correctly. There is high regard for the civil servants in the Department and no criticism of them intended. They will give their advice on the basis of the evidence available. Support from all the key stakeholders and all the professional bodies mentioned by so many colleagues must have an impact on the advice that the civil servants give the Minister, and the Minister will weigh them up against all the factors that need to be taken into account. There has been support from across the Chamber, as well as from professionals and experts.

Most importantly, the public support the measures. The measures could be the life-saving part of the Minister’s legacy. He is in the very fortunate position to be the one to bring forward the conclusion. If he brings these measures forward, he will be applauded across the House and by the whole fire protection community. There will be hundreds of people whose lives will be saved by the measures he brings forward in due course. We look forward to him doing that as soon as possible.

Question put and agreed to.

Resolved,

That this House has considered fire safety and sprinkler systems.
Depersonalisation Disorder: NHS Treatment

11 am

Lyn Brown (West Ham) (Lab): It is an absolute pleasure to serve under your chairmanship, Mr Gray.

In the 2017 Christmas Adjournment debate I spoke about depersonalisation disorder, or DPD. I told something of the story of my constituent Jane, and requested a meeting to discuss NHS treatment of DPD. Since then the Minister has kindly met with me, Jane and Dr Elaine Hunter, a leading DPD clinician. The meeting was very sympathetic and I thank the Minister for that. We agreed that we would follow it up with a short Westminster Hall debate, to speak publicly about why the issue is so important. I shall therefore take the opportunity to talk about depersonalisation and put a couple of what I hope are gentle asks on the table.

What is depersonalisation? DPD can be triggered by a traumatic experience, a panic attack, stress or, indeed, drug use. It is a fairly common psychological or mental process for dealing with trauma. It feels as if the mind is detaching from the body; those affected feel as if they are outside themselves. Everything feels rather unreal. I have certainly felt that way before, at a time of significant and severe stress. However, depersonalisation is an intensified version of the feeling, and it is not temporary. It sets in indefinitely. When people have DPD it will often be accompanied by the sensation of noticing themselves as if from the outside, as if they are a character on a screen—almost as a character in the play of their life. The feeling can be so strong that those who have DPD are less aware of their bodily sensations, such as their heartbeat.

DPD is different from a psychosis such as schizophrenia because people who have it are aware that the experience is subjective, and not something changing in the world around them. A common difficulty for those with DPD is putting the experience into words. Many use metaphors or similes, comparing their experience to watching a TV character on a screen—almost as a character in the play of their life. Understanding the condition and putting a name to what they have can make someone feel an awful lot better. My constituent Jane Charlton struggled terribly before she was diagnosed. She imagined that she might have a degenerative disease, or that she might be dying. Learning the name of the condition was a crucial step in understanding it, living with it and eventually learning ways of dealing with it.

The onset of DPD was triggered for Jane by cannabis use. She was just 18, on holiday with a boyfriend, and had smoked cannabis only once before. Her boyfriend prepared her some cannabis resin and mixed it into a yoghurt. Jane tried a little—no impact; so she tried a bit more. She describes what happened next:

“My perception drew back into my head, almost as though I was now looking at the world from the back of my own eye sockets. I perceived a delay between an external event, and my brain understanding or processing it. Suddenly there was a fracture between the world and me. While my body was still in the world, my mind had become a disengaged observer.”

As I said, in DPD the individual is aware that their perception has changed, so although the experience feels like a blurring or a distancing, for Jane it was terrifying:

“During that first episode...hours followed where I sought reassurance from those around me, wanting to touch and talk to them constantly. I wanted to check that I still existed. Eventually, exhausted, I slept, in the hope that it would pass overnight. It didn’t. The next morning, the shift in perception remained, and would in fact remain for every second of every day for the next three years.”

A temporary experience of depersonalisation can serve as a defence mechanism if there is a traumatic event. It allows separation from immediate reality, but if it spreads beyond that and becomes depersonalisation disorder, people such as Jane can become separated from other emotions as well:

“If I quieten my mind, I can almost taste the colour and richness of life as I knew it before...but I can barely remember what it feels like. These days I’m in a constant state of grief; I feel as if I’m grieving for my own death, even if I seem to be around to witness it.”

It is hard to imagine the impact that that would have on a young person’s life, for those of us who have not felt it. For three years, in Jane’s case, there was no diagnosis and no remedy. Even with the right diagnosis DPD is hard to treat. Jane has had four major episodes of depersonalisation disorder, despite all her hard work, often with experts in the field. Her current episode is ongoing, and entering its fifth year.

Another person who has depersonalisation is Joe Perkins. He runs a YouTube channel called the “DPD Diaries”, which is a wonderful accessible resource for learning about the condition. Joe told me he has had about 100 medical appointments over the past 10 years, but he can count on one hand the number of professionals who had actually heard of the condition. His diagnosis took 10 years. Sadly, that is a normal length of time in
the NHS at the moment. He had 10 years living with DPD and not understanding that it was a recognised medical condition and he was not on his own. He explained his experience of the condition:

“The most difficult thing for me to deal with day to day is a complete lack of emotions. I experience neither happiness or sadness; life seems completely flat; and it’s very difficult to feel motivated for anything when everything feels meaningless. Having to explain to your partner that you’re unable to feel love for them is an incredibly difficult conversation to have—and one that naturally puts a huge strain on any relationship.”

I am sure we can all understand that.

Joe first started experiencing symptoms while he was studying for A-levels, when he was too young to be eligible for treatment at the Maudsley clinic, the only facility available in the UK. Fortunately, he has since started to receive treatment. The referral took a full year, and the waiting list is long, with numbers spiralling as awareness rightly grows.

The invisibility of DPD makes it all the more important that we speak about it in this place, and I am grateful to have had the opportunity today to do just that. Just a few facts will show that depersonalisation and derealisation—a closely related condition—are an urgent concern and need far better treatment under the NHS.

First, depersonalisation and derealisation have symptoms that many of us will find familiar: 75% of us will have experiences similar to depersonalisation at some point in our lives. Secondly, as the hon. Member for Strangford (Jim Shannon) said, between 1% and 2.4% of people are likely to have these conditions—a similar level to bipolar disorder, which is far better understood and resourced, and which our GPs and experts are able to spot.

Thirdly, it is important to know that there is only one small clinic in the UK that specialises in treating the condition and, as I have said, it does not treat people under the age of 18, despite the fact that sufferers from depersonalisation disorder typically have their first experience of it in their adolescence. Finally, and rather dammingly, the average diagnosis takes between eight and 12 years from the point of symptoms appearing. Those are the facts I have received.

I have talked about what DPD is, what it feels like, and the fact that it is very poorly known, which helps to explain the almost unbelievable figure of eight to 12 years to diagnosis. How debilitating DPD can be is the most important thing to understand, but the lack of provision is extremely important, too. We have a lot of work to do if we are to build the same scale and quality of NHS treatment as for those with depression or bipolar disorder.

I pay tribute to Jane for all the work she has done on this issue. She is a brave woman. She featured in an article in this issue. She is a brave woman. She featured in an article in The Guardian in 2015, which reached a huge number of people. In 2017, she followed that up with an appearance on the Victoria Derbyshire programme. During the programme, several people called the show to say that Jane had helped them to recognise their own condition.

Jane continues to raise awareness through lobbying—shelobbed the NHS and runs a peer support group for people suffering from DPD, so they can experience solidarity and share experiences. She has also founded a charity called Unreal, to unify all the different bits of work being done. Jane has done all of that while holding down a full-time job and dealing with her own DPD. She has my absolute respect and gratitude for that. Jane’s work is really helping, but we need to go so much further to spread awareness not only among members of the public, but among NHS professionals.

As I said at the start, Jane, Dr Hunter and I have already met the Minister, and I am hopeful that she will be able to tell us more about what action is already being taken, but I would like to use this opportunity to put on record our four asks. All of them can be accomplished within the next few years, and none, we think, would require huge investment of resources.

First, on training, a 2017 edition of The BMJ published new guidance on the assessment and management of DPD. That was very welcome, but it has not led, and will not lead, to better and faster diagnosis and treatment in and of itself. My first ask is that the Minister write to the presidents of the Royal College of General Practitioners and the Royal College of Psychiatrists, to request that they bring this information to the attention of their members and ensure that training on DPD is made part of the core training for GPs and psychiatrists.

Secondly, I ask the Minister to push for the design and delivery of a programme of training in NHS mental health trusts around the country, not only to raise awareness, but to improve assessment and management of the disorder locally. That could include the appointment of a local depersonalisation disorder lead, who can thereafter provide guidance to local clinicians.

My third request is that those leads link together to improve access to treatment for those with the condition. I think the Minister would agree that it is not good enough to have just one small clinic at the Maudsley treating all those people across the country who have depersonalisation; we need better and more. Finally, given that expert support for young people experiencing DPD simply does not exist in the NHS, I ask her to ensure that there is specialist provision in child and adolescent mental health services, so that those under 18 can receive treatment when they need it.

Those simple steps could make a difference and bring down the average diagnosis time from an absurd and unacceptable eight to 12 years. They will help to ensure that no matter where someone lives, if they go to their GP, help will be available. So many people live in silence with this largely invisible condition. We have a long way to go to guarantee effective diagnosis and treatment for them on the NHS, but these four asks, if realised, would, I hope, start us down a good path.

11.16 am

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): It is a pleasure to serve under your chairmanship, Mr Gray. It is also a great pleasure to respond to the debate brought by the hon. Member for West Ham (Lyn Brown).

As the hon. Lady says, we have met to discuss this before, and I too extend my thanks to her constituent Jane, who has been incredibly courageous, despite living with a condition that is profoundly distressing for her to manage, in none the less using that in such a positive way. Frankly, the most important thing we can all do is to raise awareness of this disorder, and she is doing that beautifully and is incredibly articulate in how she does it. I pay absolute tribute to her; she has certainly put the
disorder on my radar, so I am delighted to have the opportunity to discuss it in the House and do our bit to raise awareness, because, as the hon. Lady has mentioned, eight to 12 years before getting a diagnosis is not good enough.

The reason people wait so long is that this is a disorder that is not understood, but it is also fair to say that many personality disorders are misunderstood. We tend to lump mental ill health and disorders together, but they require to be treated in very different ways. Often, when it comes to disorders, medication is not the best solution, so it is important that we get diagnosis right and the way we will do that is by raising awareness of what is, as the hon. Member for Strangford (Jim Shannon) said, a very common condition. Many of us may have had out-of-body experiences when we are going through something unpleasant, because that is how the body naturally copes with trauma, but when people are going through sustained trauma, as many sufferers of DPD have, it becomes a way of dealing with life.

The worst thing, as the hon. Member for West Ham highlighted, is that that can often be brought on by drug use. I do not think we should be squeamish about mentioning that. We have a debate going on about drugs at the moment that is all about, “We have lost the war against drugs; it is all done through the lens of crime and disorder.” The reality is that the extent of cannabis use in this country is contributing to our mental health crisis—of that I have no doubt—and I do not think we should be squeamish about saying it, so I am grateful to the hon. Lady for giving me the opportunity to do exactly that.

We must ensure we do better. Last year, I had the great privilege of chairing the women’s mental health taskforce, and I saw that we are seeing a greater scale of mental ill health being experienced by women between the ages of 16 and 24. We put trauma at the root of much of that, and we have a strategy to roll out much more trauma-informed care across the NHS, which I hope will also extend to raising greater awareness of this disorder.

The hon. Lady’s point about making GPs and practitioners more aware of this disorder during their training is very good. We—collectively, as a system—need to think what more we can do to educate GP training, because, as the hon. Lady has mentioned, at the moment only one clinic specialises in this disorder. Partly because of the lack of awareness, it is fair to say that the research evidence on what works to treat this disorder is still at a very early stage. Obviously, the NHS will support further investment in those treatments based on evidence. We lack National Institute for Health and Care Excellence guidelines for the treatment of DPD. That must be on the do-to list.

Essential to that support will be finding out more about this disorder. This is a learning process for everyone, and people like Jane obviously contribute massively, but it is for clinicians and researchers to do their best and really get to grips with what will be required. I acknowledge the world-class work being undertaken at the Maudsley clinic, which is one of the leading research and clinical treatment units in the world for this condition. It has pioneered an incredible service, which Jane praised to the hilt for what it has done for her health. It really works to improve health outcomes for patients and is dedicated to expanding the understanding and treatment of depersonalisation through its research, which I encourage, because further research is vital to improving our understanding of the prevalence of this condition and its treatment.

The Maudsley clinic has successfully assessed more than 500 people since the inception of its service, which is amazing, but as 2% of people suffer from it, there is more to do. It also works closely with the research unit at King’s College London, which adds to that understanding. Clearly, waiting nine to 12 months for therapy after diagnosis is not good enough, so I am pleased to say that the Department held an initial roundtable meeting at the end of last year to hear about the work of the service provided by the trust and to discuss current research into those treatments and suggestions on NHS management of the condition. We look forward to taking that work forward. We also discussed options for next steps with the Maudsley clinic, including its applying for a development grant from the mental health policy research unit of the National Institute for Health Research.

I understand that the team at the specialised unit at the Maudsley clinic has faced challenges in acquiring such funding in the past. It is tricky: we need evidence to get the money for research, but money for research is needed to find the evidence. I completely understand that. However, I say to the hon. Lady that the Department’s research team will discuss with the unit the most appropriate type of research funding for it to bid for. Clearly, we
want to make sure that we make the most of its expertise and expand our understanding of this condition. I hope that that brings some reassurance. I look forward to seeing further developments in this space.

Lyn Brown: As always, I am delighted by what the Minister has offered us, especially on research, which is fantastic. I thank her for that. However, I would not be me if I did not press her on the three things on my list that she has not mentioned—writing to the presidents of the Royal College of General Practitioners and the Royal College of Psychiatrists, introducing a programme of training for mental health trusts and improving access to treatment for under-18s. I am happy for the Minister to write to me on those.

Jackie Doyle-Price: I would like to take that away and discuss with the NHS clinical lead how best to do those. I agree with the hon. Lady, but I will look at this in the broader context of disorders and really getting that understanding of severe mental health conditions and ongoing disorders, which need different tools. However, I will write to the hon. Lady. and I know that we will continue to have dialogue on this issue.

In conclusion, I readily acknowledge that there is still a lot of work to be done to support people with this disorder and to help them to make a full recovery with treatment and support. I assure the House that that is very much on my to-do list. I look forward to having further dialogue with the hon. Lady and Jane, who I wish every success in managing her condition. I hope I have provided sufficient reassurance that we are committed to doing what we can for these people.

Question put and agreed to.

11.27 am
Sitting suspended.

Modern Farming and the Environment

[Mr Nigel Evans in the Chair]

2.30 pm
Colin Clark (Gordon) (Con): I beg to move,
That this House has considered the interdependence of modern farming and the environment.

It is a pleasure to serve under your chairmanship, Mr Evans. This subject is close to my heart; and for clarity, I draw attention to my entry in the Register of Members’ Financial Interests. I have interests in conventional and organic farming, as well as the agrifood industry.

It may be patently obvious that farming and the environment are interdependent, but a narrative exists that agriculture undermines the environment. My right hon. Friend the Secretary of State described farmers as “the original friends of the earth”.

The essence of today’s debate is that, certainly in the UK, the environment, the countryside, has been shaped by farming and human beings. Even in Scotland, where 85% of the land is less favoured areas, almost every acre has been shaped by human intervention.

The National Farmers Union of Scotland is clear in its view. It says:

“Active agriculture is best placed to manage land for environmental benefit” and the objectives of production of food. The NFU of England and Wales produced a paper entitled “United by our environment, our food, our future”. It makes it clear that food production is at the heart of land use and that public goods are directly affected by agriculture. The responsibility for those public goods lies disproportionately with agriculture, but most importantly, the sustainability of our environment has always been key to the future of farming, which we have been doing for generations.

Sir Hugo Swire (East Devon) (Con): What more does my hon. Friend think that we and the Government can do to encourage the positive ecological effects of beekeeping? It seems to be incredibly important in plant pollination, among other things.

Colin Clark: My right hon. Friend makes a very good point. We have to ensure that we have joined-up thinking in relation to beekeeping. There is an example from Scotland. Neonicotinoids have been banned, and the possible result is the use of other sprays. No less a supplier than one to Her Majesty the Queen at Balmoral considers that the flea beetle, which is now not controlled by neonicotinoids—that is a very difficult word to say—was potentially the reason for the destruction of an oilseed rape crop and therefore why he produced less honey. This is one of the questions that I want to ask my right hon. Friend the Minister: we must have joined-up thinking.

As custodians of the land, we see and manage the whole picture. That is really the point of policy as we go forward. Farmers and agriculture draw together the entire picture.

Bill Wiggin (North Herefordshire) (Con): I meant to let my hon. Friend finish his point before I intervened, but I thank him very much for letting me in. I too, draw attention to my entry in the Register of Members’ Financial Interests. For me, the most important thing as we go into the future is that the food we grow not only will be top quality, but should be fed to people. I strongly
support the Pasture-Fed Livestock Association, of which I am chairman, because we believe that grass should be consumed by animals. That does not work unless the Department for Environment, Food and Rural Affairs changes the labelling so that people know that if it says “grass-fed” on the package, that means 100% grass-fed, so anything that my hon. Friend can do to support better labelling, better information for the public and therefore better support for our farmers would be most welcome.

Colin Clark: I thank my hon. Friend for that intervention, but I have to say, coming from north of the border, where it is slightly colder and we keep cattle inside for several months—I am a cattle finisher myself—that Scotland clearly produces the best beef in the world by some measure. Cattle inside my buildings were fed silage, which of course is grass as well as cereal, so I do not disagree with the point that my hon. Friend makes.

John Howell (Henley) (Con): This point is not allied to the last one, but the police have raised with me their concerns that the grubbing up of hedges and boundaries around farms has not only destroyed habitats, but made it very difficult for them to police the environmental aspects of agricultural establishments in particular, because there are just open fields that can have hare coursing and things like that conducted on them. Has my hon. Friend come across that?

Colin Clark: I recently met the chief of police in my area, and I have to say that rural crime is fought very much better, partly because of technology. There is a great deal of usage of text messages and WhatsApp, which enables us to keep in touch. I would say that, if anything, in the north-east of Scotland, every time that a white van drives mysteriously anywhere, NFU Scotland is immediately raising suspicions that the white van may be up to something. I therefore take my hon. Friend’s point on board.

Sustainable food production is underpinned by five key areas on which I think we can all agree: landscape, biodiversity, soil, water and air. Farmers, by design or results, pull all five together. Farmers, by the very nature of what we are doing, have shaped the landscape and have a responsibility. It is important that farmers engage with the general public, apart from allowing them access on to land, because they are of course the ultimate consumers of what we produce.

Farming is integral to protecting habitats and wildlife and key to protecting and rebuilding our biodiversity. We have heard reports recently that other parts of the world are having significant problems in that respect. British agriculture, the agriculture of the United Kingdom, is doing much to be careful of our biodiversity.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): The hon. Gentleman agrees with the point that I made earlier. That is that monocultures do nothing for the soil. We have a process to encourage new entrants. However, we cannot get past the fact that this industry is hugely capital-invested. Since the war, there have been three generations on my farm in the north-east of Scotland. My grandfather was a doctor from Glasgow, but mysteriously decided to be a farmer. Apparently, land was cheap in the 1940s—there was a chap with a moustache who wanted to devalue most of the land in Europe. My grandfather bought a farm in the north-east and he will have started off the soil process of modern farming by putting on lime and draining the land. My father will have gone to the next stage by analysing the nutrient value of the crop and trying to do something about further drainage of the land and improving the soil. It is an ongoing process. Finally, I tried to introduce precision farming to reduce the compaction of soil.

It is important to recognise that farmers have made mistakes on land usage. My businesses previously were in East Anglia, where I saw monocultures. I recognise that monocultures do nothing for the soil. We have a
relatively traditional approach in Scotland. Water will clearly become more of an issue, even in wet Aberdeenshire, where we already have nitrate-vulnerable zones. We must be conscious that the water is affected by everything that runs off our land.

On that point, having run businesses before, I was amazed to discover that as much as 75% of the nitrogen used on crops cannot be used by the crop. If cars leaked 75% of their fuel from the tank, we would try to redesign the system. Farmers are well aware that some of our farming practices can be improved. There are great opportunities in technology. Air is clearly a public good. Agriculture is said to produce 10% of gases emitted, but we have come a long way.

The NFU’s report showed that we increased economic growth in agriculture, while reducing the inputs, between 1990 and 2016. Farmers are taking action while output increases. This is an important point. Modern farming tries to produce as much as it can from an acre, in an efficient and sustainable way. Some 87% of farmers are recycling waste materials from their farms, 69% are improving fertiliser application accuracy, where, as I have said, an enormous amount can be done, 75% are improving energy efficiency, not to mention the amount of renewables, 38% are increasing their use of clover in grassland, 27% are improving nitrogen feed efficiency for livestock, and 27% are increasing the use of legumes in arable rotation. In all those figures there is still a great deal of room for improvement.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I congratulate my hon. Friend on securing the debate. He is making a good point about the contribution that many British farmers are making to reducing their carbon footprint. Does he agree that there is an environmental argument for supporting British farmers, in order to reduce the food miles associated with importing a lot of food, and that, particularly in the post-Brexit landscape, supporting British agriculture to reduce our carbon footprint and ensure sustainability will mean reducing the food miles from imported food?

Colin Clark: It is also an issue of displacement. If we are too restrictive and prohibit too much in the UK, we may simply displace productivity to other regions, such as the Mediterranean, where water is obviously in short supply, and where aquifers may be used that cannot be resupplied, or—the classic example—the rain forest; we may import beef from there, because it is cheaper, but there is a huge environmental impact. When we make policy decisions, we have to be careful not to displace production from the UK, where we have high sensitivities, to other countries. Perhaps we need to find technological answers to that problem.

There are examples of piecemeal policy on renewable energy. The report from the National Farmers Union and NFU Scotland both commented on this. Take the issue of anaerobic digesters in the renewable heat incentive scheme. There are monocultures of maize in northern Europe, Germany, the Paris basin and, to some extent, parts of England. In creating a monoculture, we have to be very careful not to create a problem, whether that is soil erosion or potential for further flooding, for the sake of producing what is effectively very expensive energy. In the north-east, a 3,000-acre traditional rotation farm might these days just grow grass. Growing grass is less damaging than growing maize, but I am concerned that we are subsidising things that distract us from our primary aim, which is to produce food. We have to make sure that the policy is sustainable. The Department for Business, Energy and Industrial Strategy is looking at the fuels used in anaerobic digesters.

Also on the renewable heat incentive scheme, there is concern in Scotland—and, I am sure, England—that in the forestry industry, raw material is being cut down immaturely for use in RHI. We policy makers must not deal with one issue or priority without thinking about what could roll on from our actions.

Dr Poulter: My hon. Friend makes an important point. I expect he will come on to the fact that the common agricultural policy disproportionately rewards larger farmers and large landowners, at the expense of many smaller farmers in the UK. A consequence is that many smaller farmers are looking to diversify out of necessity, to maintain the profitability of their main farming business. As part of our green and environmentally friendly agenda, we should help farmers into suitable diversification into renewable energy where that can help the profitability of the farm.

Colin Clark: I would say there is an opportunity there. Smaller farms can come together to share machinery. There are also schemes for them to come together to share environmental and biodiversity priorities. There is an opportunity for smaller farms to interact. Scale is not everything. Clearly, sharing a combine over many thousands of acres will lower the cost of that equipment per acre. Aberdeenshire is not unusual in that respect. It is rural, but not all of it is arable. I would rather suggest that this is all about farms becoming much bigger, and us ending up with a similar situation to East Anglia, which is a relatively large-scale operation. East Anglia is also a good example. In Cambridge and Suffolk, G. S. Shropshire & Sons Ltd are doing some brilliant things on biodiversity and having a more holistic approach to their farms, instead of simply using the land for the crop that they want, and not being concerned about the next stage.

If we are to preserve the environment, wildlife and habitats, we must consider the potential of the most productive land. In Scotland, under the CAP regulations, we have seen as much as 10% of very productive land being taken out of arable use, rather than other land that would be better suited for environmental schemes. We all remember set-aside, which, in the long term, created weed banks and other problems on farms. We have to consider how to make the most of the best land, and make it as productive as it can be, in a holistic and sustainable way.

I recently read about gene editing technology, which offers us an opportunity as we leave the EU. I hope the EU changes its mind about this technology. It could offer the answer with regard to drought resistance, plants capturing nitrogen, pest resistance and the reduction of pesticides. On animal diseases, too, there are opportunities and technologies that we should be looking at.

Last July, the European Court of Justice declared that gene editing crops had to jump the same bar as genetic modification, but it is significantly different technology. While I am not an expert on it, I would like us to explore it further. I am particularly conscious that
we have some of the best research and scientists in the world, yet we are giving up an opportunity to look into a very interesting area that could have answers. According to scientists from the Sainsbury laboratory, “This ruling closes the door to many beneficial genetic modifications such as breeding of disease-resistant plants”.

They added that it was “A sad day for European plant science.”

While we do not want to drop our standards, there is genuine science that we should be exploring and looking at. Policy mistakes have been made in other parts of the country that I do not want to see here, so I would like to hear what the Minister has to say about gene editing.

Farming should be able to monetarise environmental benefits such as carbon sequestering. The Scottish NFU says that it is “supportive of measures such as carbon accounting, which offer farmers the tools and recommendations to make efficiency improvements whilst also taking into account business operations”.

That is poignant, because if there is a zero-carbon target, we have to get much better at accounting for sequestering carbon on farms. We hear about industrial ways to capture carbon, but every day that we are in the countryside, we are standing on the biggest carbon bank that this country has. Particularly in northern Scotland and the central highlands, with regard to reinvigorating—

Mr Alistair Carmichael (Orkney and Shetland) (LD): Peat.

Colin Clark: I thank the right hon. Gentleman for that. There is an opportunity there. We should reverse the idea that we are going to grub up every inch and acre, but equally, we have to monetise that value. Again, we do not have a holistic approach to that.

The Department’s 2018 farm practices survey showed that 50% of farmers took action to reduce greenhouse gas emissions. Of those, 83% did it because they considered it good business practice; 68% did it through concern for the environment; and 53% did it to improve profitability. That is clearly an example of farming realising the monetary benefits.

Again, however, policies have unforeseen consequences. The EU considered banning glyphosate, which would limit minimal tillage and reduce the potential benefits from controlling greenhouse gases. Minimal tillage does not work everywhere, but it works in many parts of the country. Banning glyphosate would certainly mean that we would have to return to deep ploughing to bury slug eggs and weeds, so we would simply use another chemical. I was asked about bees. It was Mr McGregor from Blairgowrie—it is almost a made-up name—who recently said that his honey production was being limited by the flea beetle. We have to think about the consequences of our decisions.

I will move on; I realise that I am using up all the time, but I will soon finish. On policy to increase biodiversity, what we have done to date in Scotland, England, Wales and Northern Ireland is to be applauded. I highlight that shooting estates are an integral part of modern agriculture. The James Hutton Institute, along with Scotland’s Rural College, investigated the economic and social contribution of the moors in fragile landscapes in Scotland. Grouse moors support 2,500 jobs, of which the vast majority are local, and they increase wild bird numbers because vermin are controlled. In contrast, Scottish Labour wants to restrict shooting, but we have to be aware of its economic contribution. It may be a minority sport, but it is a countryside pursuit that is also making environmental headway.

We need a pragmatic approach. Many hon. Members will be aware that in the highlands, there is no longer a top predator of the red deer, so whether by Scottish Natural Heritage or the Red Deer Commission, the numbers have to be controlled for wholly laudable reasons—to protect our environment and to try to allow tree numbers to come back up. We hear in the press about rewilding parts of the country, but this is not Alaska or Siberia. With the greatest respect, if we put a predator such as a wolf back anywhere, it will eat the sheep, then the dogs, then whatever cannot run fast, then finally, perhaps, the red deer. We have to be realistic about that. Why anybody would go hill walking in the highlands if they thought a wolf was running around is beyond me.

I am keen to hear other hon. Members’ contributions; they must be wondering how long I will waffle on for. Farming policy can shape interdependence, so I have a few questions for the Minister that are all shaped towards improving the environment and modern farming playing its part. Should the Agriculture Bill recognise food and its production as a public good? Outwith the EU, how are we going to join up policy? Instead of Europe’s one-size-fits-all approach, can we come up with policies and frameworks for the whole United Kingdom that will protect the environment?

Raising productivity per acre in a sustainable way will raise output and food security, so will the Minister consider amendments to the Bill on that? Will he take into account the risk of displacement where domestic policy encourages imports and there are environmental impacts? Most of all—this is what I would really like—to protect the environment, modern farming needs a sustainable financial model; will he support a multi-annual settlement? We will do our part to convince the Treasury that that is the way forward. Modern farming has a clear interdependency with a healthy environment.

Mr Nigel Evans (in the Chair): We have about half an hour for Back-Bench contributions. I will not impose a time limit, but please constrain yourselves to about five minutes.

2.56 pm

Kerry McCarthy (Bristol East) (Lab): It is a pleasure, as always, to see you in the Chair, Mr Evans. It is also a pleasure to be reunited with two former colleagues on the Environmental Audit Committee, the hon. Member for Gordon (Colin Clark) and the Minister, who have both gone on to other things. We also went into battle on many occasions during the Agriculture Bill Committee, although it is fair to say that we were not always on the same page about everything. Now the Minister has taken up his post, to which I welcome him, he may have to revisit some of his views, compared with the freedom he had as a Back Bencher.

As chair of the all-party parliamentary group on agroecology for sustainable food and farming, I support the idea of a whole-farm system based on nature-friendly
farming. As a nation, we should do far more to make organic farming and agroecology mainstream, as they do in France. Organic farms have on average 50% more wildlife and 30% more species than conventional farms. We should also do more to support agroforestry; pasture-based livestock systems, which have already been mentioned; integrated pest management; and low-input mixed farming, as we look to restore ecosystem services and our long-term food security. At every opportunity, we should move away from unsustainable intensification and an over-reliance on agrochemicals.

Over the years, numerous studies have shown that farming in an environmentally beneficial way is not just good for nature, but better for business. In 2018, the Agriculture and Horticulture Development Board found that introducing wildflower margins around the edges of fields increased bumblebee numbers in courgette fields and boosted yields by 39%. Due to the reduced input costs required from the farmer, that provided pollination services valued at £3,400 per hectare, so just because land is taken out of production, the farmer does not necessarily lose out. At the moment, under the common agricultural policy, there is a distorting incentive to farm absolutely every inch of the field, but we will hopefully move away from that under the new public-money-for-public-goods approach.

Despite a lot of professed support for more nature-friendly farming, the reality on the ground is different. Soil degradation in England and Wales costs £1.2 billion every year, with a staggering 2.2 million tonnes of soil lost annually. In the Agriculture Bill Committee, this Minister was sceptical about that and said that the soil on his farm had never been healthier, but the then Farming Minister, the hon. Member for Camborne and Redruth (George Eustice), subscribed to the view that we need to do far more to support our soil. I suggested that we need a specific public good in the Bill, but the then Farming Minister said that that was already covered by the listed public goods. Whatever our views as to the wording required in the Bill, we all need to do far more to improve soil quality.

The decline in bees has been well documented over the years, but farmland birds are another indicator. Their numbers have declined by 56% in the past 46 years and 12% of British farmland species are now threatened with extinction.

The State of Nature report 2016 identified the intensification of agriculture as having, by a huge margin, the biggest negative impact on wildlife in the UK when compared with other sources of wildlife decline. As has been mentioned already, that has partly been driven by the CAP. I hope that we do not leave the EU, either today or towards the end of the process, but I would be glad to see the back of the CAP.

To reverse the decline of species and address the serious environmental challenges facing us, farmers must be incentivised to provide environmentally beneficial outcomes. That is why I have supported the introduction in the Agriculture Bill of the new environment land management scheme, based on the principle of delivering public goods, such as adaptation to climate change, improved water quality and public access, for which no funding market exists. This approach is overwhelmingly supported by the public. A World Wide Fund for Nature/Populous poll found that 91% of those surveyed wanted the Government to pay farmers to protect nature.

However, as has already been mentioned, farmers need funding certainty if they are to go down that path. They need certainty beyond 2022 and I support the amendment that the Chair of the Environmental, Food and Rural Affairs Committee, the hon. Member for Tiverton and Honiton (Neil Parish), has tabled to the Agriculture Bill—whenever that Bill reappears—because we need multi-annual funding to give farmers that certainty.

We also need a strong regulatory baseline for the farmed environment to thrive, which is something that we discussed in the Agriculture Bill Committee, and if we have those standards, they must be enforced by a new farm inspection regime.

The other issue that will have a massive impact on farming in a post-Brexit world is what trade deals we negotiate with other countries. Again, this issue has been discussed in a lot of detail in other forums, so I do not intend to dwell on it here. However, as I have said, the Chair of the EFRA Committee has tabled new clause 4 to the Agriculture Bill and I have tabled new clause 1, which is very similar; we are working together, on the same page, on this issue. We are at serious risk of exporting our environmental footprint abroad while sparking a race to the bottom in food production and safety to compete on price at home. There is no point in having all this talk about keeping our environmental standards and promoting nature-friendly farming in this country if we allow imports from other countries that are produced to much lower standards than our own produce. As Minette Batters, the National Farmers Union President, said a few weeks ago:

“Mr Gove has said that over his dead body would British standards be undermined. I don’t want it written in blood. I want it written in ink.”

We want it “in ink” in the Agriculture Bill and we want that Bill to come back sooner rather than later.

The final issue that I will mention is climate change. We have 12 years to avoid a catastrophic climate emergency, and we must openly discuss the impact of livestock on climate change and the environment more frequently in debates such as this one. It is now almost 13 years since the Food and Agriculture Organisation published its “Livestock’s Long Shadow” report, which stated that “the livestock sector is a major stressor on many ecosystems and on the planet as whole. Globally it is one of the largest sources of greenhouse gases and one of the leading causal factors in the loss of biodiversity, while in developed and emerging countries it is perhaps the leading source of water pollution.”

Nearly 10 years ago today—it was actually 25 March 2009—I stood here in Westminster Hall, having secured a debate on the environmental impact of the livestock sector. There was quite a good turnout, but everyone else who turned out was there basically to give me a hard time. I like to feel that I have been slightly vindicated since then, because there have been so many other highly authoritative reports—it is not just me who says they are highly authoritative; my opinion does not count for very much—that make exactly the same point, and I ask the Minister, “When will we listen on this and do something about it?”

In its 2018 progress report to Parliament, the Committee on Climate Change identified agriculture as one of the key priority areas for an emissions reduction programme over the next decade. Otherwise, we will not meet our fourth and fifth carbon budgets.
Rebecca Pow (Taunton Deane) (Con): I know the hon. Lady is very passionate about this issue, and I believe that we are both on the soil inquiry that is being conducted by the Environmental Audit Committee. Does she agree that if only we could get our soils to the right level of health and standards, that would go a long way towards reaching all of our climate change targets, because soil holds so much carbon?

Mr Nigel Evans (in the Chair): Before I call Kerry McCarthy again, I remind Members that I have said that speakers should take about five minutes each, and your speech has now lasted for eight minutes.

Kerry McCarthy: Sorry—I did not quite get that. And, yes, soil is absolutely brilliant for carbon sequestration. I will just conclude, Mr Evans; I apologise, as I did not know that you had said Members should take five minutes. The signs that are being sent out by the Government at the moment are that they are trying to head in the right direction with the Agriculture Bill, but the need to act swiftly is imperative, and I would like to see more ambition.

3.4 pm

Rebecca Pow (Taunton Deane) (Con): I pay tribute to my hon. Friend the Member for Gordon (Colin Clark) for securing this debate, and he is absolutely right that modern farming and the environment should be inextricably interlinked. Having been brought up on a farm, on which I also worked, and having studied the environment and worked on that, too, I have always thought that it is an absolute no-brainer that the two should just be part and parcel of one another, because, of course, without a sustainable and healthy environment we cannot produce healthy sustainable food.

That is more important than ever in the south-west—including in Taunton Deane, obviously—where we have so many farmers. Agriculture and the food industry collectively is our biggest industry, and it is beholden on us to ensure that this business and this industry can thrive, but it has to be sustainable. That point will be a key part of my speech today.

It is clear that although great work is being done by farmers and there are many great environmental schemes, for diverse reasons—not least the way that funding has been directed from the EU—we have reached a point where our environment, in the widest sense of the word, is under great pressure and much of it, sadly, has been severely degraded.

There are lots of modern techniques that we could use in agriculture and we must use them all; in fact, the agritech strategy encourages this approach. Whether it is drones, precision farming, field mapping, scanning, or thermal imaging, all of these things, along with breeding, must be utilised. However, sustainability must be at the root of all this.

Rural areas are the powerhouses for our urban areas, and we need to keep them stable and productive; they are the green lungs for our urban centres. So, they are even more important than we give them credit for at the moment, and that is not just about food production but about services. The signs that are being sent out by the Government at the moment are that they are trying to reach all of our climate change targets, because soil holds so much carbon.

It must be said that the Department for the Environment, Food and Rural Affairs has already gone a very long way towards this aim. The Agriculture Bill is coming through, along with our 25-year environment plan, our Fisheries Bill and the Environment Bill. How exciting is that? It will be the first piece of new legislation on the environment for 20 years, and we have an enormous opportunity here to rethink completely our land use strategy.

Trust me, the farmers in Taunton Deane are all behind this plan. They want to do what they can and so indeed do the people of Taunton Deane, who come to see me in their droves, whether it is Taunton Green Parents, the Quakers, or the transition groups. They all say, “Please can you put sustainability at the heart of everything you do?”

I will touch on two main areas: one is biodiversity, which has already been mentioned by my hon. Friend the Member for Gordon. Biodiversity is crucial to agriculture and food production, but the statistics about it are stark and devastating: 54% of farmland birds have been in decline since 1970; only 2% of our ancient woodland is left; only 3% of our wonderful wildflower meadows remain; and three quarters of flying insects are in decline—insects are crucial to our food delivery.

May I just check the clock, Mr Evans? I started at 3.04 pm, did I not?

Mr Nigel Evans (in the Chair): I make it that you have spoken for three and a half minutes, so could you conclude soon, please?

Rebecca Pow: Thank you so much, Mr Evans, because the clock in here is very confusing.

Biodiversity is at the root of everything we are now trying to do. Instead of just focusing on special areas—for example, those funded by our higher level studentship grants, which do great work—we need to raise the general standard of biodiversity across the board, and it is something that we need to introduce in our new legislation. For that, we need accurate monitoring and data, spatial plans and a statutory requirement to monitor what is being paid for. I would ask the Treasury, “Please, can we include the net gain principle in the Environment Bill?”

As many of my colleagues know, soil is one of my passions—strange, but true. A third of the world’s arable soils are degraded. Every minute, we wash away 30 football pitches’ worth of soil and send it down the water courses. In England and Wales, the loss of our soils is costing our economy £1.2 billion. That is unacceptable and we need to do something about it.

Soil delivers so many of our services: it cleans water; it holds water; it grows the food we need; and it holds carbon. That carbon-holding property is crucial and we could really tackle our climate change targets if we addressed soil.

Julian Sturdy (York Outer) (Con): My hon. Friend makes a powerful point and I totally agree with her on soils. Does she not agree that the key is to raise organic matter? Raising it in soils means more carbon captured and also more water absorbed and held, which means sustainable crops in extreme weathers and huge benefits to our local environment.
Rebecca Pow: My hon. Friend makes the case clearly: it is so important.

I really believe that soil should be included in part 1 of the Agriculture Bill and should be paid for as a public good alongside land and water. That seems a complete no-brainer, given the importance of soil. It is surprising, too, that in the 25-year environment plan, soil is not one of the 15 headline indicators and is instead buried in the framework as a systems indicator. We should surely get it listed as a proper headline indicator. If we do not, we will miss a massive opportunity to get soil health right. As we leave the EU, it is one of the ways in which we can really show leadership. The addition of soil would act as a powerful demonstrator because it is not an EU directive as water is. It would show that we are going our own way and creating our own much better and much more productive and sustainable environment where farming is the key driver.

3.11 pm

Mr Nigel Evans (in the Chair): I call Rebecca Pow—sorry, that was Rebecca Pow. [Laughter.] I call Jim Shannon.

Jim Shannon (Strangford) (DUP): I can be many things, but I can never be Rebecca Pow—or Rebecca “Kerpow!”—as we call her.

It is a pleasure to speak in this debate. I congratulate the hon. Member for Gordon (Colin Clark) on setting the scene. I declare an interest as a member of the Ulster Farmers Union and as a landowner as well. For the record, I understand the interdependence of modern farming and the environment. On our farm we have retained the hedgerows, created two ponds and planted 3,500 trees. We have seen the return of the yellowhammer, which was missing for many years on farmland where I and other farmers live. We have seen the return of birds of prey and hares as well. Lots of things have happened because of our commitment to our farm and diversity and the environment.

I hail from a rural constituency. In Strangford, the farming and food industry is a massive employer. Indeed, as the Countryside Alliance has said:

“The food and farming industry is nationally important, generating over £108 billion a year for the UK economy and underpinning our food security. It is particularly important for our most rural areas where farming is often central to the economic and social life of the community, as well as playing a vital role in conservation.”

Mr Carmichael: May I take the hon. Gentleman back to the point made by the hon. Member for Gordon (Colin Clark) about getting younger people back into the industry? I speak as the 53-year-old son of an 87-year-old farmer. The hon. Gentleman will be pleased to hear that I have never been tempted to enter the industry. If we can get this right, we can create opportunities right across our agricultural and rural communities, and get children into schools, keep post offices and shops open and keep public transport running in rural areas.

Jim Shannon: The right hon. Gentleman is absolutely right. Bringing all those things together is key for rural communities. We need to encourage young people. I will quickly speak about sons and daughters taking over farms. In my constituency we have been fortunate over the years that that has happened. Some sons and daughters do not want to take farms on, but the ones who have are still there, so we have seen a progression of farmers’ sons or daughters taking over. Farming communities are not employees of the land, but caretakers of the land for future generations. I read in Shooting Times magazine that the wildlife of today is not ours to dispose of as we want. We hold it in trust for those who come after. That is a fact. That is what we do, and the right hon. Gentleman is absolutely right.

Unless we recognise the dual role of farmers as food producers and conservationists, we risk turning farmers into environmental contractors, which we do not want to do. We want them to have an incentive to continue farming. A farmer does not farm to become rich—that is the case in my neck of the woods, anyway. A farmer farms because it is in his blood and it is his calling. I recently highlighted an important point in my local press, and I want to make the point here before the debate ends. The latest figures show that some farmers, especially younger farmers in my constituency, have had very high levels of depression. Strangford has a large rural community and many farmers have handed over the reins of their farms to their sons and daughters, but there are levels of EU bureaucracy—I do not want to bring in the dreaded Brexit word again—and red tape that have almost strangled the farmers, and they are sick to the back teeth of it. They understand that regulations are necessary to bring food up to standard, but they do not need all of the extra paperwork that goes with it.

David Simpson (Upper Bann) (DUP): I thank my hon. Friend for giving way and I also express an interest as a landowner. He knows that the uptake in the agricultural colleges in Northern Ireland has increased. There is an enthusiasm for the land from our young people and they need help to drive it forward.

Jim Shannon: My hon. Friend is absolutely right. I have seen a great interest in farming in my community. The sons and daughters want to take the farms over and are doing so. I have written to the permanent secretary of DAERA—the Department of Agriculture, Environment and Rural Affairs—in Northern Ireland to express concern about the mental health of young farmers and the levels of stress and depression among them. We cannot ignore such big issues. We need to address them.

The hon. Member for Gordon referred to rewilding, but it is not suitable everywhere. It is not just about wolves and beavers and all the other wildlife; home-grown mink and foxes need to be controlled, although others might not agree with that. Farmers are not nature’s enemies; they are caretakers. That is the starting point. When we listen to the knowledge and expertise that has seen successful seasonal farming for thousands of years in the wonderful soil of the United Kingdom of Great Britain and Northern Ireland, that is the starting point. We must ensure that the current different payments for farmers in less favoured areas under the CAP regime continue, under the principle that upland farmers require greater financial support. The hon. Gentleman referred to that as well.

To conclude, nature has a wonderfully delicate balance set in place by God Almighty. It is up to us to retain that balance as best we can, and we can do that only by working together.
3.17 pm  
Neil Parish (Tiverton and Honiton) (Con): It is a pleasure to serve under your chairmanship, Mr Evans. I thank my hon. Friend the Member for Gordon (Colin Clark) for securing this excellent debate. It is also a great pleasure to have here our new Minister for Agriculture, Fisheries and Food, my right hon. Friend the Member for Scarborough and Whitby (Mr Gwilliam), a good Yorkshire farmer. I also pay tribute to our previous Agriculture Minister, my hon. Friend the Member for Camborne and Redruth (George Eustice), for his five years’ great service to agriculture and the environment.

It is a pleasure to speak in this debate because British agriculture is a great success story, not only for production but for the environment, and we all need to work together for a great new policy. I look forward to working with our new Minister to deliver proper, good food production along with securing the environment. We have a poultry and pig industry that has reduced the amount of antibiotics used in production. We are doing great things for the environment. We have the potential to go down the route of a blight-resistant potato. We have to use all the tools to make sure that we have a better environment, but also greater production.

The point has been made this afternoon that if we are not careful and do not produce food here under good environmental and welfare standards, we will import it from across the world under lower standards. In Brazil they are driving cattle towards the rainforest, which they are knocking down, and they are ploughing up the savannah to grow crops such as sugar beet and soya. In the end, that is where production will come from. We must link it all together.

A third of the forests are in our farms, with our copses. We have the Blackdown Hills, which I share with my hon. Friend the Member for Taunton Deane (Rebecca Pow). Of course, they are even better when they get to the county of Devon. It is absolutely certain that we have got great farming, which is where so much of our wildlife and biodiversity is. We can do better, but we are doing extremely well. I know that I do not have to tell the Minister that the great landscape that we have across this country is not there because God provided it; it is there because it is farmed, looked after and managed. Therefore, we are the friends of the earth. Farmers do not have to prove that. We have to go out there and make sure we can produce good food.

Grassland holds carbon and we can capture more. My hon. Friend the Member for York Outer (Julian Sturdy) made the point that as we increase the amount of organic matter in the soil, it can hold more water, as well as carbon. We have an excellent story to tell. The hon. Member for Bristol East (Kerry McCarthy) pointed out the amendments that have been tabled to the Agriculture Bill, on the long-term funding of agriculture and the environment, and on making sure that imported food meets our high standards. The Secretary of State wants higher welfare standards, which is great, but let us not import food that does not meet those standards. As to animal welfare, let us not export to conditions across the world that are nowhere near as good. We have every possibility of doing far greater work in the future, not only with gene editing but with smart spraying, robotic spraying and even electrocuting weeds. All sorts of improvements are possible to reduce the use of chemicals, and achieve good production. I want us to produce good food to high standards, with less chemicals, and I believe we can do it.

3.21 pm  
Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Evans. I thank my hon. Friend the Member for Gordon (Colin Clark) for securing this important debate. Amazingly, agriculture occupies more than two thirds of the UK landmass, and more than 60% of farmland is permanent grassland and common rough grazing. Almost a third of the UK’s forests and woodlands are on farmland. Those trees provide shelter and shade for livestock and a habitat for wildlife, as do hedgerows and dry-stane dykes—or stone walls—which have been introduced and, it should be remembered, maintained by farmers.

It must be appreciated that not all wildlife is welcomed by the farming community, as some birds attack newborn lambs and some mammals, such as badgers, potentially carry diseases transmissible to cattle. The introduction of beavers would not necessarily be welcomed by all in agriculture. However, pollinators such as bees are to be encouraged, as they are crucial to a healthy environment. Insect pollination of UK crops is estimated to be worth around £600 million per annum. Farmers are the custodians of much of the natural environment, which most of us enjoy responsibly, in accordance with the countryside code, but there are some foolish and selfish members of the public who are still irresponsible in allowing unleashed dogs to chase or in some cases worry and attack sheep, in particular. Also, fly-tipping takes place on agricultural land. Both those types of behaviour are totally irresponsible and unacceptable.

Access to the natural environment has the potential to enhance our health and wellbeing, and so does the nutritious food that UK farmers produce for us on a daily basis. Management of soil is crucial to that food production, and I am pleased to say that the rich Ayrshire soil is renowned for producing the famous potatoes that we up north would call “Ayrshire tatties”. Local quality produce, with its traceability factor, is popular at the regular farmers markets. However, that has not always been the case. Scotland’s national bard, Robert Burns, who was a poet and a farmer and, I am sure, an environmentalist, wrote critically of the heavy clay soils at his father’s farm at Lochlie, and the soil of his own farm at Ellisland, as being simply worn out. Thankfully, science and research have assisted with soil improvements over the centuries. Farmers are more aware of the soil types of their acreages and how best to farm soil as a carbon storage area to mitigate climate change and lock in greenhouse gases. It is to be hoped that in doing so they will take account of the UK Government’s 2019 clean air strategy, as agriculture is responsible for about 10% of the UK’s greenhouse gas emissions.

Farmers are undoubtedly innovative, and they are enthusiastically embracing the use of artificial intelligence, and diversifying. In East Ayrshire, an Ochiltree dairy farmer’s milking parlour epitomises the new approach, with its use of robotics and laser technology. I was pleased to note that animal welfare was at the top of the scale there, and at the forefront of the business plan. Educational visits by local school children to the farm are encouraged, to enhance their understanding of farming and the environment.
Under the Agriculture Bill, farmers will receive rewards proportionate to environmental benefits and the sustainability of food production. Collaborative working on projects will be encouraged where there is a common goal. I fully appreciate that agriculture is devolved and future policy in Scotland is a matter for the Scottish Government. However, it benefits from UK-wide investment, and a large part of Scotland’s market for agriculture produce is the rest of the UK. Echoing the National Farmers Union, we need to ensure that our farmers are the first-choice suppliers in the UK and are competitive elsewhere. I ask the Minister, when he is promulgating policies, to continue to help farmers to achieve the dual aim of improving the environment and securing high-quality food production.

3.25 pm

David Duguid (Banff and Buchan) (Con): It is a pleasure, as always, to serve under your chairmanship, Mr Evans. I congratulate my hon. Friend the Member for Gordon (Colin Clark) on securing the debate and echo others in welcoming the Minister to his new post.

It is appropriate that we should be debating farming and the environment today, just 17 days away from our exit from not only the EU but the common agricultural policy. Our farmers—particularly those in my constituency—have always seen the CAP as a one-size-fits-none approach. Farmers are looking to the Government and the devolved Administrations to create a system more tailored to our sector and our environment. It is vital for the future of our agricultural sector that all levels of Government get the balance right between productive farming and enhancing the environment.

The Agriculture Bill is aimed at rewarding farmers for “public goods” such as good environmental stewardship, while encouraging them to continue growing high-quality produce in more innovative, efficient and sustainable ways. The omission of a schedule specifically for Scottish farmers from the Bill has left them—particularly the farmers in my constituency—in the dark. Therefore, I encourage the new Minister to make it a priority to work closely with Scottish Government Ministers to agree a way forward that respects devolution but also gives Scottish farmers the clarity and certainty they deserve about the future of their sector.

Deidre Brock (Edinburgh North and Leith) (SNP): I am just checking whether the hon. Gentleman is aware that the Scottish Government recently announced that they would be introducing an agriculture Bill of their own.

David Duguid: I was aware of that, although I thank the hon. Lady for the intervention. However, what is not clear is when that process will completed; when will there be Royal Assent? The UK Bill, from which a Scottish schedule is absent, is going through Parliament as we speak, and is due for Report any time now.

Brexit will pave the way for new trade deals with economies around the world, but it is vital that our high standards should be preserved in those deals. Many farmers are concerned that a trade deal with the United States, for example, could mean pressure on us to drop our standards or possibly could price British farmers out of a lot of the market. It is not that farmers are against free trade or free trade deals—quite the opposite.

However, those things should not come at the price of our environment, food standards and animal welfare, or the prosperity of our own agriculture sector. I am therefore pleased that the UK Government have been consistent in saying that our high standards will be preserved in our future trade deals. I hope that, as we enter the Brexit transition period, in which new trade deals will start to be negotiated, that commitment will be reflected in reality.

There need be no conflict between embracing innovation and technological development, and having high environmental, quality and welfare standards. An example is the ground-breaking work of the James Hutton Institute, based in Aberdeen and Dundee, which is one of the biggest research centres in the UK, and is the first research centre of its kind in Europe. It is fair to say that the agriculture sector will face a number of changes and challenges in future, and that many of those could have an effect on the environment. It is worth noting that not all those changes will be technological. Farms are businesses, and farmers are increasingly applying new management practices from other sectors to their approach to agriculture. However, technological developments in machinery, food processing, artificial intelligence and, yes, genetics promise to have a profound effect on the sector. It is important that we take a balanced approach to those developments. There is no reason why advances that improve productivity should necessarily run counter to sustaining our environment and other standards of quality and welfare. That is what farmers do, after all. As other hon. Members have said, farmers are the original friends of the earth.

My hon. Friend the Member for Taunton Deane (Rebecca Pow) mentioned the draft Environment (Principles and Governance) Bill. I am looking forward to the Bill, which I hope will reflect a balanced approach. Agriculture is vital to the economy and to rural life across the country. Food and drink remain our largest export to the world. It is my hope that the UK Government, the Scottish Government and the other devolved Administrations can work constructively to ensure that the sector can deal with the challenges and opportunities of the future in a way that maintains harmony with our natural environment.

3.29 pm

Deidre Brock (Edinburgh North and Leith) (SNP): It is a great delight to serve under your chairmanship, Mr Evans. There may have been times in the past when farmers cared not a jot about the environment—I doubt it, but there is that possibility. A crofter or farmer who does not value and protect the land and environment would be devaluing their business, and good agricultural stewards are the guardians of future environmental protections.

Yesterday on Twitter I was interested to see Leigh Farm take issue with Chris Packham over his comments about farmers. She pointed to her pollen and nectar meadow as an example of good farming practice—something I certainly agree with—and she has previously offered photographs of her borage bee pasture, which seems to demonstrate a commitment to environmentally friendly farming practices on her Cornwall farm. She pointed to an article by another farmer that indicates the environmental benefits of flail cutting hedges—something of a surprise to me—although that practice is condemned by some environmentalists. My speech may have wandered a little, but it is important to bear in
mind that none of us has all the facts, and experts may inhabit different sides of a debate. However, farmers are unlikely to wish wanton destruction on their land or ability to continue farming productively. There will always be rogues in every walk of life, but the nature of the agriculture industry makes it unlikely that a custodian of land would wish to see its destruction.

Agriculture provides us with public goods in the form of environmental protections and enhancement, by dint of farmers’ commitment to ensuring that their business prospers. We should support crofters and farmers as food producers and environmental guardians, and ensure that adequate financial assistance reaches the most marginal agricultural areas, rather than being siphoned off. Support for agriculture is support for communities that are often remote and do not have the same advantages that other communities enjoy. Take away that support and communities could struggle, wither, or even cease to be viable. They could suffer from depopulation, resulting in a loss of community services such as schools, post offices, shops and so on—I have seen that in areas of the highlands. Such problems are what less favoured area support under the common agricultural policy was designed to address, and it was frankly reprehensible for the Government to keep as convergence funding the £160 million that was supposed to go to farmers and crofters in Scotland. We still want that funding back, so perhaps the Minister will keep the issue in his new in-tray.

If we take away that funding—I know that some areas in Wales, England, and Northern Ireland face similar problems and have similar needs—we risk leaving land untended. Some may prefer such a rolling back of human intervention, but that ignores the fact that those lands have had human intervention for centuries, and are not in what might be considered their natural state. We also need that land to continue producing food—especially after Brexit does its damage—and the environment will benefit from that production. We are part of the environment; farming is part of the ecology of this planet. We are animals who have had a huge impact on the planet, but we are part of it and will continue to be for the foreseeable future. Agriculture has changed and will continue to change, and in the main, today’s farmers are more environmentally aware than previous generations.

In Scotland, the Farm Advisory Service has been delivering the Farming for a Better Climate initiative, which helps farmers to optimise inputs on their farms, minimise emissions, lock in carbon, and get the best return for their investments in the most environmentally sustainable way possible. That is good news, and it has been a good project so far, but it is funded partly by the EU and partly by the Scottish Government, and since we have had no indication from the UK Government that they will keep their previous promises to match or exceed Scotland’s EU funding, its future is in doubt. I was also impressed by my introduction to the Soil Association in Scotland. Its programmes on mob grazing, and its “less till, better soil” initiative, have had a tremendous impact. I thank it for enabling me to be part of such initiatives, especially on mob grazing, and to go out to farms and see it in action.

Such educational and enabling schemes seem a far better way to deliver environmental benefits than the vague and rather unusual public goods suggestion in the Agriculture Bill. Indeed, that strikes me as an idea that focuses public resources around harsh ideas of punishment and reward—the odd concept that deprivation of resources acts as an incentive to improve, or of us starving our way to perfection. There is no evidence to suggest that such a mindset creates true and lasting change in population behaviour, and scant evidence that it creates alternate behaviour in the short term. It could, however, create a thriving trade in ways around the system, or lead to ways to game the payments, resulting in large and already wealthy landowners sucking up more of the available public resources, while those who should get help fall foul of a system that was never designed to help them. Grouse moors and shooting estates will benefit at the expense of hill farmers and smallholders. I am not sure that I agree entirely with the comments by the hon. Member for Gordon (Colin Clark) about shooting estates, because many questions remain to be answered about their biodiversity benefits.

If we wish to marry agricultural production with environmental benefits, the community buy-outs of land in Scotland should provide some pointers. One or two schemes have not quite taken off, but those that have are carving tremendous new futures for their communities and visitors. Environmental sustainability is not just part of the plan; it is central to people’s ambitions and the futures they see for themselves.

Jim Shannon: I am sure of some of those figures, but there are still questions to be answered about many things to do with shooting estates; for example, I think the review that the Scottish Government are undertaking will include some interesting answers about the shooting of hares.

In conclusion, England is in need of serious land reform. It should take a long and hard look at what Scotland has done on land reform and community interest since devolution got under way 20 years ago. That started under the old Labour-Lib Dem Executive, and it is continuing under the new and vibrant Scottish SNP Government, who protect our environment as well as delivering community benefits.

Deidre Brock: I am aware of some of those figures, but there are still questions to be answered about many things to do with shooting estates; for example, I think the review that the Scottish Government are undertaking will include some interesting answers about the shooting of hares.

In conclusion, England is in need of serious land reform. It should take a long and hard look at what Scotland has done on land reform and community interest since devolution got under way 20 years ago. That started under the old Labour-Lib Dem Executive, and it is continuing under the new and vibrant Scottish SNP Government, who protect our environment as well as delivering community benefits.

3.37 pm

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I thank the hon. Member for Gordon (Colin Clark) for securing this debate, and for the thorough way he presented his speech. It is good to have such expertise in the Chamber when discussing a sector as important as farming. I also welcome the new Minister to his place. The former Minister, the hon. Member for Camborne and Redruth (George Eustice), was known to many of us, and his work commanded respect across the House. Indeed, since he left the Government, many of his statements have also commanded respect across
the House, and I hope that that honesty will continue. There has been a trend of declaring interest in this debate, which I must also do. That is not because I have a farm tucked away, but because my wonderful baby sister is a rare breed sheep farmer in Cornwall. She does a fantastic job, and she has some chickens, too.

We have had an important debate so far, with good contributions from across the House. The Opposition Benches might not have quantity today, but we certainly have quality; I will come on shortly to the contribution by my hon. Friend the Member for Bristol East (Kerry McCarthy) about agroecology.

Farming plays a vital role in promoting sustainability and nurturing biodiversity. It has shaped our landscapes through continual management, creating a patchwork of unique environments across the uplands and lowlands, and has adapted to the pressures of a growing population. We must ensure that we provide our farming communities with the resources they need to continue that stewardship of our agricultural land. Farmers must be well resourced, and incentivised to continue to fight climate change and to reduce the carbon emissions caused by their activities.

Almost every Member in this debate has said something about the new system that we will move to once we leave the European Union. Farmers are absolutely key to tackling climate change. We must welcome the work they have done across the country, but also re-commit to supporting them in continuing that work.

The National Trust, which is the largest private landowner in the UK, has called for the introduction of a new environmental land management system based on the principle of delivering public goods. Introducing such a system would help with heritage conservation, public access, adapting to climate change and improving water quality, but it must be supported by long-term funding based on an independent assessment of need, alongside the provision of good-quality advice for farmers, safeguards against the import of low-quality food—mentioned by a number of Members—a complementary approach to improving productivity and a strong regulatory baseline.

The way that farmers manage their farms can have a positive or negative impact on the surrounding environment, and we need to support, especially through a decent financial and information support system, those who are taking extra steps to protect not only their local environment but the national one.

The National Farmers Union argues that if farmers are struggling financially, prioritising environmental objectives is nearly impossible. I would like to highlight the importance of linking the plans to reform agriculture with the existing challenges that farmers and land managers face. We all know stories of farmers struggling financially; we must ensure that the new regulatory environment supports farmers in both large and small landholdings, because we need farming to be sustainable, both environmentally and economically.

We cannot ignore the need to invest in new technologies and innovative infrastructure to provide farmers with efficient systems that work to reduce their carbon footprint. Many new innovative methods have been spoken about today; it is important that we take the public along with the farming community, especially when it comes to genetic engineering and technological interventions on our farming estates. It is important to have public confidence in new methods. Farmers should have access to the necessary data and information not only to link farming methods with the environment but to allow for continual exposure to the most up-to-date methods and environmental land management strategies, and partnership is key in that.

Encouraging farmers to engage in agri-environment schemes has to be done alongside a commitment to environmental targets. The Government have the responsibility to lay out those targets, especially in legislation such as the Agriculture Bill, which the Opposition believe is missing such commitments. I would be grateful if the Minister could set out when he expects the Bill to come back to this place. I know he is new in office, but I am sure that that was one of the briefings he would have been given.

For centuries, farmers and land managers have closely engaged with ecosystems, using the land and nature around them to build a home for their livestock and to create businesses. Farmers understand, more than most, the interdependent relationship between agriculture and the environment, not only because of their daily interactions with nature but because climate change has directly affected them, and will continue to do so.

With the necessary support systems, growing numbers of farmers would undoubtedly turn to agro-ecology. The Landworkers Alliance has spearheaded some great work on agroecology, making it a viable farming method for more people through initiatives such as the whole-farm agroecological scheme. There are key examples of the impressive nature of agroecology in its integrated production, which, on mixed farms, recycles biomass and reduces waste, using by-products from one process as inputs in others. Nutrient availability is optimised over time by generating fertility on the farm, instead of using artificial fertilisers. That theme of reducing the amount of fertiliser through the use of new methods has come up in a number of interventions. With the optimal use of sunlight, space, water and nutrients, and through synergistic interactions between biological components, fewer resources are lost. These practices conserve and encourage biodiversity in agricultural species and the wider environment, creating diverse ecosystems that are more resilient to climate change.

A great example of agroecology is agroforestry, which has not been mentioned as much as I expected. Agroforestry includes traditional practices that are easily recognised in British landscapes, such as hedgerows, as well as new innovative systems such as silvo-arable cropping, a method of growing alleys of productive trees through arable land. If more farmers were supported with accessible information, relevant data and long-term multi-year funding, more of them could adopt agro-ecological approaches. The benefits would not only directly benefit the farmers’ land; they would help to fight climate change. The Soil Association has said that integrating trees into farms on a significant scale could dramatically increase the amount of carbon sequestered on those farms, as compared with farms where there are monocultures of crops or pasture—a point made by the hon. Member for Gordon. The Committee on Climate Change has highlighted that converting just 0.6% of agricultural land to agroforestry could contribute significantly to our meeting the fifth carbon budget target by 2030.

Alongside carbon emissions, we need to deal with a big issue facing the agricultural industry: soil erosion. As mentioned by my hon. Friend the Member for
Bristol East and my west country neighbour, the hon. Member for Taunton Deane (Rebecca Pow), soil erosion costs England and Wales £1.2 billion annually, a cost we cannot continue to afford. Trees integrated into arable settings have been proven to reduce soil erosion by up to 65%. Agriculture is unique when it comes to dealing with the challenges of improving air quality and reducing greenhouse gas emissions, because it can remove carbon dioxide from the atmosphere and store it in vegetation, generating low-carbon renewable energy. It also has a really important role in upstream flood prevention, as has been hinted at by Members.

This debate is so important because although the interdependence of the environment and farming is clear, unless the right structures, funding and support are provided for those working the land, we will not see the much-needed improvement to the environment that we all want. The environment must be at the heart of our future agriculture policy. Public subsidies have been used to fund destructive food and farming practices for too long. Like my hon. Friend the Member for Bristol East, I am no fan of the common agricultural policy, and you must take time to ensure that the systems we introduce do not replicate its problems or create new ones. The Opposition are pleased to see pesticide reduction, improving soil health, cutting climate change emissions and supporting wildlife on the Government’s to-do list, but to deliver those things in a way that reverses the current damage, we will need adequate funding and bold ambition, including clear targets. How does the Minister intend to do that, given the scale of subsidy-related cuts we are expecting after leaving the European Union?

We recognise the interdependence of modern farming and the environment, but a fresh approach to agriculture cannot work by itself. The Government must introduce appropriate provisions to protect against unfair buying practices and to promote fairness in the supply chain. The EU regulations that protect our environment must be maintained, and we should look to build on them. For the avoidance of doubt, I invite the Minister to confirm that it is his personal as well as his ministerial position that environmental protections must not be reduced after Brexit. Will he reconfirm that any new trade deals that undermine our green standards or animal welfare must be rejected? If they were not rejected, the Government would be turning their back on British farmers.

This is a really important debate, and Members from right across the House have raised appropriate and timely issues. With that, I will sit down so that the Minister can respond to those points.

Mr Nigel Evans (in the Chair): I welcome the Minister to his new position and remind him to leave at least a minute for Mr Clark to wind up.

3.47 pm

The Minister for Agriculture, Fisheries and Food (Mr Robert Goodwill): Thank you very much, Mr Evans. I thank my hon. Friend the Member for Gordon (Colin Clark) for calling this important debate, and I recognise his work on the red meat levy on behalf of Scottish farmers. He began his speech by talking about “friends of the earth”, and I confess that, as is recorded in the Register of Members’ Financial Interests, I too am a friend of the earth. I had the pleasure of serving with my hon. Friend on the Agriculture Bill Committee, and he consistently championed the needs of Scottish farmers and the link between farming, food production and the environment.

I, too, would like to take this opportunity to pay tribute to my predecessor; my hon. Friend the Member for Camborne and Redruth (George Eustice). Not only did he serve the Department for Environment, Food and Rural Affairs so expertly for five years, but his vision has ensured that we are now taking up all the opportunities provided to us by leaving the inflexible common agricultural policy and the frustrating common fisheries policy. His will be a hard act to follow. It now falls to me to take the helm and guide the Bills underpinning our ambitious future policies through to Royal Assent.

My hon. Friend the Member for Gordon talked about how we should get more young entrants into the industry. It is important that we get new young blood in, bringing it innovation and energy. Sadly, I know from my own constituency that many farmers’ sons and daughters are not taking over family holdings, so we need to consider new ways of getting new entrants in. It was interesting to see on this week’s “Countryfile” new models of tenancies being tried out to get young people into the industry. The Agriculture Bill will certainly look for opportunities to bring new blood and diversity to the industry.

A number of Members referred to the concerns about the multi-annual settlements. Farming needs a sustainable financial model, and I am happy to agree with those who support the idea of a multi-annual settlement for the industry. It is a manifesto commitment that guarantees the same cash total until 2022—indeed, our farmers have more certainty than farmers in the EU. I welcome the efforts that have already been made by DEFRA, which is working closely with the Treasury on arrangements for future funding. We are committed to offering multi-annual contracts to farmers under the environmental land management scheme for the delivery of public goods.

My hon. Friend the Member for Gordon also mentioned gene editing. As somebody who studied for a degree in agriculture a whole generation ago, when gene editing and some of the more advanced methods of breeding crops were not known, I put on record that the Government disagree with the European Court of Justice’s ruling on gene editing. We argued that gene-edited organisms should not be subject to GM regulations if the changes to their DNA could have occurred naturally or through traditional breeding methods. That remains our view, but the Court has decided otherwise, and its judgment is binding on the UK. We will be considering our future approach to regulation in the context of negotiations about the UK’s future relationship with the EU.

We recognise the potential for advanced breeding techniques such as gene editing to make farming more productive and sustainable. We want to support innovation in that area, and ensure that any regulation is science-based and proportionate. We want the UK to be a leading player in developing the possible applications of new technologies, such as gene editing, building on the excellence of our science research base and our plant breeding sector. Ultimately, we want our farmers to have the best access to the tools available, so that they can remain competitive and boost productivity. The available evidence about the impact of current GM crops is variable, but it
indicates that such crops have delivered both economic and environmental benefits. For example, a meta-analysis published in 2014 concluded that, on average, the adoption of GM crops has increased yields by 22%, increased profits by 68% and reduced pesticide use by 32%.

Deidre Brock: Is the Minister therefore confirming that he supports the introduction of GM crops in England? Can he clarify his personal views on GM crops?

Mr Goodwill: At the current time, as a member state of the European Union, we must comply with its legislation. However, whatever decisions we make in the future must be based on the best available scientific evidence.

[SIR GARY STREETER IN THE CHAIR]

My hon. Friend the Member for Gordon raised the question of whether food is a public good. Food is a commercial good, and the prime purpose of British agriculture should be to produce good food, fibre and fuel. Recognising that those products are integral to UK agriculture is to produce good food, fibre and fuel. Commercial good, and the prime purpose of British agriculture must be based on the best available scientific evidence.

I agreed with the hon. Member for Bristol East (Kerry McCarthy) more than I had thought I would when she got to her feet. Having served on the Environmental Audit Committee with her, I know that her views are to be taken seriously. Organic farming has a part to play. Under our new agricultural regime, we may look at how we can encourage farmers to innovate, and organic farming is one of those innovations. However, organic production should be demand-led, because we do not want to create surpluses of organic food that cause a collapse in the market and make the farms that produce such food un-economic.

The hon. Lady also talked about wildflower margins. As part of a mid-tier scheme on my farm, we are planting those margins, which are certainly a public good. The Government are in the process of designing an environmental land management system to ensure that farmers are rewarded for the environmental benefits they deliver, such as creating habitats for wildlife. Decisions about how public goods such as biodiversity, clean air and water are delivered will be in the hands of farmers and land managers, who may choose, for example, to lower their pesticide use through integrated pesticide management. We will pay for the public benefits that they deliver.

A number of Members, including the hon. Member for Bristol East, talked about improving soil. The question of how we increase the organic matter in soil is important. Indeed, my hon. Friend the Member for Gordon talked about minimum tillage, and the chemicals needed to ensure that we can engage in minimum tillage contribute to the amount of carbon we can store in our soils. Mixed farming, including livestock production, is particularly important, as manures are a vital source of plant nutrients and improve the structure and heart of our soils. That means keeping livestock, and ruminants in particular, as they are the only way in which we can utilise some of our upland soil and areas that are not suitable for intensive cereal or crop production as upland pastures.

My hon. Friend the Member for Taunton Deane (Rebecca Pow) is a champion of farmers and the rural environment, and she is right that soil is a public good. Some 300 million tonnes of carbon are stored in our upland peat areas.

My hon. Friend the Member for Tiverton and Honiton (Neil Parish) chairs the Environment, Food and Rural Affairs Committee, to which I have given evidence before, but I look forward to appearing before him again. My hon. Friend the Member for Ayre, Carrick and Cumnock (Bill Grant) represents a great farming area. When I was studying agriculture at university, we went on a field trip to Ayrshire, and I am very jealous of its mild climate, brought to it by the gulf stream. It is clear that food production and the delivery of environmental objectives are not mutually exclusive; there is a synergism between those two goals, and we need to deliver them in parallel.

My hon. Friend the Member for Banff and Buchan (David Duguid) asked whether the pursuit of trade deals around the world will jeopardise our high standards, as did the Labour Front-Bench representative, the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard). I am clear that we will not lower our standards. Indeed, our very high standards and high-quality produce give those countries with which we trade confidence that there is a lot to worry about. We will have a great opportunity to market that produce around the world, as is already the case for good products such as Scotch whisky.

Neil Parish: I am delighted to hear the new Minister’s comments. Does he support the amendments to the Agriculture Bill that would maintain high standards for imported food, so that we do not import lower standard food through future trade deals?

Mr Goodwill: I hear what my hon. Friend says, and I will be looking at those amendments line by line—who knows, there may even be Government amendments tabled that will achieve many of those objectives. I was a member of that Bill Committee, so hon. Members can look at what I said at the time. I will aim to be consistent with what I said.

The hon. Member for Edinburgh North and Leith (Deidre Brock) talked about the intra-UK allocation of domestic support. On 16 October 2018, the Government announced a review of intra-UK allocation of domestic support funding that will run until the end of this Parliament, which will be in 2022—I hope. The review aims to ensure that all parts of the UK are treated fairly, and that individual circumstances are taken into account. Lord Bew will chair the review, supported by a panel drawn from England, Scotland, Wales and Northern Ireland. The review will look into intra-UK farm support allocations between 2020 and the end of this Parliament, in line with our manifesto commitment.

I thank the hon. Member for Plymouth, Sutton and Devonport for welcoming me, and I welcome him in return. He actually talked a lot of sense—indeed, the points he made were an oasis of sanity within Labour policy. I am confident that we can work together constructively to deliver a successful Brexit. If he really wants to help me with this, the first thing he can do is join me in the Lobby tonight, to ensure that we deliver a successful Brexit. The hon. Gentleman also mentioned forestry, and I look forward to working with Sir William Worlsey, who has been appointed as the Government’s forestry champion. He is one of my near neighbours in North Yorkshire, so I have visited him there and know that he has an amazing tale to tell.
I thank my hon. Friend the Member for Gordon for securing the debate, and all those present for their contributions. The UK is a global leader in environmental management and scientific breakthroughs, including earth observations, sensors, big data, artificial intelligence and robotics. The agriculture sector can be transformed when we apply those strengths alongside our excellent reputation for producing food. The Government are committed to delivering a modern, tech-savvy and sustainable farming sector in England, with the protection of the environment at its core. The Agriculture Bill is paving the way for that shift, and I look forward to sharing further information and engaging with colleagues about our future policies in due course.

3.59 pm

Colin Clark: This has been an excellent debate. I think we now have 18 or 20 proponents of agriculture and modern farming, and I expect all hon. Members present to jump up in the Chamber to defend modern farming at every opportunity. I thank the Minister for his reply and congratulate him on his position—I am delighted that we have a hands-on farmer in DEFRA. It is important that we think through the implications of policies announced by Ministers and Government, as we have seen in Scotland and the rest of the United Kingdom.

Question put and agreed to.

Resolved.

That this House has considered the interdependence of modern farming and the environment.

Online Gambling Protection

4 pm

Richard Graham (Gloucester) (Con): I beg to move, That this House has considered online gambling protection.

I am very conscious that today there are distractions elsewhere in the House. This debate on online gambling was never going to pull hundreds of Members away from the business of how, when and indeed if we are to leave the European Union. However, that was never the point of it. Today is a chance to update the record on where we are on online gambling, to recognise the damage being done in some very sad cases, where lives have been ruined, and to offer thoughts and float ideas on what is ahead, as well as behind us, and on the trends and direction of what is happening.

Given that the statistics show that 430,000 adults have a serious gambling issue, with 2 million more in danger of addiction and 55,000 children between the age of 11 and 14 already addicted, and with all those figures rising fast, it must be clear to us all that, yes, Houston, we absolutely have a problem. At a time when many in the country believe that Parliament and the Government are all-consumed by Brexit, it is even more important to show that that is not so. We can, and must, address an issue that will become one of the great challenges of our generation: how do we deal with online gambling?

There was a time when I thought that online gambling was a modest offshoot of the traditional bookies on the side of Cheltenham race course and Gloucestershire point-to-points. I thought they were flutters by computer for the technically savvy, but it is not so. In fact, online gambling has a higher percentage of problem and at-risk gamblers than any other type. When people log on to online gambling, they meet a plethora of sporting opportunities on which to gamble. How many throw-ins will there be in the first 15 minutes of an under-15 Azerbaijani football game? Nothing is too obscure to have odds attached to it. Not a single sport—I did not check Mongolian archery, but I am sure that someone, somewhere can offer odds—is without a gambling moment. With some 3,000 websites competing, there are plenty of options.

The size of the sector and its business is enormous, with annual industry gross profits of some £14 billion and tax receipts of £3 billion, 100,000 employees and some £200 million of advertising revenues. Is it, therefore, a huge UK success story? Yes, but even more no, because the dark side is horrific and growing. When some of those brave enough to talk about what has happened in their family do so, we really have to wonder whether we are doing enough to prevent addiction and disaster. I will give just one example: Martin Jones in Swindon, who talked to me this morning, explaining the story of his son, Josh, who eventually committed suicide in 2015 after years of fighting addiction. It is a truly tragic story, and there can be no doubt that the system is failing individuals and therefore us all.

John Howell (Henley) (Con): My hon. Friend makes a strong point. Is it not the case that online gambling has a predominant effect on the young, and it is the young that we need to protect in this situation?
Richard Graham: I do not think it is exclusively an issue for the young, as the figures show, but what is true is that the figures for young gamblers are rising faster than for any others. If we are to address the problem, my hon. Friend is right that we need to tackle the youth issue.

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): Does my hon. Friend agree that there is a very fine line between online gambling and online gaming? Some games require a degree of gambling. I draw my attention to the Digital, Culture, Media and Sport Committee’s present investigation into the problems of addiction caused by online gaming, and the negative, in some cases devastating, effect that it can have on families.

Richard Graham: My hon. Friend is right. I welcome the report that the Committee is working on; it may show higher correlations between addiction to gaming and gambling than we previously knew, which would be extremely valuable.

What we are hearing is that Josh’s case is not a one-off; hundreds commit suicide every year as a result of gambling. We do not know exactly how many—it is somewhere between 250 and 650 a year. That is a margin of error about life and death that would be completely unacceptable in any other sector. The implication that we just do not know whether 400 people committed suicide as a result of a gambling addiction or for other reasons is truly shocking. Were it, say, the construction sector or the armed forces, there would be a public inquiry about dereliction of duty.

The first thing that we have to do is radically to improve our knowledge of the facts, and to improve the research and data that is collected. The Gambling Commission, the regulator, is working on a series of partnerships with the police, the NHS, GPs and so on to improve the situation. I am sure that the Minister, who I know is very concerned about this matter, will show support for all that work. However, serious money is needed to do it effectively, and the current £8 million a year or so given by the industry as a percentage of turnover is, given their £14 billion of profit, frankly peanuts. No wonder we know so little.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I congratulate my hon. Friend on securing his debate. Two or three really important facts are only just becoming known. One is that the big gambling companies give inducements to those who have the highest level of losses because those people make them their profits. I understand that they also do their level best eventually to get rid of those who are not in debt, and do not lose so much. They do not want them on their sites; they want those who lose, whom they can condition to it.

On the all-party parliamentary group, we have also discovered that gagging orders are being put in place to stop employees talking about what is going on. Companies are not supposed to give inducements to people who are already addicted, but it happens. Does my hon. Friend accept that that is a real problem?

Richard Graham: My right hon. Friend, who has done a lot of work on this subject, not least through the Centre for Social Justice, is right to highlight some shocking practices that have undoubtedly happened. In my own constituency, a friend of mine who is a taxi driver ran up £650,000 of debt with one gambling firm. I hope that all taxi drivers in Gloucester are well remunerated, but frankly none of them can afford such vast amounts of money. Part of it came from inducements—indeed, there was a lot of wining and dining of such a profitable customer. That is one of the intrinsic slight conflicts of interest within the sector. I am grateful to my right hon. Friend for mentioning that.

My first call today is for a serious contribution by the industry to fund vastly improved and independent research. Campaigners have been calling for it, the gambling review supported it and the industry expects it; William Hill has even called for it. I therefore ask the Minister when we can expect to see legislation in the shape of a statutory instrument to implement a levy of 1% of company gross profits as soon as possible.

It is not just research that will help us to prevent the rapid growth of what is fast becoming a social epidemic. As my hon. Friends have said, action is needed to protect the young. That means action on the astonishing amount of online gambling advertising on sports programmes. It is rampant. Fathers watching football or rugby at home and having a flutter with an accumulator on Raheem Sterling scoring a hat trick for Man City are unwittingly starting their children off with the idea that gambling is normal. We need to keep gambling adverts off TV sports programmes.

Ronnie Cowan (Inverclyde) (SNP): The difference between gambling and gaming has already been mentioned. Gambling companies seem to be using loot boxes as a pernicious practice to target children who are gaming and get them into the habit of gambling. It normalises the process, effectively grooming children as their next market. We could legislate to close that practice down, as Belgium, the Isle of Man and other places have done.

Richard Graham: The hon. Gentleman makes good points. I believe that he is working closely on the issue with my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) in the all-party group. As he points out, such practices are rampant all over the country.

Three big companies—bet365, William Hill and Ladbrokes—have already agreed in principle to a whistle-to-whistle ban during live sports before the watershed, and after it for games that start before 9 pm. That is encouraging, but I believe that we must go further. My second proposal is therefore to ban all gambling advertising during live sport as soon as possible. Perhaps the Minister will confirm the point, but I do not believe that such a ban would need legislation, so I make it an ask of the regulator. I hope that the Gambling Commission’s report, which is due at the end of the month, will include a clear recommendation for such a ban. It could then be implemented by the Advertising Standards Authority, perhaps with some encouragement from the Department.

I would like to go further still. I remember watching many John Player Sunday league games and Benson and Hedges knockout matches when I was a boy cricketer. It never occurred to me at the time that there was something odd about tobacco companies sponsoring sports games while encouraging spectators to smoke, but we later learned the high risk of smokers severely damaging their lives through lung cancer and creating a
huge burden for the NHS. Gradually, we all came to understand that tobacco sponsorship of sports was odd and—more importantly—unacceptable, and it was banned in 2002.

The analogy is never identical, but it is relevant. Gambling is no more suitable a partner to sport than smoking, so my question to the House is how long the same journey will take us with gambling. How long will it be before we ban gambling advertising in sports altogether? If the research on the levy shows what I hope it will show, we have a real opportunity to do something about the problem. Thousands of lives are at risk, and we should move fast. I would like to see real consideration given, depending on the evidence, to banning gambling companies from sponsoring sports altogether.

That brings me to other measures to protect vulnerable gamblers—those who are most prone to addiction and least likely to be able to afford it. Like users of fixed-odds betting terminals, many online gamblers simply cannot afford their losses, as colleagues have said. Can we not build on Monzo and Barclaycard’s encouraging start of allowing gamblers to put blocks on their debit cards against payments to gambling companies? The regulator is working well on the issue with financial industry bodies and financial services, and the Money and Mental Health Policy Institute is also playing a part. I encourage those organisations and the Minister to take the policy forward and get all banks to offer it as soon as possible.

Gamblers know that self-exclusion can be got round easily enough—in many cases, a slightly different name will suffice, as one constituent showed me—and once a company has someone’s mobile number or email address, it pumps special offers at them day and night. My next ask is therefore that the Government endorse the Gambling Commission’s initiative to persuade banks and other credit card issuers to disallow gamblers from using their credit cards altogether. It has been put to me that banks would never directly loan money to a gambler, so why do they do so indirectly?

Using blocking technologies such as Gamban can also help. It could be made mandatory for all gambling companies to have such systems, approved by the commission and paid for by the companies themselves. Ultimately, however, I sense that it will be artificial intelligence that provides the real breakthrough in technology—through facial recognition, for example—that enables the sector and companies to block most efficiently and the regulator to do its protection work even more effectively.

That work needs to be part of a strategy that includes the NHS implementing as soon as possible the five pages on gambling in its 10-year review—an important start—and creating more gambling clinics. London and soon Leeds is a start, but it will not be enough on its own.

I hope that all hon. Members agree that there is much to do. I believe that the Gambling Commission’s report will be important; I encourage the Minister to give an oral statement as soon as the report is released, to highlight its recommendations and give the House a chance to debate the issues in more detail. In the meantime, I know that the Government are concerned about the issue and the Minister is committed to it, so I urge them to start the ball rolling as soon as possible with a statutory instrument to introduce a new 1% levy to fund research to give us the facts that we need to make the difficult decisions. I also urge them to move fast on the review’s recommendations, which I hope will include much of what I have suggested today.

Ultimately, online gambling protection is about saving lives. If we can do things that achieve that, our time in this House will have been well spent.

4.15 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Mims Davies): It is a pleasure to serve under your chairmanship, Sir Gary. I congratulate my hon. Friend the Member for Gloucester (Richard Graham) on securing this important debate.

We have to look at this in the round. My hon. Friend is absolutely right to raise his concerns, on behalf of his constituents and more broadly. We have to balance that with the fact that millions of people enjoy gambling responsibly. A day at the races—Cheltenham is on at the moment, as we know—an evening at the bingo or a regular bet on the football each week can be enjoyable. But we must balance that against the need to protect the most vulnerable people from gambling-related harm, wherever they gamble.

Hon. Members will be aware that online gambling is an area that I care deeply about and that I have already discussed with my hon. Friend. We have also met the all-party parliamentary group for gambling-related harm, alongside the Secretary of State; my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) brings to the debate his expertise on the group’s work and ongoing concerns.

It is absolutely right that we focus on ensuring that the regulatory framework for online gambling is robust. I am aware of concerns about the need to keep pace with technological advances, so I was particularly interested in the facial recognition idea that my hon. Friend the Member for Gloucester mentioned. I assure hon. Members that the Department will act where there is evidence of harm and will always keep the issues under review.

The Gambling Act 2005 provides the Gambling Commission with strong powers to ensure that all forms of gambling, including online gambling, are crime-free, fair and open and that they focus on protecting children and vulnerable people. Any operator that sells to customers in Great Britain must be licensed by the Gambling Commission and must comply with strict regulatory requirements. The commission has shown, rightly, that it will act where those rules are broken. For example, action against online casino operators resulted in penalty packages of almost £14 million last year.

The data held by online operators allows them to identify vulnerable customers and those at risk of harm. I note with caution the concerns raised by my right hon. Friend the Member for Chingford and Woodford Green about companies looking for losers and focusing on gambling losses. I will absolutely take those concerns away and look at them.

My right hon. Friend also mentioned gaggings orders. The Gambling Commission’s rules state that businesses should work with it to ensure that they are operating appropriately and should “disclose anything which the Commission would reasonably expect to know.”
We want to help the regulator to take robust action to guard against any breaches of the rules, so if the all-party group’s work suggests that something is not being disclosed, or if hon. Members have anything to raise, I am keen to hear more. We want to see only responsible businesses in this sector. We want to ensure that people can have an open conversation about what responsible gambling looks like.

I was struck by Josh’s story, which was told by my hon. Friend the Member for Gloucester. There is real concern about suicides related to gambling. As my hon. Friend points out, the number of suicides cannot be ignored. The Responsible Gambling Strategy Board has published a report on measuring gambling-related harms to focus on the need to commission more research on the risk of suicide, so that we can identify harmful behaviours and so that people who enjoy a flutter or a bet can start to recognise such behaviours in those around them.

We need to remove the stigma around addiction to gambling. If someone feels like it is controlling them, the potential risk, the awareness of people around them and the opportunity to get support are really important. We need to take the stigma away and be able to work with partners. I must thank the Gambling with Lives charity, which has helped to identify the role of education in preventing harm. The Government’s review on gaming machines and social responsibility measures, which was published last May, set out a comprehensive package of measures to focus on safer and fairer gambling, and to ensure that this is paramount and at the heart of advertising and online operations.

We have heard about technological solutions. In December, Ministers at the Department for Digital, Culture, Media and Sport and I brought together the technology and gambling industries to explore the use of further technology in preventing harm and stress the importance of learning together. More recently, the Secretary of State and I met major banks that are working on interventions this summer and into the autumn, in order to discuss how they can react in a way that challenger banks have been able to, by allowing customers to block gambling facilities. I want to emphasise that technological solutions to help to protect vulnerable people from gambling-related harm are absolutely vital, and we should seek every opportunity that we can.

An example of a technological solution is the online multi-operator self-exclusion scheme, GamStop, which ensures that people who take the difficult step to self-exclude are fully supported. For the first time, people who self-exclude online can sign up once to be excluded from all operators in the scheme. It currently extends to over 90% of the market, and over 60,000 people have used the service so far.

Last week I met Gamban, which is based in Southampton—I will be popping down to its offices. Its new blocking software is freely available via GamCare and prevents devices from being able to access gambling websites. This is where innovation and direct experience is helping to drive player protections, which is vital. To support such initiatives, the Gambling Commission is consulting on stronger customer interaction requirements. I met GamCare yesterday and was delighted to hear about its initiatives with operators, including providing training to industry staff on player protection and the “safer gambling standard” quality mark. Let us get this moving—it is new and something that GamCare is moving towards.

For over 20 years, GamCare has been on the frontline of service provision, and it has reflected on the change over that time. It has a helpline, which is open between 8 am and midnight, seven days a week. It is a freephone number—if anyone is watching or reads this in Hansard, the number is 0808 8020 133. When I met GamCare yesterday, I was struck by its results on getting people out of crisis and to a place where gambling is not controlling them and they are able to sort matters out. Once people have contacted the charity—it does not appear on itemised bills—the first step is to talk things through and get some help.

GamCare is running programmes for schools that are aimed at 11 to 18-year-olds, and is looking to develop new packages for 18 to 24-year-olds. I urge all operators to work with GamCare on this, so that we can educate people on the risks, what is healthy, and when and how to find help when it is needed. I intend to use the opportunities across Departments to ensure that we give advice to parents, so that protecting children is co-ordinated—that work is going on with GambleAware, which brings me to advertising and the charity’s work.

A responsible message must now appear on all TV advertising for gambling companies for the duration of adverts. The Gambling Commission has introduced tougher sanctions for operators that break advertising rules. In addition, I am delighted to have worked with GambleAware to launch the industry-funded, multimillion-pound “Bet Regret” advertising campaign, which aims to help to start a conversation around risky betting behaviours and how to reduce them. In response to public concerns, the industry has announced the “whistle-to-whistle” ban on all TV betting adverts during pre-watershed live sport.

I agree with my hon. Friend the Member for Gloucester on the relationship between sport and gambling—both particular sports and as a whole. I have already challenged gambling companies on this. Everything is on the table with regards to responsible businesses coming forward and doing the right thing; otherwise, it is absolutely right that we should act. There are positive signs that the industry is stepping up to the challenge that we have set, but there is scope to go further. I want to see the industry meet GambleAware’s donation target of £10 million by April this year. As I have said before, we want the voluntary system to work. If it does not, I do not rule out other ways of funding support, which could include a mandatory levy.

I am working closely with colleagues in the Department of Health and Social Care on the recently announced problem gambling clinic in Leeds. As we heard, the NHS long-term plan has a commitment to extend access to treatment. Public Health England has developed guidance for local authorities on gambling and is undertaking an evidence review. I have even spoken locally to my GP clusters about how, through social prescribing and local conversations, we can direct people to help. I have met the Minister for suicide prevention, who is clear that she will be working on gambling as a priority. Let me be clear on my position on the policy in this area: any life lost due to gambling is a tragedy, and we will work in every way that we need to in order to keep vulnerable people protected.
From May, the Gambling Commission will bring in further changes to operators in order to include age and identity verification to allow consumers to ensure that they do not partake if they get free-to-play demo games. These changes will also include further protections for children and vulnerable consumers and will help GamStop to be more effective. The Gambling Commission recently launched a call for evidence on gambling online with credit. The Secretary of State and I are very keen to look at this, and we have already raised it with banks. It will help to develop a comprehensive picture, including the prevalence of using credit cards for gambling, and the associated risks.

We are aware of immersive gaming, an issue that was raised with regards to “skins gambling” and loot boxes. The Gambling Commission has made it clear that unlicensed gambling with in-game items known as skins is illegal, and it will take tough action. It prosecuted operators in 2017, making it the first regulator in the world to take such action. Loot boxes currently do not fall under gambling law where in-game items are acquired and confined to use within the game and cannot be cashed out, but we will continue to look at that. I am aware that the Digital, Culture, Media and Sport Committee is also looking at this area.

I thank hon. and right hon. Members for taking part in this debate and ensuring that the Government hears their voices. We have delivered some important changes to online gambling regulation and will continue to review the protections and take action where it is needed. My hon. Friends and colleagues to ensure that vulnerable players are protected.

Richard Graham rose—

Sir Gary Streeter (in the Chair): You do not get a comeback on a 30-minute debate, I am afraid.

Question put and agreed to.
pointed out that there is no mechanism to include those working multiple jobs with earnings below £10,000 in auto-enrolment.

The Pensions Policy Institute calculated that if income from multiple jobs was taken into account, a further 80,000 people could be saving for retirement. That breaks down to 60,000 women and 20,000 men. Once again, the Government are not responding fast enough—or, arguably, at all in some cases—to women’s concerns about their pensions. That is a theme that I have seen since I was elected.

Those concerns have been raised previously. Baroness Drake put it perfectly when she said: “we are designing a private pension system that does not work for women who work part-time.”—[Official Report, House of Lords, 10 February 2014; Vol. 752, c. 201.] I would argue that women do not have an adequate state pension to rely on at the moment. Ultimately, this increase is contradictory to the apparent aim of scrapping the limit altogether.

The third issue is that as the gap widens between the personal allowance and the lower earners limit, low earners are in a pension lottery through no choice of their own. The Treasury has said that the personal tax allowance will rise to £12,500. However, under the net pay method, pension contributions are deducted before tax is calculated, and savers’ tax relief is based directly on their marginal rate. That means that savers who earn less than the £12,500 tax threshold do not receive the 20% relief that they would through their employer if they were in a relief-at-source scheme. This issue affects more than 1 million people who earn more than the earnings trigger of £10,000, but less than the personal allowance of £12,500. As auto-enrolment brings in more lower-paid earners, the number caught in the net pay trap is likely to increase.

I am grateful for the fact that Her Majesty’s Revenue and Customs has said that it recognises this issue and is looking at ways to resolve it. It has said that one of the possible routes is a digital answer. I only hope that it is within closer reach than the so-called digital answer to the Irish border question. It would be helpful if the Minister could update us and say what conversations he has had with colleagues in HMRC about potential fixes.

On top of that, there are rumours that the UK Government will reduce tax relief on pension contributions in the upcoming Budget. Will the Minister give us a concrete commitment that that will not happen under this Government? Has he sought confirmation from the Chancellor that the inconsistency between the net pay schemes and other schemes will be corrected before the spring statement?

I have made these comments in this Chamber and elsewhere quite a few times. Pensions are a mess just now, and anything we can do to get more people saving has to be seen as a positive. The evidence so far suggests that auto-enrolment is a positive, so I ask the Government to stop dragging their heels and get this in motion.

4.37 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I am grateful to you for calling me to speak in this important debate, Sir Gary. I congratulate the hon. Member for Paisley and Renfrewshire South (Mhairi Black) on securing it.

Since October 2012, the Government have placed new duties on employers to ensure that their workers are automatically enrolled and contributing to a workplace pension. The duties ensure access to workplace pensions for workers who were not previously in a workplace pension scheme, who earn more than £10,000 and are above 22 years old.

The automatic enrolment into workplace pension schemes has broadly been a success. Ten million workers have now been enrolled into workplace pension schemes by more than 1.4 million employers. That means that 84% of eligible employees were participating in workplace pension schemes as of 2017—a nearly 50% increase since 2012. An estimated additional £18.4 billion a year will now go into workplace pension schemes because of automatic enrolment. I am also pleased that 79% of young workers aged 22 to 29 were participating in workplace pension schemes as of 2017, alongside 84% of women. The increase in workplace pension scheme participation among private sector workers is also welcome. There has been a nearly 40% increase between 2012 and 2017.

Despite initial concerns, opt-out rates from automatic enrolment into workplace pension schemes stood at 9% in 2017. That is significantly lower than initial Department for Work and Pensions estimates of 25% and highlights that employers and workers recognise the benefits of participating in workplace pension schemes. The initial success does not mean that more progress cannot be made. An estimated 12 million people are still thought to be under-saving for their retirement. Workers who earn more than £10,000 per year are automatically enrolled but end up losing out because their contributions are calculated from the bottom of the qualifying earnings band. Non-eligible workers who earn £10,000 or less a year in each of their jobs do not qualify for automatic enrolment, even if their combined earnings exceed £10,000.

Some eligible workers who earn at or just below the lower earnings limit in each of their jobs are not necessarily entitled to an employer contribution, even if they opt into a workplace pension scheme. Those earning less than £10,000 are missing out.

Young workers—particularly those aged 18 to 21—do not benefit from automatic enrolment because the lower age limit is set at 22. Employers are not required to automatically enrol workers whose earnings are below £10,000. There are other issues around automatic enrolment of those with multiple jobs and fluctuating earnings, and of the self-employed. I can add zero-hour contracts to that, because they often mean earnings of less than £10,000.

Those issues must be addressed if we are to encourage greater participation in workplace pension schemes and greater savings for retirement. We need to look at solutions to those issues, such as lowering the age limit from 22 to 18, as well as automatically enrolling low-income workers by calculating pension contributions from the first pound earned, rather than using the current lower earnings limit.

It is vital that we get right the system of auto-enrolment of workers into workplace pension schemes in the light of the Government’s attacks on pensions over recent years. There have been increases to the state pension age; suggestions from the Chancellor that the state pension may no longer be ring-fenced from spending cuts after 2020; threats to benefits that our pensioners enjoy, such as the free TV licences for the over-75s; and the disgraceful treatment of the WASPI women, who I fully support in their fight for justice.
The policy of automatic enrolment for workplace pension schemes began under the last Labour Government, was implemented by the coalition Government and was supported by the SNP in its 2015 manifesto. We all want to ensure that workers can save for retirement, and that they have all necessary support to do so. That is why it is important not only that we commend the success of the scheme up to now, but that we make real progress on outstanding problems with automatic enrolment. I urge the Government to tackle those issues. Let us deliver for the working people on low pay in this country. Let us give them some dignity in retirement.

4.42 pm

Angela Crawley (Lanark and Hamilton East) (SNP): It is a pleasure to serve under your chairmanship, Mr Streeter. I congratulate my hon. Friend the Member for Paisley and Renfrewshire South (Mhairi Black) on securing this debate, and I thank the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) for his contribution.

I am a firm believer in workers’ rights, but with Brexit on the horizon, it feels like even the most basic rights are no longer guaranteed or a priority. It speaks volumes that we are having this debate in this Chamber while the Brexit debate takes place in the main Chamber. It is important to recognise where the Government are taking positive action. Although it is not perfect, the attempt at auto-enrolment was one way for the Government to recognise the huge issues with the current pensions system. It has meant that eligible workers are automatically enrolled on a pension scheme, with the employer obliged to pay towards their employee’s pension.

In reality, however, it will allow pensions contributions to be paid at set limits and with set criteria, which the Government have set out in a phased timeline. The Government have made no firm commitments on when exactly the conclusion of that timeline will be, and in reality, it does not quite meet the mark of what is required for people to truly be able to plan for financial retirement.

If the Government were to scrap the lower earnings limit, as my hon. Friend outlined, that would allow pension contributions to be paid from the first pound of every worker’s salary. Currently, employers do not have to include the first £6,032 that an employee earns when calculating pension contributions, so if the Government removed the lower earnings limit, that would mean a significant increase to the employee’s pension pot.

As was outlined earlier, that would account for an extra £2.6 billion a year going into workers’ pensions, including £1 billion more from employers, according to the Government’s own figures. The Government released detailed plans to scrap the lower earnings limit in 2017, but have given only a vague commitment to take action on it in the mid-2020s. When does the Minister envisage that will happen? 2023? 2024? 2025? 2027? Rather than the vague timescale that the Minister has set out previously, he can give a concrete guarantee about exactly when the lower earnings limit will be scrapped? To put that into perspective, research by the TUC outlines that a six-year delay could cost a pension pot by £12,000—based on the 2022 figure rather than the 2028 figure—which would make a sizeable difference to the affected individuals.

I will address some of the key flaws and primary concerns of the issue. The lower earnings limit trigger provides eligibility for the auto-enrolment programme. When it was introduced, it was set at £5,035 a year, and then increased to £7,457, which resulted in the exclusion of 600,000 workers, of whom 78% were women. After increases over the years, the earnings trigger was frozen at £10,000 in 2015-16 up to the current period of 2018-19. That resulted in the exclusion of an additional 40,000 workers, of whom 30,000 were women, notwithstanding the fact that increasing the lower earnings limit to £10,000 excluded 170,000 workers, of whom 120,000—69%—were women. I hope that that illustrates to the Minister, who I am sure already knows this, my key concerns—as spokesperson for women and equalities—about the problems this poses for women.

Mr Jim Cunningham (Coventry South) (Lab): A whole raft of evidence, relating particularly to young or middle-aged women, shows that the Government are not hitting the mark on these matters. The WASPI women issue has run for many years and, if we consider the last economic crisis, women took the brunt of it: £14 billion was taken from women, through various tax measures, to deal with the crisis. Does the hon. Lady agree that it is about time that something was done about that?

Angela Crawley: I wholeheartedly agree. The Government have been remiss in their responsibilities to address those epidemic concerns that have increased during their stewardship in government.

I will turn to the concerns that I have outlined, including those of women, low-paid workers and the WASPI women, on whom the Government have a shambolic record. Low-paid workers, including those who have multiple jobs that do not meet that threshold, are more often than not below the earnings threshold and do not therefore meet the criteria for auto-enrolment. There is no mechanism for auto-enrolment for the self-employed.

Another group of individuals has also been completely forgotten in this programme. There is a duty to enrol for those aged between 22 and the state pension age. Those in the six-year gap between the ages of 16 and 22 will therefore be adversely impacted by that decision. The Government acknowledged that problem, but addressed it by saying that many people in that age group tend to move jobs a lot, so it is not administratively worthwhile to account for them in the programme.

What do the Government say, however, to a young person who goes into a full-time permanent job at 16? Are they not entitled to pension contributions? The UK Government have said that they will lower the age to 18 by the mid-2020s. Can the Minister tell us exactly when that will happen?

The contribution is currently set at £6,032, going up to a threshold of £46,350. That has been on a phased increase since 2012. In reality, the minimum recommendation that is currently estimated for pension savings is 15% to 18%. If the Government were to remove the lower earnings limit, it would add £2.6 billion to the annual pensions pot. There’s potential for a £1.2 billion increase over the years, which would still account for only 8% of the estimated required pension savings. That means a shortfall of 12%, on average, for each individual of working age in the UK. The Government have to address that.
The Minister himself, however, has admitted that 8% is not a sufficient contribution for a long-term retirement, and the Government’s own figures suggest that approximately 12 million people are under-saving for retirement. I hate to take words out of the Minister’s mouth, but he will probably point to the pensions dashboard to support better planning for retirement. However, for women, low-paid workers, those in multiple low-paid jobs, those aged from 16 to 22 who are in full-time permanent employment, the self-employed, and those on zero-hours contracts who fall below that threshold, can the Government say that they are serving them? For society as a whole, does the existing lower earnings limit sufficiently “support better planning for retirement”.

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): I hesitate to interrupt the hon. Lady’s flow—but I am also allowing her to take a sip of water. Of course I will cite the pensions dashboard, which I am sure that the SNP very much support and in reality will make a significant difference, but there is also the Single Financial Guidance Body, which was set up under legislation passed last year. It is there specifically to cater for the vulnerable and to assist those who require greater ongoing access to pension advice. I hope that she will accept that such matters, passed on a cross-party basis, are evidence of ongoing advice. I hope that she will accept that such matters, passed on a cross-party basis, are evidence of ongoing support and in reality will make a significant difference, to use the Government’s own words? The Government record on WASPI women alone proves that, more often than not, the evidence is that in most instances the most vulnerable in society are an afterthought.

Angela Crawley: I thank the Minister for that intervention. He might well remember that the SNP supported the concept of a pensions dashboard, but the Government rejected a number of key amendments in which we argued for the protection of vulnerable individuals. We are singing from the same hymn sheet about our ambitions and aims, but the fact of the matter is that the Government have the responsibility to introduce the scrapping of the lower earnings limit and the introduction of auto-enrolment pensions contributions, at the very least for those aged 18 and over, and at present they have not made a commitment to do so. He must act on his own words.

Women are often the primary parents or carers for loved ones. They are often the ones who take career breaks and part-time or flexible work to fit in with their responsibilities. They also live longer and work more hours to make ends meet. They are the most likely to be impacted by this Government’s decisions and will bear the long-term impact of the changes. Why is the Minister delaying, and to what end? Is he hoping to kick the issue further down the road so that this Government do not have to deal with it, and a future Government will, or will he give a cast-iron commitment today that he will do something to address the issue on lower earnings limits and for each of the vulnerable groups that I have mentioned?

Ultimately, ensuring that every pound earned by every worker counts towards their pension should be an ambition that we will strive for. I have said that the cap of a pension ought to be 15% to 18%, the Government’s ambition to reach 8% already falls short. The whole low-paid workforce should predominantly be recognised for their hard-earned contributions. I hope that the Government will answer the questions that my hon. Friend the Member for Paisley and Renfrewshire South and I have asked today, and that they will commit to deliver on this policy.

4.53 pm

Neil Gray (Airdrie and Shotts) (SNP): It is a pleasure to take part in this debate with you in the Chair, Sir Gary.

I congratulate my hon. Friend the Member for Paisley and Renfrewshire South on securing this debate and once again leading the agenda in this place on pensions matters. Frankly, as the youngest Member of the Commons, she is an example and a role model to speak so well with authority and eruditeness on an issue that more young people should embrace and engage with. As I approach my 33rd birthday, I include myself and my peers in that youthful bracket—

Guy Opperman indicated dissent.

Neil Gray: We are going for consensus in this debate, Minister, so we should continue on that ground.

The SNP supports and has always supported auto-enrolment but, as my hon. Friend the Member for Paisley and Renfrewshire South highlighted, we remain critical friends. Only last month, I raised the delay in scrapping the lower earnings limit threshold when the Minister brought the relevant statutory instrument to the Floor of the House. My hon. Friend mentioned a number of benefits if only the Government would scrap the threshold, and during the SI debate the Minister said that auto-enrolment was a success story. I agree, but we could make it so much more successful if we only got on with it.

I hope that we can build on what my hon. Friend rightly said in arguing for the lower earnings limit to be scrapped and that, in summing up, the Minister will provide us with a clear and concrete timetable for the UK Government to meet and achieve their policy promise. I would also appreciate him clarifying whether implementation of the commitment to scrap the lower earnings limit will require a submission to the comprehensive spending review and, if so, is that being prepared by his Department?

I am sorry that I do not have more contributions to the debate to sum up. It is obviously an important debate and I am sorry that no one other than the Minister—I look forward to hearing from him—and his Parliamentary Private Secretary, the hon. Member for Gordon (Colin Clark), managed to drag themselves away from the unfolding Brexit mess going on in the main Chamber.

I am grateful to those who have contributed to the debate, including my constituency neighbour, the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney), for being present and for his speech. He also spoke in favour of the Government’s policy being implemented, and he rightly reiterated much of the information and statistics that my hon. Friend the Member for Paisley and Renfrewshire South provided to the House in her speech. He was also right to refer to the age restrictions; he mentioned the WASPI women, and I am sure he would agree that no one outside the WASPI campaign has done more to raise the profile of those women, argue their case, or represent them in this place than my hon. Friend.
My hon. Friend the Member for Lanark and Hamilton East (Angela Crawley) made a powerful, fact-based speech. She was right to say that the delay in implementing the policy in full is preventing people from being able to plan adequately for their future. I know that is not the Minister’s intention, but he must acknowledge that the longer that the delay is allowed to continue, the more that will be the case. She was also right to ask whether a 16-year-old working the same full-time job as a 26-year-old colleague should continue to be discriminated against by not receiving pension contributions when their colleagues do.

In conclusion, I once again congratulate my hon. Friend the Member for Paisley and Renfrewshire South. She was right to say that things are moving in the right direction and that that is what we want to see, but we want greater and swifter action. The delay, the problems with making progress on realising the pensions dashboard, the WASPI women issues, and the lack of a concrete pensions policy all highlight, in our view, the need for an independent pensions commission. In summing up, on an otherwise troubling day for the Minister and his colleagues in Government, I hope that he will bring some joy and set out a clear, concrete timetable for scrapping the lower earnings limit. I look forward to hearing from him in that regard.

4.58 pm

Jack Dromey (Birmingham, Erdington) (Lab): It is a pleasure to serve under your chairmanship, Sir Gary. I pay tribute to the hon. Member for Paisley and Renfrewshire South (Mhairi Black) for initiating the debate. I strongly agree with her that however central Brexit is to the future of our country, we run the risk of issues of immense importance and concern to the general public not being properly addressed here. I therefore commend her for bringing forward the debate.

The Minister will forgive me if I say what I have said on previous occasions: auto-enrolment is a testament to the previous Labour Government. I played a bit part in the process by chairing the policy commission that led to the appointment of Adair Turner. It was his genius and the team he brought together that ultimately produced the proposals for auto-enrolment. That was at a time when there were great strengths in the pensions system, including their pensions. Crucially, the new body needs to increase at the same time. He made reference to the awareness of and knowledge about their pensions need addressing. First, the threshold for which workers are automatically enrolled is simply too high. In previous debates we have referred to the statistics, which speak for themselves. Department for Work and Pensions statistics show that 37% of female workers, 33% of workers with a disability and 28% of black and minority ethnic workers are not eligible for master trust saving through auto-enrolment.

Secondly, auto-enrolment does not cover the self-employed or workers in the gig economy. The Government are undertaking pilot projects, and we support that crucial initiative. Sadly, because of the nature of work as a whole, female workers, workers with disabilities, and black, Asian and minority ethnic workers are under-represented among low earners, the self-employed, those with multiple jobs and carers.

On the gig economy, we strongly believe in, have argued for and will continue to press for the redefinition of those employed as workers, to make them eligible for auto-enrolment. The problem is that self-employment and bogus self-employment are increasingly prominent in the modern economy. Figures released last year suggest that the number of self-employed workers in the UK rose by 23% between 2007 and 2017, from 3.8 million to 4.7 million. That represents a shift in the nature of the world of work and the way in which the British economy works. The self-employed represent about 15% of the workforce, and 91% of businesses say that they hire contractors. Of course, there are many people for whom self-employment is their employment of choice, and who welcome it, but too many are increasingly conscripted into self-employment against their will, with no alternative. That is why it is so important that we change the definition of employee.

To return to pensions, the latest figures from the Office for National Statistics show that only 19% of the self-employed are saving into a personal pension. The Government need to address that as a matter of urgency. The pilot projects are a step in the right direction, but the sooner they are completed and action is taken, the better. It is wrong to combine decreased security in the world of work with decreased security in retirement as a consequence of bogus self-employment.

The Minister mentioned that more workers have access to a pension pot; that is welcome, but the public’s awareness of and knowledge about their pensions need to increase at the same time. He made reference to the Single Financial Guidance Body, established as a consequence of the Act of Parliament passed last year. That was an important step in the right direction. The SFGB is rightly tasked with ensuring that more of the public are properly educated about their financial issues, including their pensions. Crucially, the new body needs to be adequately resourced, but it is a strong step in the right direction. The almost parallel move towards a pensions dashboard is welcome, but urgent action must be taken to bring it into being, although the steps thus far are welcome.

The hon. Members for Paisley and Renfrewshire South, for Lanark and Hamilton East (Angela Crawley) and for Airdrie and Shotts (Neil Gray) spoke about the lower earnings figure; we first raised that important issue in Parliament back in 2014. We proposed lowering
the automatic enrolment earnings trigger to the same limit as the threshold for paying national insurance—£5,773 at the time. That would have brought 1.5 million more workers into saving for their retirement. Two thirds of the extra savers would have been women; that would have gone a long way to tackling the 37% of women who are not automatically enrolled into saving.

Not bringing lower earning workers into auto-enrolment risks leaving a ticking time bomb for the state to deal with when those workers retire. Scrapping or lowering the lower earnings limit for auto-enrolment and reducing the minimum age to 18 will introduce many more savers into auto-enrolment, and will welcome workers into saving for their pension as soon as they start work. The earnings trigger and the lower limit are crucial issues, and we hope that the Government will act on them. We look forward to the Minister’s response.

In conclusion, a number of issues have arisen from this debate. Auto-enrolment is a strong step in the right direction, but we always ought to see such steps as the first, and not the last, word.

5.6 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): I congratulate the hon. Member for Paisley and Renfrewshire South (Mhairi Black) on securing the debate. It is a fair and legitimate comment that some hon. Members are a little distracted by other matters taking place in the House of Commons, but I make the point that although we may have our differences on Brexit and all the difficult issues that are being debated in the main Chamber, the House is still debating and considering other matters, such as legislation on female genital mutilation, which was passed on a cross-party basis last night, and auto-enrolment, which is crucial to the long-term retirement future of all our constituents from all different backgrounds.

I genuinely welcome the debate. When I saw it on the Order Paper, I felt pleased to have the opportunity to debate auto-enrolment and to address this particular issue. The hon. Members for Paisley and Renfrewshire South and for Lanark and Hamilton East (Angela Crawley) have raised the issue in a series of parliamentary questions. I answered those questions at reasonable, but clearly not sufficient, length on 20 and 21 February, and I will attempt to address them in more detail today.

It is right to celebrate, as other hon. Members have done, the fact that in the constituency of the hon. Member for Paisley and Renfrewshire South, 6,000 men and women are benefiting from auto-enrolment. Thanks are due to the 1,130 employers that have genuinely stepped up to the plate and are in the position to make that contribution through their payroll deduction to employees up and down her constituency.

I should also say that it is a pleasure to serve under your chairmanship, Sir Gary. Given that I have a little time, I make the point that in your Devon constituency, you have 6,000 employees who are benefiting on an ongoing basis, and 1,350 very good employers that should be thanked.

It is embarrassing how often I agree with the hon. Member for Birmingham, Erdington (Jack Dromey), but he is right that this is a cross-party success story that, in my view, all political parties have got behind. I will turn to the points of the hon. Member for Paisley and Renfrewshire South in a second, but the hon. Member for Birmingham, Erdington is right to say that the process was started under a Labour Government with the Turner commission. It was then brought forward under the coalition, when my position was held by a Liberal Democrat, Steve Webb, late lamented of this House—although I think we took his seat, so he is not that lamented.

More particularly, I am the latest in a long line of pensions Ministers and Secretaries of State for Work and Pensions—including the right hon. and learned Member for Camberwell and Peckham (Ms Harman), who is married to the hon. Member for Birmingham, Erdington—who have brought forward these very positive changes. They were developed by the coalition Government, and we have expanded on them.

The key issue in relation to this is the automatic enrolment review of 2017, which, as Members can see, is not a small document. It addresses the issues and was independently commissioned by the Government. A number of experts took a great deal of evidence and addressed what should be done in considerable detail.

In answer to the questions asked by the hon. Member for Paisley and Renfrewshire South, the issue is not whether we will lower the earnings limit; we will do that. Nor is it whether we will lower the age limit from 22 to 18; we will do that. The question is when. I accept that there is a legitimate and real debate to be had in this House when legislation is brought forward as to when those changes should take place. I do not want anyone to be in any doubt: there is no question but that our policy, as set out in the 2017 review, made clear in the Government’s continued commitment to scrapping the lower earnings limit and reducing the age limit. We welcome that commitment today. It is not just the SNP and the official Opposition who have been putting pressure on the Minister. The Minister has put pressure on himself, because he committed that this would be done by the mid-2020s. Is that still likely? If so, my previous question stands: where is the timetable for that to be achieved?

Neil Gray: We accept and are grateful for the Government’s continued commitment to scrapping the lower earnings limit and reducing the age limit. We welcome that commitment today. It is not just the SNP and the official Opposition who have been putting pressure on the Minister. The Minister has put pressure on himself, because he committed that this would be done by the mid-2020s. Is that still likely? If so, my previous question stands: where is the timetable for that to be achieved?

Guy Opperman: I will give a long answer to the hon. Gentleman’s question, but I promise that I will answer it. Some 1.4 million employers have met their duties and are now offering members of staff a pension as a right. That is a significant change for those employers, and a significant burden for them. Raising the threshold, from 2% to start with, up to 5% last year and going up to 8% in April, is a significant burden. We are not talking about just the bigger employers, who can cope with it much better and have advanced payroll systems. Some of them have been paying over the odds from the word
go and, to their great credit, some companies up and down the country immediately went to 5% or above. There are two key impacts that need to be assessed. We have only just got the information about the April 2018 increase and the opt-outs that took place then. The hon. Gentleman will be aware that there was just under 1% opt-out out because of the increase to 5%.

One of my main jobs in this position, which, contrary to popular belief, I actually asked to do and enjoy doing, is to take the 1.4 million employers and the 10 million employees in this country up to 8% with the minimum number of opt-outs, and the minimum impact on the economic outlook of the country. The harsh reality is that there will be a significant change to the deductions made from individuals’ pay packets, but also to the burden on businesses, whether they are large FTSE 100 businesses or coffee shops or corner shops in our local communities. Dealing with how things go this April is one of the most important, if not the most important, job I have, given the massive impact of this on all our communities. We have only just raised the threshold to 5%. We have the most important rise—a double jump—this April. It would be wrong if the Secretary the State and I, and the wider Government, talked about changing the basis for auto-enrolment before assessing how the 8% rise had gone.

This is quite a complicated process; it will genuinely take the best part of 9 months to go through all the data and get a definitive understanding of where we are on the 8%. At best, I will not know the degree of opt-outs until Christmas. It seems utterly wrong for me to seek to change the nature of the legal basis until I have a real understanding of the impact of the 8% increase.

Mhairi Black: The Minister says that we have to wait for more evidence. As I said in my speech, the DWP assumed that roughly 25% of those eligible would opt out, and the 2017 average was 9%. The Minister has talked about getting updated figures, but the participation among 22 to 29-year-olds increased from 35% in 2012 to 79% in 2017. The evidence already suggests that we are heading in the right direction and that the changes are working. Further to that, the logic of the lower earnings limit being set was that some people will not earn enough to get value for money out of their pension towards the end. Would it not be an easier answer just to pay people more, and to introduce a real living wage?

Guy Opperman: We are getting slightly off topic, but I am very happy to make the point that in 2010, when the coalition came into government, the living wage—the minimum wage as it was then—was £5.80. It is now £8.21, going up to £9, as the hon. Lady will be aware. I am happy to have a discussion about the tax threshold, which means that individual members of our communities have a huge amount more in their pockets. The tax threshold was £6,500 in 2010. It is now going up to £12,500, which will make a massive difference to the individual take-home.

All those things are good things. There is also the benefit of free childcare. We have gone from having no free childcare available whatever, up to 15 and 30 hours. It depends on how one values childcare, but taking it even on a very low basis, individual low earners would have the benefit of 30 hours a week free childcare, in those circumstances where that applies. If they have 30 hours a week childcare, that is a benefit of £150 a week minimum. I have worked it out on a £5 basis, but other statistics could give the rate.

My point is that if one looks solely at individual earnings on a long-term basis, taken in isolation that is one thing, but we also have to look at the impact of the rise in wages. It may not be as high as the hon. Lady would like, but she is making my point, so I will stop being partisan and saying, “Aren’t we doing well on the living wage, the tax threshold and childcare?” Park that for a moment. Some of those matters are burdens on individual employers.

The harsh reality is that the corner shop in the hon. Lady’s Paisley constituency, or the coffee shop—forget about the big employer—is now paying a considerably larger wage bill, because the low earners who were previously on the minimum wage are now on the living wage. The larger employers are also potentially paying the apprenticeship levy, and in April will pay up to 3% on auto-enrolment. The engagement that took place in the 2017 review indicated that time should be allowed before we reassess the way ahead. I am absolutely sure that there should be consideration of that. I accept that there is pressure on that.

I will try to address the other couple of points that the hon. Lady made, before moving on to some of the other questions. She asked about the reduction of pensions tax relief and the difference between net pay and relief at source. It is entirely right to raise those matters; she will understand that they dealt with by the Chancellor and the Treasury.

The idea that I have full control over the spring statement or the Budget as the hon. Member for Airdrie and Shotts (Neil Gray) suggested, is something that I think we all understand is not the case. I do not have advance sight of the spring statement, but if he wishes to push for my promotion, I would be very keen for that—not that I want to be promoted, because I actually enjoy this brief.

The reality of the situation is that there is clearly a difference between relief at source and the net pay arrangement. It is acknowledged; there is no question but that something must be done on an ongoing basis. HMRC and the Treasury are aware, and there is ongoing discussion with them on that particular point.

While I am dealing with the Treasury, the question was raised about where we are in relation to long-term tax relief on pensions. Again, that is a matter for the Chancellor, but although I accept that there was some discussion about it in some comments made before the last Budget, hon. Members will be aware that there was no fundamental change to the tax relief on pensions.

I have rather disregarded my speech, but I will go back to a couple of key points. First, hon. Members will be aware that we debated this matter briefly in January, and the House debated and then agreed that the lower and upper limits of the qualifying earnings should be aligned with the national insurance earnings bands in 2019-20, at £6,136 and £50,000 respectively. Not only does that provide stability and harmonisation on an ongoing basis, but we maintained the earnings trigger at £10,000, meaning a real-terms decrease due to anticipated
wage growth, which brought an additional 40,000 savers into automatic enrolment, three quarters of whom were women.

I will address a couple of the other points raised. The hon. Member for Lanark and Hamilton East, whose constituency I know very well, having ridden at the Overton point-to-point for too many times—not very well; I did not win there—will be pleased to know that there are 14,000 individual employees in her constituency who benefit from the automatic enrolment. She specifically raised the issue of somebody aged between 16 and 22 who was earning but not able to get access to a pension. It is not often known—I have the great delight of telling the House this and urge the hon. Lady to tell others—that that individual aged between 16 and 22 can opt into an automatic enrolment pension with their employer. They have the ability to do that. Similar comments apply to the self-employed; they can opt in and be addressed on an ongoing basis.

The hon. Member for Airdrie and Shotts called for a pensions commission. With respect, we had that: it was called the Cridland report, an independent pensions commission to which all political parties, including the SNP, along with trade unions and the Labour party, made submissions. Whether they agreed with it or not, it was definitely the case that they made submissions.

On the self-employed, the reality is that we are continuing to expand in a great deal of detail the trials that are going on. We are considering the Taylor review, and it is my strong view that we should expand that more. I am certainly pressing to ensure that the self-employed have greater access to a pension.

Angela Crawley: I thank the Minister for enlightening me on his experiences of his jockey career in my constituency; I am sure that will be a treat for my constituents to learn. Going back for a second to the point about 16 to 22-year-olds and the opt-in, ultimately there is an emphasis on young people opting into that process and no requirement for the employer to contribute to their payments. Does he agree that even if the Government bring forward this change for 18-year-olds and make it mandatory for employers to contribute, “mid-2020s” is a vague definition? I would be keen to hear exactly how the Minister defines “mid-2020s”, and when 18-year-olds can be guaranteed to get the same matched back from their employers.

Guy Opperman: The hon. Lady will understand that there is a big lead-in time between the passing of a parliamentary Act—this applies particularly in pensions—and when that Act kicks in. The reality is that I cannot give a definitive date today, nor do I intend to do so. I do not believe it would be appropriate to do so. I am not just giving what some would describe as a politician’s answer; I am giving my strong belief, which is that, until we have got through the 8%, we should not make a decision, because the impact on employers and employees needs to be measured on an ongoing basis. There is no dispute between us in any part of the House, I believe, that this needs to be done; the only question is when that process should take place.

I am keen to try to address the points of the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney), who has 10,000 employees in his constituency who have had the benefit of auto-enrolment. He raised individual points in relation to the state pension. I make the point that the state pension is up more than £1,000 in real terms since 2010. There is no evidence for his assertion that the state pension could not be afforded post 2020 as per the Chancellor. That is simply not the case. It is most definitely not the indication from the Chancellor, and it is definitely not Government policy whatsoever. We have committed to the triple lock.

I am conscious that I need to wrap up very shortly. The reality is that, for women, pensions enrolment has gone from 40% to 80% by reason of auto-enrolment; enrolment in the private sector has risen from just over 40% up towards 80%; 22 to 29-year-olds have dramatically improved enrolment to above 75% from a very low base; and low earners from the £10,000 to £20,000 bracket have gone from 20% enrolment up to nearly 70%.

At the same stage, we are doing things such as the pensions dashboard, on which I hope to report back to the House within a matter of weeks. We are doing the Single Financial Guidance Body, which is now up and running, with the former chair of StepChange, Sir Hector Sants, in charge. We are also pioneering things like the midlife MOT, which has a public sector angle, with what we are doing at the Department for Work and Pensions, but is also private sector-led as well, to get a greater engagement. We are also doing simpler statements for those with private sector pensions. It is my intention that all private sector businesses that provide pensions will be giving a simple two-page statement to all their customers. Whether that is done on a voluntary basis or by statute is a matter to be decided.

It is definitely the case that we are, I believe, in glorious agreement about what the position is going forward. It is not the case that there is much dispute between us. I accept that this is something that we will have to return to in the future. For the moment, I cannot give the definitive date that the hon. Member for Lanark and Hamilton East seeks, but I am very happy to continue the debate as we go forward.

5.27 pm

Mhairi Black: Just very briefly, on the Minister’s end point there, it would be very useful if he could at least tell us whether the scrapping or lowering of the limit will be phased in, or whether it will be a blanket switch-over one night. Some detail on that would be much appreciated.

The thing that makes me quite uncomfortable in this speech and in this debate is that one of the key arguments here is that women will again bear the brunt of this. I am actually glad that we cannot get through any debate on pensions without someone mentioning WASPI, because, if anything, WASPI actually shows exactly the kind of reputation that the Government are gaining with regard to pensions. To see problems such as this being pointed out to the Government and there being no real answer as to how they are going to support women, who are yet again bearing the brunt of the worst that is happening, is quite depressing. I hope that is something that the Minister will reflect on.

I am grateful, finally, to my hon. Friend the Member for Lanark and Hamilton East (Angela Crawley) for pointing out that if people can work at the age of 16, they should be able to contribute to their own pension. I do not see why the age reduction should stop at 18. If
people can start working at 16, they can start saving for a pension, especially if it is at the point where their employer does not actually have to contribute.

Again, I am grateful to everybody—all six of you—for attending the debate. This is a very important issue, and I hope that we have given the Minister food for thought.
Westminster Hall

Wednesday 13 March 2019

[SIR DAVID CRAUSBY in the Chair]

Application of the Family Test

9.30 am

Steve Double (St Austell and Newquay) (Con): I beg to move,

That this House has considered the application of the family test.

It is a pleasure to serve under your chairmanship, Sir David. I am delighted to have secured this debate and to be introducing it; it is a refreshing change to be in this Chamber talking about something other than Brexit.

I secured the debate because this year marks the fifth anniversary of the family test, which was introduced when David Cameron was Prime Minister, so I felt it would be an appropriate time to review the test’s application across Government. While conducting my review, I was intrigued to learn that almost 150 parliamentary questions had been asked on the topic since the test’s introduction. There is significant interest in its application—particularly among my Conservative colleagues, if I may say so.

I am pleased to present to the House the review of the family test that I conducted with the Centre for Social Justice—I have a copy here. I place on record my thanks to Frank Young of the CSJ for his work with me on producing it, and to my parliamentary assistant Sam Yung, for his very hard work. As an elected Member, I get the credit for the report, but I should acknowledge that, as usual, other people have done most of the hard work to produce it.

I hope that the Minister will read the review and consider its recommendations; I know that he has already had a look. It was carried out with the intention of providing the Government with constructive and practical recommendations for improving the application of the family test, so I hope that he and his officials will take that on board when they consider it. I welcome the Minister for the Cabinet Office’s comment:

“We know that there is work left to do in order to ensure that the Family Test becomes fully embedded in every department.”

We are sympathetic to the view expressed by Ministers and officials that making the family test a statutory obligation would create a tick-box culture, contrary to the test’s intentions. We have tried to avoid repeating the argument for making the test statutory, following oral evidence to us that suggested that doing so would make the test “a political football”.

Strengthening family life should always be a Government priority. Stronger families improve outcomes for children, while the break-up of family relationships is often the quickest route into poverty. Poverty figures show that children in families who break apart are more than twice as likely to experience poverty as those in families who stay together. The consequences of families breaking up and the role of stronger families find their way into every part of Government, which is why the family test is so important.

New polling evidence from the Centre for Social Justice shows that “the general public support a government prioritising family within its policy making and rhetoric... Approaching three in four (72 per cent) adults in Britain think that family breakdown ‘is a serious problem and that more should be done to prevent families from breaking up’... More than eight out of ten adults...think that ‘stronger families and improved parenting are important in addressing Britain’s social problems’.”

The review is also intended as a reminder that the test will be important if the Minister shares my ambition for the Government to do everything they can to strengthen families as part of a wider approach to policy. I regret that my review shows that such a commitment is not shared by all his ministerial colleagues; I say that as someone who supports them and is willing them to be more ambitious in their approach to social reform. However, I commend the Departments that are clearly taking the issue seriously and that came out well in our research: the Ministry of Defence and the Department of Health and Social Care were able to provide very detailed examples of the use of the family test and its application to their work.

By its very nature, family does not fit neatly into a single Government silo, which is one reason why the Government-wide family test was introduced in the first place. Family can also be a challenging subject for officials to consider, particularly the practical relevance of family breakdown. That is clear from some examples of bespoke guidance to officials on the test’s application, in which the guidance is technical in nature and provides clear evidence base or clarity about how family breakdown applies to a particular Department, or about the consequences of family breakdown for its work.

My first recommendation and request to the Minister is, I believe, simple: each Department should appoint a named senior policy lead, as the Cabinet Office has done, who would be tasked with strengthening the family test network and spreading expertise within the Department. They would amend departmental business plans to include the family test, the Department’s objectives that relate to the family and the impact on families of its work. I do not believe that that would be particularly challenging to the Government, but it is one change that could be made immediately. I hope that the Minister might lead on the matter and ask Departments to appoint a lead. I put him on notice that in six months I intend to return with parliamentary questions on whether that has been delivered.

Saying that, may I praise the work of officials in the Minister’s Department on promoting the family test across Government with a new family test network? I know that he and they are looking to refresh guidance to Departments; I ask that he consider conducting a formal Government-wide review to mark the fifth anniversary of the test. That does not need to be a difficult exercise, and it would renew the Government’s stated commitment to family policy. I recommend that the review be led by someone outside the Department who can bring an external perspective.

External advice can be helpful to the Government in building the evidence base for the impact of family on Departments. The issue of evidence is particularly challenging, so wise counsel is needed. We recommend that the Government make “better use of external expertise (for example, the Relationships Alliance) by creating an expert reference group. This group should be formalised through a paid expert chairperson who would act as a lead to the group. The group would assist with difficult policy
questions relating to the Test... The group would also help each
department establish an evidence base on issues relating to the
family.”

Our review involved writing to 14 Departments with
a series of questions about their implementation of the
family test almost five years after it was introduced,
supplemented by written questions to all those Departments
in the other place. The responses from Ministers were
revealing and, in many cases, concerning. Not a single
Department, including the Minister’s, routinely records
the application of the test, so none of them could tell
me or CSJ researchers how many times it had been
applied—despite his Department’s clear guidance:

“It is important that the application of the Family Test is
documented in an appropriate way as part of the policy making
process.”

We uncovered some good examples of Departments
that were able to evidence the application of the family
test and its impact on policy making. Others, astonishingly,
claimed that family had no relevance to them. In answer
to a written question, the Department for Business,
Energy and Industrial Strategy claimed:

“The majority of BEIS policy areas do not have a direct
impact on the formation, make-up, or breakdown of families.”

I am not sure that working parents struggling with work
and family life would agree. Surely the Government
understand the connection between work and stronger
families.

A lack of transparency about the application of the family
test has led to concern that it is not being applied
government in the way that was intended. Since
the introduction of the test in 2014, 149 parliamentary
questions have been asked in both Houses of Parliament
about it. The Centre for Social Justice has taken oral
evidence from MPs who regularly ask parliamentary
questions on the application of the family test, and who
have criticised Ministers’ responses, which are opaque
because no record of the test is kept; there is no statutory
requirement to do so. That should not be something to
hide behind.

There is good reason not to make the family test a
statutory requirement, but equally we need to improve
transparency around the test and confidence in its
successful application. Although I understand that the
intention of the family test is not, and never should be,
to reduce family life to a tick-box exercise, there is
plenty of evidence in the review that more could be
done to record its consideration separately from any
requirement to publish that deliberation. We have called
officiate to that. The Minister, as the Government’s
lead on this, could make it part of his work to ask
Departments to record the number of times the family
test has been applied, and to what areas of policy, and
to publish that information with an annual statement.
That would help to ensure that the test’s prominence is
assured across Government.

We have heard of examples of Ministers rejecting
advice or proposals if the test had not been applied. We
would like that practice extended. Any review of the
family test should simply advise Ministers routinely to
reject proposals that do not come with a clear statement
on the family test. We are told over and over again that
the Government are committed to strengthening families,
but when we ask if the family is being properly considered
in the work of Departments, they cannot even tell us if
they have applied the Government’s own family test.
The review should make Ministers stop, think, and tell
officials clearly that they simply will not consider any
ideas unless there is clear evidence that the impact on
family life has been thought through.

In coming months, I will challenge the Government
to up their game on strengthening families, as I am sure
other colleagues will. A Government review would be
welcome, to complement the work done by the Centre
for Social Justice. I ask the Minister to meet me and
other interested colleagues very soon to discuss the
family test and how we can work together to help
improve its application.

9.42 am

Fiona Bruce (Con): I commend my hon.
Friend the Member for St Austell and Newquay (Steve
Double) for bringing forward this debate, and the work
of the Centre for Social Justice over many years on this
issue. My hon. Friend quite rightly said that it is refreshing
not to be speaking about Brexit in a debate, but over
many years, many of us—particularly those sitting here—
have spoken often about strengthening family life. I
entirely agree with my hon. Friend that much more
needs to be done, and to be done by this Government.

In December 2017, I submitted written questions to
every Department—15 of them—asking how they had
applied the family test. More than half provided an
identical and completely inadequate response:

“The Government is committed to supporting families. To
achieve this, in 2014 we introduced the Family Test, which aims to
ensure that impacts on family relationships and functioning are
recognised early on during the process of policy development and
help inform the policy decisions made by Ministers. The Family
Test was not designed to be a ‘tick-box’ exercise, and as such there
is no requirement for departments to publish the results of
assessments made under the Family Test.’

That is very ironic, given that it is something of a
‘tick-box’ reply, and only really restates the importance
of the question.

Several other Departments provided equally inadequate
replies or replies that lacked any information. I will
share some of them. The Attorney General Office’s
reply was one line long:

“The AGO has not been the sponsoring department for any
legislation in this session.”

Officials must have—or should have—considered the
issue during the Session.

The Department for Business, Energy and Industrial
Strategy said:

“Although not a statutory requirement, the impact on families
is considered as part of the Department’s compliance with the
requirements of the Public Sector Equality Duty as specified in the
Equality Act 2010.”

That does not tell us anything about what the Department
did.

The clear contrast between the duty under equalities
legislation and this legislation is interesting. A clear
duty is being properly and systematically applied and
honoured under equalities legislation by every Department;
they look at legislation in that context in a way that they
do not in the context of strengthening families.

The Cabinet Office’s reply was three and a half lines
long, and we should bear in mind that the Cabinet
Office is the responsible Department for having a broad
overview of how Departments apply legislation. Its
reply was much the same:
“The Government’s guidance on the family test is available on Gov.uk and provides that the test should be taken into account, if sensible and proportionate, when considering all new policies that might have an impact on the family, including those set out in legislation.”

It took three months to reply, but it was not the worst. I had to issue a reminder to the Home Office, which took six months to reply to my important question.

As my hon. Friend the Member for St Austell and Newquay said, ironically, the Department that provided the best and fullest answer was the Ministry of Defence. I cannot possibly read the whole answer, but it provided the kind of reply that I had hoped to receive from every Department. Among other things, it says:

“We recognise the vital role that their families play...we are developing flexible engagements for those who wish to vary their deployability to better fit their Service career around family life. A key component of the Families’ Strategy is to ensure that Service families are considered in people policy development, supporting the principles outlined in the Family Test. This is achieved through consideration of the Service family as part of each relevant submission or policy discussion, and through regular engagement with the single Services and the three Families’ Federations who represent the needs and views of Service families. The Department also monitors the development and implementation of policy to assess the impact on families.”

That is the kind of response that we hoped for, and which we deserve, from every Department.

Alison Thewliss (Glasgow Central) (SNP): The hon. Lady is making an interesting point about the Ministry of Defence. It is very good that it has policies of that kind, but, in practice, I have a constituent who is looking for flexible working—she is looking to support her poorly mother and a child. She is getting absolutely stonewalled by the Ministry of Defence. Does the hon. Lady agree that policies are good, but they have to be put into practice and they have to work on the ground?

Fiona Bruce: Absolutely. I recommend that the hon. Lady points her constituent to that reply and challenges the Department accordingly. That is one of the reasons that we raise such questions.

Jeremy Lefroy (Stafford) (Con): Having well over 2,000 serving defence personnel based in my constituency, I wanted to comment on my hon. Friend’s important points about the Ministry of Defence. Does she agree that rather than being seen as a kind of hindrance, a pro-family policy is incredibly important for morale, not just for the armed forces but right across the civil service and across the country? It should be looked at as a positive thing, and not as something that somehow gets in the way.

Fiona Bruce: As so often, my hon. Friend puts his finger on an important point. We need to ensure that strengthening family life is embedded within our policy making, because it is good for the individuals involved, but also because it is good for the country. I am convinced that our productivity levels, which are lower than they should be compared with many other developed countries, have some connection with the fact that we also have one of the highest levels of family breakdown in the developed world. People need to be supported and secure in their home life, from which they can then go out to work and be fulfilled.

As my hon. Friend the Member for St Austell and Newquay who introduced this debate said, we all pay the price if we do not have strong families. There is pressure on housing, because families are divided. There is also addiction, underachievement at school, mental health problems among young people, pressure on GPs’ surgeries because of depression, and, as I have said, underperformance at work. All that adds up to far more than the £51 billion cited in one assessment—I think it was by the Relationships Foundation. We need to look much more closely at underproductivity; it will cost our country dearly if we do not. Clearly, those who are responsible for safeguarding the security of our nation—working in defence—deserve that to be addressed more than anyone.

The Government Equalities Office sent an amusing reply:

“The family test was not formally applied to any of our regulations, as they do not have a direct or demonstrable impact on family relationships.”

It quoted three such regulations, including the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 and the Equality Act 2010 (Equal Pay Audits) Regulations 2014. If they do not have an impact on families, what does?

I will pass over the Department for Exiting the European Union’s tick-box response. I am sure that we all agree that Brexit will affect every family in the land, if it does not already. The Foreign and Commonwealth Office gave a one-and-a-half-line reply:

“The Foreign and Commonwealth Office has not applied the family test to date, as it applies to domestic policy only.”

The Department of Health and Social Care replied with only four and a half lines, stating:

“The Department does not keep a formal record of the legislation to which the family test was applied.”

That is really important, because it is the exact point we are making: given that there is no requirement to record any assessment, there is no evidence of it being done, which is not satisfactory.

As I said, the Home Office—after a reminder—sent a reply six months later, which was three and a half lines long. It said:

“The Government’s guidance on the family test is available on gov.uk...The Home Office will apply the family test if sensible and proportionate.”

It gives no further information at all. I could go on, but I think colleagues get the gist.

What do we do about this? We need to ask the Government not just to take action, but to take on board the Family Relationships (Impact Assessment and Targets) Bill. It is a draft Bill that was introduced in the Lords by Lord Farmer, and which I introduced in the Commons in May 2018. I would like the Minister to explain why nothing has happened about the Bill. It addresses the concerns that we are talking about today. The Bill would require “public bodies to accompany any proposal for a change in public expenditure, administration or policy with a family impact assessment.”

We felt that “family test” was perhaps not the best term, because it implies a pass or fail. By contrast, a “family impact assessment” is a broader exercise. The Bill would also require the Secretary of State to report on the costs and benefits of extending family impact assessments to local authorities.”
within six months of passing the legislation. We wanted to press for that because local authorities keep virtually no data on the extent of family breakdown in their areas. If we do not have the information, how can we start to address an issue?

It is very interesting that a number of local authorities are actively addressing this issue in a way that those of us who work on strengthening family life have recommended to Government in our policy paper, “A Manifesto to Strengthen Families”. I am sure that the Minister is aware of the document, but I never miss an opportunity to pass a copy to a Minister in such a debate. The document is now supported by about 70 Members of Parliament and contains several policies to strengthen family life.

It is disappointing that the Government have not collectively embraced the policies in the manifesto. Ideally, we would like to see that done through the leadership of a Cabinet Minister for families. That is not in any way to denigrate the work or enthusiasm of the Under-Secretary of State for Work and Pensions, my hon. Friend for North Swindon (Justin Tomlinson). I know that he is interested in this subject, because he has told me so. However, if we are to make real headway on this issue, we need to have a Secretary of State who is responsible for strengthening families. Once again, I ask the Minister to take that message back—it is a key ask in the manifesto.

Another key ask is the development of local family hubs. These would not be Sure Start centres, which are just for pre-school children. The Minister might tell us something about the working group on young children, of which he is a member, and we support that. However, in each community we need a family hub where people can go if they have family difficulties and challenges regarding children of all ages, couple relationship problems or problems caring for an elderly relative. People need somewhere to go to get support on all those issues.

It is very interesting—this will bring me back to talking about the Family Relationships (Impact Assessment and Targets) Bill—that many local authorities are setting up family hubs, despite the national Government not providing any particularly strong incentive for them to do so. Across the country, we are getting such hubs set up. In fact, we will hold a family hubs fair in the Jubilee Room on 5 June, and I invite the Minister to attend. There will be examples from all over the country of local authorities that aim to strengthen family life. As I said, without the requirement for data to be produced by local authorities so that they can understand the extent of the issue in their area, how can they address it? That is why the requirement is in the draft legislation.

We also state in the Family Relationships (Impact Assessment and Targets) Bill that we want there to be proper evaluation of “progress towards family stability”. The Secretary of State in each Department should publish an annual report on progress towards stabilising families within the Department: what action have they taken? The family impact assessment would then begin to gather together information, recording how policies ultimately have a negative or positive impact on families.

When Lord Farmer introduced the Family Relationships (Impact Assessment and Targets) Bill in the Lords, he quite rightly said we need it because there is no systematic way that policies are developed to support family relationships; there are only individual Ministers doing this. It is interesting that the Department of Justice gave a tick-box reply, because it has actually taken up strengthening family life with great gusto. It indicates that the dots are still not being joined up within Departments regarding officials’ work on this issue. I commend the Department of Justice for the way it is developing the Farmer review, but we need to do more.

Our Bill would put family impact assessments and their publication on a statutory footing and, as I have said, require the Secretary of State to report annually on progress. The Government need to do much better. Some of us have been speaking in this place about the matter since this Government came to varying forms of power. It is now almost a decade. We will shortly enter our tenth year—that is half a generation that we have now lost, when we could have taken action to help children who are growing up in dysfunctional families.

We talk about how we will be held to account for the way that we address Brexit, but those children are not able to hold us to account. They cannot go to the ballot box next year or the year after, but they are being dreadfully impacted by the fact that we are failing them and failing to look at how we can strengthen family life in this country. If I am right, there are now 27,000 children involved in gangs. What are gangs if not substitute families? Those children are looking for somewhere to belong, and we must do something urgently to address that. The Government must get a grip on this issue. The responses to our questions about the family test show that is simply not happening.

The Government should adopt our draft Bill and get on with it. Will the Minister please explain why that has not happened? The whole point is to highlight the importance of the family perspective in policy making. Perhaps one of the problems is that officials and Ministers need training. Perhaps we need to help them assess the impact of policies on family life. We expect them to do it, but perhaps we need to help them by giving them training. As a comparison, we all agree that antisemitism is a concern. Officials are rightly being given training in how to address it, and I believe that the Government have allocated more than £14 million for that. That is positive, but how much is being put into to strengthen family life holistically? Which Departments have sent anyone on courses to train them in how to assess family impact? If that has happened, who was sent, where did they go and what was the outcome? If it has not, why not?

Please let me know if I am speaking for too long, Sir David. I will conclude shortly, but I would like to turn to the loneliness strategy.

Sir David Crausby (in the Chair): We have until 11 o’clock. I will call the Front Benchers at 10.30 am.

Fiona Bruce: And I believe there is just one other speaker.

Sir David Crausby (in the Chair): Yes.

Fiona Bruce: Plus the Front Benchers, obviously.

The loneliness strategy, published in October 2018, states:

“Family wellbeing is crucial for preventing loneliness.”
It continues:

"Government’s intention is to embed consideration of loneliness and relationships throughout the policy-making process. Government will explore various mechanisms for doing this and will, for example, include it in guidance for the Family Test."

We are six months on. Will the Minister tell the House what action has been taken to fulfil that commitment? If he cannot do so today, will he write to us? The strategy also commits to a cross-Government approach to be led by the Minister for Sport and Civil Society. What steps have been taken across Government to fulfil the Government’s commitment to “developing and improving its approach”?

The Minister is from the Department for Work and Pensions. Is this on his desk? I believe that he has families in his job description. If not, could he find out what stage this is at? The fact that this is on the desk of the Minister for Sport and Civil Society shows that this issue ends up being split into silos if we are not careful. There is not an overarching senior Minister responsible for it. Whose desk is this on, given that the Minister is from DWP? Could he find that out and ascertain how the Cabinet Office is ensuring that this issue is being taken forward in a cross-departmental way? How many Departments have highlighted the progress they are making on addressing loneliness through their 2019-20 departmental plans? I hope they have them now. Any efficient small business would. How many have published an annual progress report on the loneliness agenda, as set out in the strategy?

The strategy says:

“More research is needed in this area. But current evidence suggests that frequent loneliness and its wider impacts are costly for society as a whole as well as for individuals. Supporting people in this situation to become more connected to their families, friends and wider community also links to government’s aim to promote a more integrated and productive society.”

That is very interesting. I refer back to my question about the connection between family breakdown and productivity. If more research is done on that, we might be able to persuade the Treasury that investment in strengthening family life would be well made.

When the loneliness strategy was launched, I asked the then responsible Minister whether she agreed that one of the greatest antidotes to loneliness is stronger families. She agreed and said:

“We recognise the importance of families in tackling loneliness...we can quite often forget members of our family, so all that is at the heart of the strategy.”—[Official Report, 15 October 2018; Vol. 647, c. 460.]

The Government have a poor history of applying the family test. I will give a specific example, which I thought was an affront. The first family test published was on the Enterprise Bill and the issue of Sunday trading. Several of us had to press Ministers to get it published, despite the fact that the Bill would surely affect every family in the country. In the end, it was begrudgingly published on the day that the debate was taking place in the House of Commons, and the piece of paper was brought into the Chamber. That was completely unacceptable.

Subsequently, my right hon. Friend the Member for Witham (Priti Patel), who was the responsible Minister, said that she would encourage Departments to publish family tests. That was in response to a question from our former colleague David Burrowes, who is now executive director for the manifesto for strengthening families and still works on this issue continuously. We very much hope we will see him back in this place very soon so he can continue his excellent work in the House.

This is not just a tick-box exercise. It is not just about keeping bureaucrats in their jobs or creating red tape for the sake of it. It matters. It is about people’s lives. It is about saving relationships. It is about preventing addiction. It is about reducing loneliness. It is about addressing mental health problems. It is about improving life chances. It is about improving education and employment opportunities. It is about tackling homelessness. It is about poverty. It is about productivity. Why has this important exercise never been properly embedded in the Government’s thinking or procedures? What is the Minister’s answer to all that?

10.7 am

Derek Thomas (St Ives) (Con): I thank my Cornwall colleague, my hon. Friend the Member for St Austell and Newquay (Steve Double), for securing this really important debate. It is good that we continue to return to this subject. I know the Minister to be a man of compassion and empathy who wants to do the right thing in this area.

I would like to think that I am a Back-Bench Member of an progressive Government. At the moment, it might be difficult to see signs of that. I listened to the responses that my hon. Friend the Member for Congleton (Fiona Bruce) received from different Departments, and there seems to be a real lack of enthusiasm about applying the family test. I absolutely support the creation of a Secretary of State in this area, which would be important for the wellbeing of our great nation, and the establishment of family hubs.

A great number of topics have been covered already. I will touch on some specific examples of where we are failing families, and where there is evidence that the family test is needed. The review of policy is not helping but hindering family units. The establishment of a one-stop shop where families can go to get help and support whenever things arise would be very welcome. I was very pleased to put my name to the “Manifesto to Strengthen Families”. I often look at what progress we are making in delivering those outcomes.

It is just common sense to apply the family test to legislation. Doing right for families in Government policy has to be the most effective way of creating stronger, healthier communities that feel well, cared for, valued and empowered to play their part in caring for each other. The issue concerns not just people in families, but those who are not, because strong families are a very important part of addressing isolation and loneliness for those who do not have loved ones.

I will mention a series of examples. I have not plucked them from the media or social media; they are examples from my constituency that show where we are failing families, often through policy and its implementation. The Home Office has been mentioned, and I have been working with the Home Secretary on one particular case.

As part of our immigration policy, we welcome people from the Commonwealth to work in our armed forces—this year we are increasing their number to 1,000. For various reasons, they tend to do jobs that are not significantly
well paid. I had one such case, which has now been resolved through some clever working of the law. These people are not allowed to bring their loved ones, including their children. They are not allowed to do other jobs because their visa and their commitment to the Ministry of Defence mean that they cannot top up income and reach the threshold that allows them to bring over their wives and children.

The crazy thing about that particular part of immigration policy is that there is no risk that the people will disappear, because they have fixed contracts with the MOD and have to return to their original countries when they finish their contracts, which, in this case, are 12-year contracts. They are provided with housing and there are no concerns about them being a burden on society, so it is a bizarre breakdown of immigration policy and concern for families. Fortunately, in the case I mentioned, we have found a way for this particular individual to come over, but among the 1,000 people who will come from the Commonwealth this year, a number of men and women will not be able to bring their husbands, wives or children.

I chair the all-party parliamentary group on brain tumours. We have seen great progress in the diagnosis, treatment and removal of brain tumours in this country, but for children that progress has been poor. When they survive a brain tumour—I was pleased to be able to mention this at Prime Minister’s questions last week—they are left with an injury and we fail them because we do not put in place the available therapies and care, which would be available to a stroke patient with a similar type of injury. We do not do that for those children. Families are put under incredible pressure because we do not support them in supporting the child to have the best life chances. As a result, families spend a lifetime receiving support from social services and the NHS, which could be avoided—that is proven.

Another area where we fail families and that the family test and application of Government policy should address is special needs education in schools. Schools are now under enormous pressure and unable to provide the necessary support to children with special educational needs. The impact on family is not the breakdown of relationships between the child, the family and the school, but the child’s removal from a school that is unable to provide adequate support, however hard it tries. That means that families suddenly become isolated and lost from the system as they try desperately to give their child the best start.

Steve Double: Does my hon. Friend agree that this relates not only to education, but to the huge burden faced by families with children with special educational needs during school holidays, when all the support on the education side is taken away? Will he join me in commending the Cornwall Accessible Activities Programme, a local charity in Cornwall that provides support to parents with children with special educational needs during the school holidays?

Derek Thomas: Absolutely. It was really good to have a debate in the main Chamber recently about the work of voluntary organisations in supporting families in that very situation. The Government still have responsibility and we should look at how Government policy helps or hinders the lives of families.

Another example from my constituency is a family with two children in separate schools—they were doing well, having moved from other schools. Because of a situation at home, they were evicted and the council’s response was to move them out of the area, away from their schools. Suddenly, through a breakdown of proper legislation and support, the family was ripped out of their local community and support network, and the children were ripped out of schools in which they had become established and were beginning to do well. That is another example demonstrating that the family test is either not considered or not applied and that we are failing families.

As well as the issue of special educational needs, another problem is what the Department of Work and Pensions calls “natural migration” to universal credit—the Minister will know about that. Natural migration sounds very easy, straightforward and normal, but it is not at all. People who naturally migrate on to universal credit have quite often had devastating changes to their lives and situations—for example, a loved one who is the household earner suddenly developing an illness, a significant health problem or another reason why they can no longer be the breadwinner, meaning that they move on to universal credit.

As support mechanisms and transitional arrangements are not being introduced until next year, that change is proving difficult and causing real hardship for families. I have met the Secretary of State for Work and Pensions about this. She explained that work coaches should be sensitive to the issue and should not pursue natural migration, but I know from constituents that that is not the case.

Natural migration happens when someone loses a loved one. In those situations, families are broken apart through circumstances beyond their control, and without even realising, they are suddenly subject to the welfare system. When universal credit is eventually complete, that system will probably be better for them—I am not opposed to it—but natural migration to universal credit is causing hardship for many people. Many find that it works when their circumstances change for positive reasons, but for those who fall through a disastrous net—or, dare I say it, over a cliff edge—we must intervene quickly.

On mental health, I have a case in which loving parents are at the absolute end of their resources and energy because of a very unwell 13-year-old daughter. The problem is that, despite the involvement of lots of agencies, the people from them go home at the end of the day and leave the parents to do what they can with a very unwell young lady. Having worked on and watched this situation closely, I can say that we are not providing the right support, empathy or care for families in which young ones have mental health problems.

An issue that I have raised many times is fuel poverty. Government policy should look at how we improve people’s homes. With poor-quality homes and fuel poverty, children do not attain what they can, do not reach their potential in education, and their homes are not as productive as they could be. The older people in those homes find that they enter into social services and NHS care far more often than they would otherwise. It is a massive issue for places in this country, including my constituency, where homes are not of the standard they should be: they are leaky and fuel-poor. Since I was first
elected, I have argued that Government could use infrastructure money to address that situation, and that doing so would be a cost saving to Government. I have yet to hear a serious response from the Department for Business, Energy and Industrial Strategy.

It is absolutely right that the family test should apply to new legislation. That is good and necessary, but I would also like the Minister to consider how we can review existing legislation and the examples I have given, to look at what the Government can do to ensure we are on the side of families and avoid some of the issues that I have set out. That would be a win for Government; there is huge support across the country for strengthening families, and for Government policy to support families.

We must show a commitment to families, make life easier for them where possible, and remove the unnecessary barriers and unintended consequences that Government policy is causing for our families. Communities are so much stronger when families work well. I am grateful for having had the opportunity to speak in this debate.

10.19 am

Alison Thewliss (Glasgow Central) (SNP): It is a pleasure to see you in the Chair, Sir David. I am glad to be able to sum up for the SNP this morning.

I give credit to the hon. Members for St Austell and Newquay (Steve Double), for Congleton (Fiona Bruce), and for St Ives (Derek Thomas), who secured the debate. Their commitment is honourable, but the reality of the family test is that it is barely worth the paper that it is written on. The answers that the hon. Member for Congleton received from all the different parties indicate that the Government say that the test is not designed to be a tick-box exercise, but in reality it is no kind of exercise at all. It is perfectly clear from cases that I deal with in my constituency that the Government are not applying the test to the policies that they come up with, either in theory or in practice.

On 30 January last year, in a debate on marriage in Government policy—hon. Members may have been there—the former Secretary of State for Work and Pensions, the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith), speaking from the Conservative Benches just there, said this of the time before he left Government:

“I was nominated to construct the family test against which everything was going to be measured. When I finally left—of my own volition, by the way—at no stage had I managed to get agreement from any of the key players about what it would consist of. While there was a principle, which was that the Prime Minister wanted a test that all decisions would be set against, the reality was that the Treasury in particular was not keen on any of it. I urge the Minister to press for a definition of the family test, by which all the effects of policy decisions could be looked at to see whether they would damage the family or make things more difficult. That would make logical sense.”—[Official Report, 30 January 2018; Vol. 635, c. 271-272WH.] That was last year, and nothing has changed. The policy might exist in some form somewhere, but it is perfectly clear that its application is non-existent. It is utter escapism, and full of contradictions.

I have campaigned on a lot on the first issues that I will discuss, which are to do with child poverty and austerity. The family test has no relevance at all to the two-child policy; I know because I asked Ministers about that when they were talking about bringing the policy in. I have raised the policy at least 60 times in this Chamber and the main Chamber, asking questions about it and campaigning on it. It is completely destructive of families for many different reasons, not least because it moves children into poverty, making it far more difficult for their families to cope and survive.

The two-child policy has been condemned by Professor Philip Alston in a recent UN report, and just this week by CEDAW—the Committee on the Elimination of Discrimination against Women—which recommended scrapping it. On Monday, I met a range of organisations, including the Church of England, the Board of Deputies of British Jews, representatives of Scottish Churches, the Child Poverty Action Group, Turn2us, Women’s Aid, Rape Crisis—I have heard from the Scotland, England and Wales, and Northern Ireland equivalent organisations—and Refuge; all of them, as well as the British Medical Association and the Royal College of Nursing, condemn the policy, because they know that it is damaging to families and meets no aspect of the family test. It means that families will be at least £2,780 worse off per year, which makes it far more difficult for them to survive.

The first element of the family test is:

“What kinds of impact might the policy have on family formation?”

The two-child policy deliberately encourages families to have fewer children—that is its stated purpose and aim. That is inimical to family formation. The policy also discriminates against families who wish to come together from two previous relationships. In blended families, where someone has two children from one family and wants to marry and have a third child, or another child comes from the other family, the impact is that families lose out. The policy does not meet that aspect of the test.

The second question of the test is:

“What kind of impact will the policy have on families going through key transitions such as becoming parents, getting married, fostering or adopting, bereavement, redundancy, new caring responsibilities, or the onset of a long-term health condition?”

The UK Government had to be taken to court, and an element had to be added. A woman who had taken on caring responsibilities for her two siblings lost out when she had a child, so the Government were taken to court—and lost, because the policy is unfair; they had not taken into account the impact on those with caring responsibilities.

There is also an impact on bereavement. Say a family had three children, and everything was fine because they could well afford those children—the Tories often say that people should only have the children they can afford. All of a sudden, one of the partners dies; the other has to claim universal credit and reduce their hours worked. The two-child policy does not meet the second aspect of the test, because it deliberately punishes people who end up in those circumstances, which they could not reasonably have predicted.

The third question of the test is:

“What impacts will the policy have on all family members’ ability to play a full role in family life, including with respect to parenting and other caring responsibilities?”

Again, the two-child policy means that anyone who has three children but whose circumstances change will struggle to play a full role in family life. They would not
have enough money coming in, or would have to work longer hours and so would have less time with their children, who, as the hon. Member for Congleton suggested, might look to other sources of support, such as gangs. There is a huge impact on the ability to play a full role in family life, not least because of the poverty aspect.

“How does the policy impact families before, during and after couple separation?”

The two-child policy has an impact on that as well, because it creates a perverse incentive: people with three children will get more money if they separate their family, becoming two single parents—a family with two children over here and a family with one child over there. That is the incentive under the policy; the Government cannot deny that.

The final question is:

“How does the policy impact those families most at risk of deterioration of relationship quality and breakdown?”

As I say, families are incentivised to stay apart, rather than to stay together. The Government have not recognised that in any part of the two-child policy.

As Conservative Members present will know well, the policy also has a disproportionate impact on people of religious faith—those who will not use contraception or do not believe in abortion. People who have four children and are affected by the policy lose out, and that disproportionately affects those of religious faith, including the Jewish community, who have spoken out against the policy—as has the Church of England—and those of Muslim faith. That is out-and-out despicable. The Government do not accept that, but it is absolutely true. Furthermore, the two-child policy will have a chilling effect as it impacts on thousands of families throughout the country. People will lose out on their entitlement and on their ability to support their family, which is ridiculous.

In my constituency, I have many cases of families affected by Home Office issues and by Government policy on how they can live their lives. There are people who cannot afford to live as a family, because of the £18,600 threshold that has to be met before someone can bring a spouse over to this country. People who desperately want their partner to come here and to be reunited with their children cannot do that because of an arbitrary figure. I have constituents who lost out by a couple of pounds, and so were not allowed to bring family members into the country. What impact does that have on family life? Where does that fit with the family test?

The minimum income threshold also puts huge pressure on earners in the family. I have a constituent who works two jobs. He works as a bank clerk—a mortgage adviser—and at night, stacking shelves in a supermarket, so that he can bring his family here. That has a huge impact on his mental health and wellbeing; he has to work all the hours he can to get his family in. The Home Office is still making that incredibly difficult for him.

The Government policy of no recourse to public funds also has an impact. People have come to this country and been granted their status, but the Government have decided that they are not entitled to any working-age benefits at all. I have a constituent, case No. 3 in my books—the third from when I was elected in 2015—who still has no recourse to public funds. She is almost destitute. Every year, she has come to my office, looking for support for school uniforms or Christmas presents for her children, because despite the fact that she is working, she cannot afford them. She is working all the hours that she can, but under this Government’s cruel policy of allowing no recourse to public funds, she cannot earn enough to live on. It is heartbreaking. I had her and her daughter in my office at Christmas time, and her daughter came back into my office after she and her mum had left and said, “Alison, why have we not got any money?” I cannot answer that question. It is for the Minister to answer why he wants to put families in a position in which their children are heartbroken and in poverty, and are judged by their friends, and do not have any kind of a life because of the Government’s cruel policies.

Home Office policies such as the hostile environment make it very difficult for people to carry on family life. There is the impact of policies that prevent people from staying in this country. I will give an example. At my surgery one Friday, the first of a number of people to see me were a couple. The wife was a British citizen and the husband was from another country. They said they had come to the UK, and they were told by the Home Office that they both had to leave and go to the country where the husband was from because they had no family ties here. They did not have any children, so they could go and live there, and that would be just as easy for them as staying in the UK—there would be no problems there. They asked me, “Alison, would it make any difference if we had children? Would we be able to stay if we had children in this country?” I said, “Probably not. This is just the way the Home Office does things,” and I offered them support.

The next couple, who came in straight after, had quite a young baby and a toddler. They were in much the same circumstances: they had been told by the Home Office to go back to some other country to live, and that it would not make any difference because their children were young and would not know any better. They asked, “What can we do? We have family ties here.” The Home Office computer still said no. That is a huge insult to people who want to come here on the honour of choosing to live in this country. We tell them, “No, go and contribute to some other country, because we do not want you here.” That is despicable; it is against everything that the family test ought to stand for.

The family test is not worth the paper it is written on. I am not surprised that the hon. Member for Congleton says that it took the Home Office six months to reply. She is lucky; in many of my cases, it has taken much longer. The Home Office does not care how it treats people. A family with three children who were due to report to Brand Street as part of their obligations under the Home Office’s hostile environment policy had to take one child out of nursery and the other two out of school, and did not know if they would be able to go back afterwards. They did not know if they would be removed and sent to Dungavel. What kind of family test is that? What kind of impact will that have on family life—the stress, the distress and the indignity of being forced to report to Brand Street without knowing if they would go home afterwards? It is utterly despicable.

I talked about the impact of people living on low wages having no recourse to public funds; I would like to talk about the Government’s pretendy living wage.
They know that it is not enough for people to live on. That has an impact on family life. People who are working away without enough to live on will struggle to maintain a family life to do all the things they would like to do with their family, such as going places, and to pay for things such as schools trips or books, which would make for a better family life. It is worse for parents under 25, because they are not entitled to the Chancellor’s pretendy living wage. There is a growing gap for those under the age of 25, who are entitled to much less but may have exactly the same obligations. They may have children to support. They have different lives to lead, and they do not get a discount on their rent for being under the age of 25. The Government need to recognise that and ensure that a fair day’s pay is earned for a fair day’s work, which is not the case in this country.

Under the family test, there is no protection for families when people reach old age. I refer to the Women Against State Pension Inequality Campaign; those women have worked their whole life, and sacrificed their time with their family, only to find their retirement cruelly stolen from them. That has an impact on the family; often, they are expected to look after their grandchilda, but cannot, because they have to keep working, and the mums have to keep working to pay the nursery fees. That has a detrimental impact on family life.

I want to talk about Brexit. The hon. Member for Congleton mentioned it briefly, but it will have a hugely detrimental impact on family life. Those people who have chosen to come and live in this country now feel that they have very little option. Some are leaving the place that they called home because they no longer feel welcome. They are giving up the links that they made here, and they are disrupting their family life. There is probably nothing that covers that in the family test, but Brexit has a real impact on families right across these islands. It is hugely sad that the Government are pursuing it, and it will mean that EU nationals in this country will be forced into the same kind of hostile environment that the Home Office applies to everybody else, causing the problems I have outlined.

In Scotland we are doing our best; we are trying to provide baby boxes, and grants for families to support children in the early years, so that they have the best place in the world to grow up in, but we are hampered by the policies of this Tory Government and by the decisions of Westminster. I firmly believe that if we were an independent country, we would make it true for everybody that Scotland was the best place in the world to grow up in. Proper family tests—not something that is barely worth the paper it is written on—would be applied to all our policies.

10.34 am

Margaret Greenwood (Wirral West) (Lab): It is a pleasure to serve under your chairmanship, Sir David. I congratulate the hon. Member for St Austell and Newquay (Steve Double) on securing this debate. He rightly pointed out the importance of families and parenting. The hon. Member for Congleton (Fiona Bruce) told us that the Government have a poor history of applying the family test. She spoke of the impact of family life on productivity; I wonder whether she would support Labour’s policy of ending zero-hour contracts, to improve the quality of family life. The hon. Member for St Ives (Derek Thomas) spoke thoughtfully about a number of areas where policy is failing families, and particularly about the impact of natural migration to universal credit, which is causing hardship for many families. The hon. Member for Glasgow Central (Alison Thewliss) spoke passionately about poverty and austerity, and the impact of the two-child policy.

The family test has admirable aims, but this Government have not quite followed through on it in full. It is not clear whether the initiative has made a significant impact. When it was introduced, it was not made mandatory to publish the outcomes of the test; to date, few have been published. Could the Minister tell us how many tests have been carried out or are under way? Will he commit to publishing them in full?

In 2015, the then Secretary of State, the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith), said that the Social Justice Cabinet Committee would take the lead in ensuring that the family test was properly applied across Government Departments. Will the Minister confirm whether the committee still exists, and when it last met?

The family test was introduced to provide a family perspective in the policy making process. While that is a laudable objective, it is clear that Government policy since 2010 has completely undermined that aim. Families across the country have suffered the impact of this Government’s austerity measures, particularly through cuts to social security. One only has to think of the upheaval and misery caused by the bedroom tax to see that; families were uprooted from their community because of an ill-considered and heartless policy.

The test includes five questions to consider when making policy, including assessing what kind of impact the policy might have on family formation, families going through key transitions such as becoming parents, and all family members’ ability to play a full role in family life, yet Government policy appears almost designed to disrupt and interrupt family life. Indeed, they have made it much harder for parents to secure a safe and happy upbringing for their children. When Professor Philip Alston, the United Nations Special Rapporteur on extreme poverty and human rights, visited the UK last year, he lifted the lid on a national crisis. He said:

“People I spoke with told me they have to choose between eating and heating their homes, or eating and feeding their children. One person said, ‘I would rather feed my kids than pay my rent, but that could get us all kicked out.’ Children are showing up at school with empty stomachs, and schools are collecting food on an ad hoc basis and sending it home because teachers know that their students will otherwise go hungry.”

There is no use speaking about the family test while ignoring the growing stark reality of people’s lives. More than 14 million people in the UK are in poverty, including more than 4 million children. According to the Institute for Fiscal Studies, that figure will rise to more than 5 million by 2022. No child should have to go to school hungry, or go without heating or clothing, but the Joseph Rowntree Foundation reported last year that more than 300,000 children had to do just that. Its report found that 365,000 children experienced destitution in 2017. Shockingly, 131,000 children woke up homeless on Christmas day last year, according to Shelter. Most people would consider that completely unacceptable in 21st-century Britain.

The Library recently analysed the extent of the cuts to working-age social security, and found that £36 billion has been cut from that budget since 2010, including...
nearly £5 billion from social security. That has made it extremely difficult for many families to pay the bills. Two years ago, we asked the Government for an impact assessment of the cuts on women. After we published Library analysis showing that 86% of the impact of austerity had been shouldered by women, yet despite their supposed commitment to the family test, the Government still refuse to publish an impact assessment of the cuts on women.

The family test was introduced in 2014. I take this opportunity to examine the policies introduced since then and their effect on families. The two-child limit, which has been mentioned, is expected to push 200,000 additional children into poverty by the time universal credit is fully rolled out. The policy breaks the vital link between what families require to meet their daily needs and their entitlement. The Child Poverty Action Group says that the policy means that “some children are held to be less deserving of a decent standard of living than others, simply because they have more siblings—a circumstance which they cannot control.” It was described as “fundamentally anti-family” by the UK’s foremost religious leaders.

The family test asks policy makers to assess the impact of policy on family formation. The Child Poverty Action Group says the two-child limit “risks creating incentives for larger families to separate, and could discourage single parents from forming new ‘blended’ families. It could also penalise children in separated families who switch the parent they live with—for example to be with siblings, or to remain in their school if one parent moves away.”

It goes on to say that the policy “may also leave women who become pregnant with a third child, for example through contraception failure, with a difficult choice between moving into poverty and having an abortion.” Clearly, that is extremely shocking. The two-child limit completely undermines the aims of the family test and the fabric of family life. Can the Minister confirm that it was subjected to the family test? Will he make that assessment public and explain how the policy passed all five tests?

Another policy introduced in 2015 was the freeze on social security, which quite simply increases poverty. According to the Joseph Rowntree Foundation, almost half a million more people will be driven into poverty by 2020 as a result of the freeze, which it says is the single biggest driver behind rising poverty. The Secretary of State sought to reassure the public that the benefits freeze would not be extended beyond next year, but that is not soon enough. The value of working-age benefits is expected to be cut by £1.5 billion over the next year. We have repeatedly called on the Government to end the benefits freeze immediately. Ahead of today’s spring Budget, we say it is not too late for the Government to stop the freeze. The Government have the opportunity to lift 200,000 people out of poverty altogether by ending the freeze, so will they take action?

Since its introduction by a Labour Government, child benefit has been a vital means of supporting families. It is now frozen, having been cut repeatedly since 2010. According to Unison, a family with two children is £450 a year, or £8.67 a week, worse off than it would have been in 2010. Unison analysis shows that, at current prices, that would buy 1 litre of skimmed milk, 15 medium eggs, a Warburtons medium white sliced loaf, a bag of straight-cut chips, washing-up liquid, pork loin medallions and eight sausages—clearly, all things that families could do with. Again, can the Minister confirm that the social security freeze was subjected to the family test, and will he make that assessment public and explain how the policy passed all five tests?

Universal credit has undergone rapid expansion in recent years. However, its roll-out has been chaotic and hampered by cuts—especially those made in the 2015 summer Budget. Universal credit is not working for families, and it is driving many people into poverty, debt and rent arrears. The five-week wait, which was originally a six-week wait, is unrealistic for low-income families. It is difficult to see how families are supposed to survive for five or six weeks without any payment at all when children need to be fed and clothed. The Government say universal credit is linked to food bank use, yet they have failed to address that issue competently and have offered people loans instead. Once again, can the Minister confirm that universal credit—in particular the 2015 cuts and the five-week wait—has been subjected to the family test, and will he make that assessment public and explain how the policy passed all five tests?

Fiona Bruce: Will the hon. Lady give way?

Margaret Greenwood: I am very short of time, so I will continue.

Sadly, Government policy is putting intolerable strain on some families. Under this Government, mixed-age couples will be denied pension credit and forced to claim universal credit instead. What is more, younger partners will potentially be subject to the sanctions regime, too. Some families are set to lose as much as £7,000 a year. There have been reports of couples who have been together for more than 20 years considering separation as a result. What assessment have the Government made of the impact of that policy on families? Does the Minister believe it meets the five tests?

There are many more areas that betray how Government policies have undermined the interests of families. Cuts to local government are forcing councils to overspend on their children’s services and social care budgets and run a huge deficit in their reserves for schools. As many as 1,000 Sure Start centres may have closed because of Government funding cuts, and the Government’s change to the threshold for free school meal entitlements could leave 1 million children without a hot meal at school.

We believe that when we all get old or sick, or we have a family, our public services should step in—they should help families remain secure and avoid poverty—but austerity is making that much more difficult to achieve. Indeed, the policies I have mentioned would, in my opinion, demonstrably fail the family test. I hope the Government listen to the points I have made, end austerity and develop policies in line with the stated aims of the family test.

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Sadly, Government policy is putting intolerable strain on some families. Under this Government, mixed-age couples will be denied pension credit and forced to claim universal credit instead. What is more, younger partners will potentially be subject to the sanctions regime, too. Some families are set to lose as much as £7,000 a year. There have been reports of couples who have been together for more than 20 years considering separation as a result. What assessment have the Government made of the impact of that policy on families? Does the Minister believe it meets the five tests?

There are many more areas that betray how Government policies have undermined the interests of families. Cuts to local government are forcing councils to overspend on their children’s services and social care budgets and run a huge deficit in their reserves for schools. As many as 1,000 Sure Start centres may have closed because of Government funding cuts, and the Government’s change to the threshold for free school meal entitlements could leave 1 million children without a hot meal at school.

We believe that when we all get old or sick, or we have a family, our public services should step in—they should help families remain secure and avoid poverty—but austerity is making that much more difficult to achieve. Indeed, the policies I have mentioned would, in my opinion, demonstrably fail the family test. I hope the Government listen to the points I have made, end austerity and develop policies in line with the stated aims of the family test.

I am very short of time, so I

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): It is a real pleasure to serve under your chairmanship, Sir David. In this very calm and sensible week for Parliament, I am sure all eyes will be focused on this very important debate.
I thank my hon. Friend the Member for St Austell and Newquay (Steve Double) for securing the debate. He has an exceptional track record in this important area; it is a real credit to the work he has done that he has so much support from the colleagues who attended the debate. I pay tribute to his work alongside the noble Baroness Eaton with the Centre for Social Justice, which culminated in its recent report on the family test. That excellent piece of work was a really good way to focus minds—not just in my Department, but across Government. I will go into more detail about that.

I also thank all the other Members who contributed, in particular my hon. Friends the Members for St Ives (Derek Thomas) and for Congleton (Fiona Bruce). I will cover many of the questions raised, but let me say two quick things before I forget. I would be delighted, diary and parliamentary duties permitting, to attend the family hub event, so I ask my hon. Friend the Member for Congleton to make sure I have all the details of that.

My hon. Friend the Member for St Ives has done fantastic work as an MP to support those with special educational needs, using his wealth of experience from his work prior to arriving in the House. I recognise his point about supporting families with special educational needs children.

I pay tribute to one of my local special educational needs schools, the Uplands School, which has made a very small change that could easily be adopted by all schools and is making a huge difference. Like all schools, it has parental support classes, which offer peer-to-peer support—parents get together over cups of tea and talk about the challenges they are facing and how they can support one another. The headteacher, Jackie Smith, has ensured that parents get an invite to those support classes once they know their children will end up at the school, rather than having to wait until the day they come. That ensures that peer support is provided from the very early days, which is making a huge difference.

We also had a contribution from the hon. Member for Glasgow Central (Alison Thewliss), who perhaps stretched the intention of the debate—most of her comments were probably better suited to a Home Office debate. I am sure there will be opportunities for Home Office Ministers to respond in the future.

I thank the hon. Member for Wirral West (Margaret Greenwood) for welcoming the principle of the family test. I appreciate that, but she then applied a series of political statements loosely to the principles of the family test. It would be remiss of me not to correct some of the points she made. For example, under this Government there are now 500,000 fewer families on the housing waiting list. Food affordability—the measure of whether families can afford the basics in terms of food—has almost halved in just under five years and is 2.5% lower than the EU average. Material deprivation has never been lower. Income inequality has fallen under this Government, having risen under the last Labour Government. There are now 300,000 fewer children in absolute poverty. Welfare spending under the last Labour Government—

**Margaret Greenwood:** Will the Minister give way?

**Justin Tomlinson:** The hon. Lady was not willing to take interventions from colleagues who actually stuck to the principles of the debate, so I will not.

Under the last Labour Government, welfare spending rose on average by £3,000 per house. Imagine the impact on hard-working families.

**Fiona Bruce:** Will the Minister give way?

**Justin Tomlinson:** I will shortly. The Opposition voted against income tax threshold changes that have given families an additional £1,200 a year. Our spending on childcare will have risen from £4 billion in 2010 to £6 billion by 2020—a 50% increase—and we are delivering record employment in all regions of the UK, yet again supporting families. I give way to my hon. Friend.

**Fiona Bruce:** The Minister has actually made my point for me. The speech by the hon. Member for Wirral West (Margaret Greenwood) highlighted the fundamental difference in the way we approach this issue. The Opposition’s solution to so many social problems is throwing more money at them. There was no money left when they finished in government.

We are saying that if we strengthen family lives, just like the teacher the Minister mentioned, we will prevent those problems—mental health problems in school, addiction, people going to GP surgeries with depression and losing work days, and so on—from arising in the first place. That is the fundamental difference. That is why we are pressing for the Government to strengthen family life: because we believe that prevention is far better and cheaper than attempted cure.

**Justin Tomlinson:** My hon. Friend is spot on. It was clear from my colleagues’ speeches that they have a constructive, proactive and real focus on the absolute principles of the family test, and I shall now turn to that.

Many hon. Members have underlined the importance of the family test, and I am pleased to see sustained interest in that test among colleagues. I restate the Government’s commitment to the family test, which was introduced in 2014 to help put families at the heart of policy making. In designing the test, alongside the Relationships Alliance, we wanted to help policy makers understand how policies might, positively or negatively, affect families.

We want potential impacts on families to be considered early so that they can shape proposals, rather than at the end of the process when we are preparing to announce and implement any changes. That point is key, and the test helps to ensure that potential impacts are properly considered in the advice that Ministers receive. My hon. Friend the Member for St Austell and Newquay was spot on when he said that such issues must be embedded into that early thinking.

**Alison Thewliss:** Will the Minister give way?

**Justin Tomlinson:** I will respond to the thrust of the debate. We want the family test to be broad and flexible, reflecting the nature of 21st-century families. The test already encourages policy makers to consider a wide range of impacts, including on family formation, families going through key transitions, the ability of all family members—dads, mums, and the extended family—to play a full role in family life, families who have separated...
or who are undergoing separation, and those families most at risk of a deterioration in relationship quality and breakdown.

I acknowledge that some would like the family test to be a statutory obligation, but feedback from policy makers, and points highlighted in speeches today, suggest that a statutory test could risk becoming a box-ticking exercise at the end of a policy process, with pass or fail outcomes rather than something embedded at the beginning of the process, which is key. A legislative test would also risk losing the flexibility to adapt and change.

I welcome the review of the family test by the Centre for Social Justice, and I thank it for highlighting these important issues, many of which my officials have been working to address with the relevant Departments. There is a strong alignment between the report’s recommendations and our approach to strengthening practice in the use of the test. I agree that individual Departments should take responsibility and ownership of their application of the family test—interestingly, the report by my hon. Friend the Member for Congleton highlighted both good and bad practice.

Fiona Bruce: Yes.

Justin Tomlinson: There are—we are—it is on the record, and those Departments will no doubt be held to account. The Attorney General’s response is probably the shortest that I have heard from any Department, and I know my hon. Friend will scrutinise it carefully.

We are working with a network of representatives from all domestic policy Departments to develop tailored resources to help officials apply the test in their unique policy contexts, and ensure that advice to Ministers reflects the impact on families. That will be underpinned by refreshed central guidance for officials, which we expect to publish this summer—I will return to that important work at the end of my remarks, with a request for those Members who have demonstrated passion about this issue to ensure that we get it right. My Department will actively consider including the family test in the DWP business plan.

I am pleased to be part of the inter-ministerial group that is focusing on how to improve support for families in the first 1,001 days. Another of the report’s recommendations is for Ministers to take a more active role in ensuring that the family test is applied in their Departments. I have raised the family test with that inter-ministerial group, and I will ask Ministers actively to consider whether the test has been considered in all the advice they receive, on any topic, in their Departments.

The excellent report by the Centre for Social Justice builds on important issues raised by colleagues who published the “Manifesto to Strengthen Families”. It also highlights examples of where Departments have used the family test, and where that has made a difference to the policy making process. We recognise, however, that more progress can be made to ensure that the test is robustly applied to all domestic policy. That is why my Department, which has the cross-Government lead on the test, has been taking action to strengthen its implementation across Government.

Each Department has a nominated representative on the new family test network—my hon. Friend for St Austell and Newquay highlighted the importance of that—and the network is identifying, developing and sharing best practice on applying the family test. That helps us to deepen our understanding of how the test is applied across Government, and what further support officials need to embed it fully as part of any considerations made when formulating policy.

The network pays particular attention to the need highlighted in the report to build evidence, and we are currently exploring ways to support Departments in that. We will continue to encourage and support Departments to apply the family test, and to make their own judgments on whether and when publishing assessments is appropriate. We will consider whether more can be done to improve transparency, which includes reflecting on the report’s recommendations. It is unclear, however, whether knowing how many family tests a certain Department has applied would bring much greater or more meaningful transparency.

I am keen to avoid introducing layers of unnecessary bureaucracy to the policy making process, but I understand the thrust of the point being made. Insights from the family test network are driving our review of family test guidance, published on gov.uk, which helps officials to understand why, when, and how they should apply the test. Revised guidance planned for summer 2019 will better reflect the needs of users.

We are helping Departments to develop a toolkit of resources for officials to improve consistent and meaningful family test application across Government. Given that effective implementation of the test is fundamentally an issue of capability, we are also working with Civil Service Learning and the Policy Profession unit, to consider how best to support policy makers to apply the family test effectively.

Let me share some examples of how the Government are actively working to make lives better for families, and how our policies are responding to the key questions and evidence set out by the family test. My Department is currently implementing the Reducing Parental Conflict programme, which is backed by £39 million. That programme helps councils across England to recognise the evidence about the damage that parental conflict can do to children’s long-term outcomes. It will soon provide evidence-based, face-to-face support for parents in 31 English local authorities. I attended an important roundtable with those local authorities, and there is real enthusiasm to deliver this programme and build that tangible constructive evidence.

Fiona Bruce: I welcome this programme, but an integral part of it needs to be a focus on strengthening couple relationships, not just parent-child relationships. Will the Minister look into that?

Justin Tomlinson: We are digesting all the successful bids for the various strands of that programme, and I am sure that many organisations will have a proven track record in that area. I am happy to consider that specific issue in greater detail in a meeting on the programme.

We want face-to-face support to be available to those families who need it most. This is why we will prioritise help for workless and disadvantaged families, and why
we are exploring how to ensure that those eligible parents with whom we are already working, through Jobcentre Plus and the Child Maintenance Group, are able to access such support as early as possible.

All local authorities can access funding to increase their strategic capability to address parental conflict, as well as training for frontline staff. We are funding even more innovation through our joint work with the Department of Health and Social Care to support children of alcohol-dependent parents, and with our new £2.7 million Reducing Parental Conflict challenge fund. A number of Departments have highlighted that fund to their stakeholders to ensure good engagement.

The principles of the family test are visible across the Government. The Department for Education recently announced that all children and young people will soon be taught about the importance of healthy relationships, including marriage and family relationships. I welcome the positive comments from my hon. Friend the Member for St Austell and Newquay about the Ministry of Defence and the Department of Health and Social Care, and the Ministry of Justice is also considering how we can reduce conflict in families that are going through a divorce. The Troubled Families programme is driving better ways of working around complex families, improving outcomes for individuals and reducing their dependency on services, and delivering better value for taxpayers. That programme aims to achieve significant and sustained improvement for up to 400,000 families with multiple high-cost problems by 2020—something I passionately support.

In conclusion, I thank all hon. Members who have contributed to the thrust of this debate—particularly my hon. Friend the Member for St Austell and Newquay, who has been a real champion in this area. We welcome the continued constructive work by the Centre for Social Justice, and its review of the family test, and we are actively considering its recommendations.

The importance to our society of strong families cannot be understated, and we look forward to working with all hon. Members as we continue to strengthen our families and the role that Government policy can play in that. I welcome the Minister’s response. We are encouraged by his clear commitment to ensuring that the family test is applied consistently and meaningfully across Government. He will find that many hon. Members, particularly on the Government Benches, are ready and willing to work with him, to ensure that the policy works as best it can to benefit families up and down the country.

Question put and agreed to.

Resolved.

That this House has considered the application of the family test.

Acute NHS Care: South-west Hertfordshire

11 am

Sir Mike Penning: I beg to move,

That this House has considered acute NHS care in South West Herts.

It is a pleasure to serve under your chairmanship once again, Sir David. I start by saying that none of my comments about the health provision that allegedly looks after my constituents or about the West Hertfordshire Hospitals NHS Trust are, in any shape or form, about the frontline staff. The doctors, the nurses, the porters and the cleaners are fantastic. However, as I said the other day in a letter to Mr Stevens, the chief executive of NHS England, frankly we have absolutely no confidence in the management of the clinical commissioning group for West Hertfordshire Hospitals NHS Trust.

That lack of confidence that we are being represented and looked after in the best possible way has united the community over many years. It is not new. We have been let down time and again. Unlike a certain other subject that is occupying a lot of our time at the moment, there is no political or community division in west Hertfordshire about what we need from hospital acute provision in our part of the world. I will not go on about the other problems we have with health provision, but I have called the debate today—indeed, I was asked to do so by the community—to discuss how we can trust what is going on in our area.

A package is being put together that is convenient for West Hertfordshire Hospitals NHS Trust and it appears that the CCG and, I am sad to say, NHS Improvement and NHS England are going along with it. To put it in context for the Minister, we used to have acute hospitals in St Albans, in Hemel Hempstead and in Watford. Years ago, there was an evaluation and the decision was taken to close the acute facilities at St Albans. We were told not to worry, as Hemel was very close and would continue to have its acute provision, and there was a minor injuries-type facility in St Albans for elective surgery. After another consultation called “Investing In Your Health”, all the promises that had been made went out of the window and the acute services in Hemel were closed. As a sop, we were given a 24-hour urgent treatment centre.

Guess what? The urgent treatment centre is now not open for 24 hours a day and has a completely different name. Is it open at night? No, it is not. Where does everybody have to go? Even though Hemel is the largest town in Hertfordshire, we go to Watford. Watford General Hospital is a Victorian building next to the football stadium, in the heart of Watford, which is very densely populated. Promises were made about how quickly the ambulances could get there and how good it would be. They have completely gone out of the window, particularly when Watford football club is playing at home. Even though I am not a Watford supporter, I do not want to criticise the football club in any way. Watford football club is there, and has been for a long time.

Now we are looking to the future, not so much for my generation but for the younger generation in this massively growing area of the country. What is the future of the acute provision and hospital provision in my constituency?
Historically, West Hertfordshire Hospitals NHS Trust is a small trust that has not been well managed. I have lost count of the number of chief executives it has had during the time I have been MP for Hemel Hempstead. They come and go repeatedly. What always happens—every time—is that the trust gets into deficit, and it is then bailed out in some way. That happened when there were primary care trusts, and now it is being done with the clinical commissioning groups. The trust is in deficit and failing. I do not know how it managed to get something positive into the newspaper the other day, when yet again it is failing in four out of five categories.

That means my constituents are at risk. We rely on the CCG and the trust. I will come on to our involvement in that process in a second, but it appears that as an elected Member of Parliament I have absolutely no influence at all on the CCG’s decisions, West Hertfordshire Hospitals NHS Trust decisions or decisions about any other NHS provision in my area. Joe Public does not understand that there are a myriad pillars and silos inside the NHS. The public just sees the NHS, which people are rightly massively proud of; we all are, including me, and it is fantastic that we are putting more money into it. However, we have got more managers, finance directors and heads of nursing. Why on earth have we got all these people divided up inside the NHS? That is an important point I will come on to.

Part of the appraisals and discussions for the strategic outline case—the Minister will know what I mean by a SOC—was about making decisions on what acute hospital provision should be provided in my constituency. I went with constituents to see Mr Mackey, the head of NHS Improvement. I said to him, “What are the criteria here? Tell me, face to face, what are the criteria for the decision that the West Herts hospital trust is going to make about the future?” He said, quite categorically, that fundamentally different options must be put to us. I asked, “Including a greenfield site?” We have greenfield sites available. He said yes. I received a letter of confirmation that that was a requirement of any SOC that was put forward.

Moving forward to where we are now, we apparently cannot have a new greenfield hospital. Why? That is the question that every one of my constituents asks. It would not necessarily be in the middle of Hemel, St Albans or Watford, but somewhere where there is decent access and transport links for the whole community. We cannot have that. Why not? We are not allowed to borrow more than our income. Because we are a very small trust, the income happens to be £350 million. We cannot borrow more than that. Why? Why do my constituents suffer because we have a small, inefficient, badly managed acute trust?

If we amalgamated with another trust, the income stream would probably be about £500 million, or we could amalgamate with another acute trust and double the income to £700 million. All of a sudden, we get somewhere near the fictitious figure of £750 million, which keeps coming up for how much it would cost to build a new acute hospital. The figure of £750 million is why the trust is ruling out new build at the moment. I am not aware of any new hospitals in this country—leaving aside private finance initiative problems that we had in the past under the previous Administration—that cost £750 million. Interestingly, one of my constituents recently emailed me about the new hospital in Birmingham, which was being built by Carillion—we all know about that problem—that is costing £300 to £350 million. The new hospital in Liverpool is costing about £350 million. These are brand new hospitals, which is exactly what I am asking for and certainly what my constituents are united in wanting.

Where has the figure of £750 million come from? It is being used as part of a narrative to block any new acute hospital in my constituency, which would also look after people in St Albans and Watford. In my area, we seem to be fixated on the idea that the only way to use that £350 million is, believe it or not, to plough it into the Victorian hospital in middle of Watford. There are supposed to be evaluation panels, with the community engaged.

The community evaluation panel sat, and some of the members said, “Could we not have on the list a new hospital on a greenfield site?” There was no request for a show of hands, or vote. It just went forward; but it appears it has been completely ignored. The boards of both the West Hertfordshire hospitals trust and the CCG have disregarded it. It is all too expensive. We know, however, that it is not too expensive. Other parts of the country have an open mind, not a closed mind. They are not the same people who closed our hospitals in the past, making the same decisions on the future of Watford hospital.

I have concerns for the people of Watford—the patients of Watford hospital—and the staff. I am concerned about stripping out and fundamentally refurbishing what is a predominantly Victorian hospital, which was massively refurbished in the 1960s and 1970s. How can a full acute hospital continue to operate while that is going on—with all the risks? I have recently written—my old ministerial role was in the relevant Department—to the head of the Health and Safety Executive, because we know there is asbestos in the building. It is fundamentally dangerous, and it is not just because of asbestos, although that is the most prominent issue, and something that can have a massive effect. A tiny fibre in the lung is a death sentence. We know it is there, but we do not understand why the figure of £750 million has been used, and why the figure of £350 million is trapping my constituents in a certain quality of care, simply because we happen to be small and badly managed—not just by the present management but over many years.

Why are we being penalised? That is how we feel, as a community, across political divides—across everything. Labour were massively involved with the problem long before we took over in Government. Why does not NHS England say: “This trust is failing again. It is not big enough. It cannot cope. Let us sort it, management-wise, and bring trusts together.” Then we would go over the £350 million income stream figure, up into the £500 millions. Strangely, £500 million was the figure for what has just been built in Leeds. It seems strange that for Hertfordshire’s largest town, and one of its most historic towns, St Albans, which have massively growing populations, Watford is the option. I do not want to take anything away from Watford until there is a new build. I do not want to take anything from it that will undermine what it has—unlike what happened to us. However, perhaps the Minister would like to come to Watford when Watford football club is playing at home—or even just during the rush
The other day among colleagues, “Wake up and smell the coffee.” The public will not put up with a second-rate management system in the NHS. It is affecting my constituents—and I class myself as a member of the public. I live in the middle of the town. I am not going to put up with a second-rate system of management, and incompetence in running a trust.

I shall probably ask to intervene on the Minister during his speech.

11.17 am

The Minister for Health (Stephen Hammond): It is a pleasure to serve under your chairmanship, Sir David, and to respond to my right hon. Friend. I want to say at the outset that one thing we absolutely agree on is what he said in his opening remarks. He expressed, in bringing forward this important matter for debate on behalf of his constituents, recognition of and admiration for the frontline staff. Even though I do not know the frontline staff in his area, I know from my visits in my short time as Minister and from my constituency experience that the professional care they deliver is admirable and extraordinary. We should never forget the effort they put in, and my right hon. Friend is right to acknowledge that.

Before I address specifics, and before what I suspect will be an iterative debate, I want to deal with two fundamental points, which I know my right hon. Friend knows, but are worth putting on the record. First, any service change in the NHS must clearly be based on clear evidence. Secondly, before any substantive change is made, patients and the public should be consulted. My right hon. Friend raised two interesting subjects on which I could have a debate of an hour and a half, or probably even three hours. One was local accountability in the NHS, in its wider sense and form, and how he is accountable as the Member of Parliament. The other was funding criteria.

My right hon. Friend has, I think, addressed two other Ministers on his passion for the longstanding need to improve the quality of hospital infrastructure in west Hertfordshire. That has been a stated aim of the Hertfordshire and West Essex sustainability and transformation plan since its inception. I know it is engaging in the process of looking at how a redevelopment and redesign of the hospital provision in west Hertfordshire can be achieved, working alongside NHS England and NHS Improvement.

I recognise that my right hon. Friend has real concerns and real scepticism about the work of the CCG. I hope he will recognise the work that the sustainability and transformation partnership is involved in in the hospital development process, and the fact that the director of strategy took part in a process and evaluation meeting in February 2019, at which a shortlist of our options was discussed. The STP is also due to take part in the next evaluation event.

I understand what my right hon. Friend says about the capital. I hear his criticism and scepticism of the West Hertfordshire hospitals trust, but it has been taking the lead in developing the strategic outline case for change, but he is right to feel that this is important. They keep going on about “You can’t afford it. It will be over £350 million. It will cost £750 million.” Frankly that is a pack of lies and we need to wake up. As I said the capital.

My acute trust has to make a fundamentally important decision, based on fact, but it is ignoring fact—not just public opinion or “This is the best for it”, but criteria. They keep going on about “You can’t afford it. It will be over £350 million. It will cost £750 million.” Frankly that is a pack of lies and we need to wake up. As I said
feedback made two key points: it was clear, first, about the need for funding, and secondly, that the overall public money for hospital redevelopment is relatively limited.

My right hon. Friend has raised the issue of the £350 million; he knows that the turnover figure is a key criterion and a key threshold for capital investment, and that any options that significantly exceed the £350 million capital cost have been excluded from the current shortlist. He is obviously aware of a £750 million figure being used locally, but I must confess I am not aware of that figure. I would be delighted to offer him a chance to sit down and try to work out with me where that figure came in—recognising, as he rightly points out, that it will not be a Minister who makes any decision. If it is helpful to him, I am happy to have that discussion.

Sir Mike Penning: I had that discussion with the Secretary of State, a couple of days after he was appointed. It is not just Ministers that I pick on—Secretaries of State get it in the ear as well. There are two points I would like to touch on. First, how can it be fair to a community that, if it is just based on the turnover of a trust and that trust happens to be a very small one, the provision we get locally is second class? We cannot even go to that territory. Secondly, on the £750 million, I will ask the Minister to step in, because that is the figure being used locally to rule out the greenfield site. There was an evaluation panel, and members of the panel asked for the greenfield site to be put in, and fundamentally, it appears to me, they have been completely ignored.

Stephen Hammond: I made the point a moment ago that, because the cost of that greenfield site exceeds the £350 million threshold, it has currently been dropped from the shortlist of options. My right hon. Friend repeats a point that he made during his speech, questioning the criteria; he will know that I have heard what he has said. As he has just informed me, he has made a representation to the Secretary of State about that figure, and I have offered to have a meeting with him so that we can both explore it.

I do not think that, in the relatively short time available, I should get into the debate about the loan criteria, as I said at the beginning. We can have that debate at some other stage if my right hon. Friend wishes to put it forward, but he knows that at the moment the key threshold for capital investment would be the turnover, and therefore options that significantly exceed a £350 million capital cost have been excluded. As part of the option appraisal process, senior leaders and clinicians, as well as expert analysts, were involved in information gathering to put together the option evaluation. He will know that that included demand and capacity analysis based on population, hospital activity and operational planning.

With regard to reviewing that process, my right hon. Friend, as he said, wrote to both NHS England and NHS Improvement concerning the approval process. As he referenced in his speech, he forwarded to them an email from Professor Ron Glatter of the New Hospital Campaign. I understand that in that email, the professor requested a full statement of the outcomes of NHS Improvement’s review of the trust’s acute transformation strategic outline case.

In its answer, NHS Improvement has so far said that it has not started its formal review because the Treasury and the Department have not yet decided whether the proposal represents a scheme that can in principle be supported by central Government. I recognise the strength and effort of the campaigning for the new hospital option and I acknowledge the expert views that have been sought. While it is obviously not right for me to prejudge the answer from NHS Improvement, I know my right hon. Friend will recognise that I and the Department must take a wider view and that decisions made on capital funding must be the same for everyone across the country.

There has clearly been a huge amount of public engagement throughout the process, and I understand that further public engagement is planned for this month. Notwithstanding my right hon. Friend’s scepticism, I understand that the results of those consultations, in terms of the preferred way forward, will be taken to the trust board and the CCG in June 2019.

I recognise my right hon. Friend’s commitment to improving services; I assure him that the information provided by the New Hospital Campaign is being considered and will be considered as part of the review. As I said, it is not appropriate for Ministers to comment on specific decisions but, as he knows, the Government are determined to encourage innovation and to ensure that all patients have access to high-quality services. The updated proposal will clearly help to inform both the Department and the Treasury about capital allocations in the next spending review. I will not rehearse the arguments about the extra £33.9 billion of cash to support the NHS, or the additional capital and the bid we are putting forward in the comprehensive spending review.

Sir Mike Penning: If we accept that the rules at the moment are that any bid cannot be over the revenue income, which is the £350 million, can the Minister explain to me why, in Birmingham, the new build for 750,000 people cost between £300 million and £350 million, which we know because of the Carillion contract that collapsed, and the Royal Liverpool cost £335 million, yet we have been ruled out of having any new build on land that is actually owned by us—one of the sites is on Crown Estate land, public land—because it would exceed £350 million? I know he probably will not have the ability to answer that this second, but a letter in the next few weeks would be very helpful.

Stephen Hammond: As my right hon. Friend knows, all Ministers can make an attempt at an answer, but I am sure he would prefer a detailed answer. Therefore, I will make that detailed response to him, as he has asked, in a letter. I also know that he would like me to commit to the spending now, but he will know that I am unable to do so at this stage. I have listened carefully to his points about what might be the cost of the redevelopment that he believes should happen, and he will know that I have heard that. He will also know that I have heard the differences that he has pointed out between the supposed or quoted cost and the cost of build in other areas. He knows that I will have taken that on board.
At this stage, with just 30 seconds to go, I thank my right hon. Friend for bringing this matter to the Chamber and for making the case yet again for his constituents. He should know that the Minister and the Department have listened, and I will respond to him and have that meeting with him.

Sir Mike Penning rose—

Sir David Crausby (in the Chair): Order; I do not think we have time, Sir Mike. There is no right to sum up in a half-hour debate.

Question put and agreed to.

11.30 am

Sitting suspended.

Leaving the EU: Fishing

[Mr Graham Stringer in the Chair]

2.30 pm

Melanie Onn (Great Grimsby) (Lab): I beg to move, That this House has considered fishing and the UK leaving the EU.

It is a pleasure to serve under your chairmanship, Mr Stringer. I start by welcoming the Minister to his place. It is incredibly welcome that he is an east coast colleague, and so will understand the particular pressures on the fishing industry in that part of the world. I look forward to building a constructive relationship with him over the many years that I know he will be in post. Many Members will use their contributions to talk about the catching aspect of our fishing sector—both around the whole UK and in their local areas—with which they will be more familiar than me. I will focus on the impact of Brexit on the post-catching aspect of the sector.

The fishing sector has been the hallmark of Grimsby for generations, and factories such as Young’s and Seachill are the largest source of employment for people in Grimsby. Traditional Grimsby smoked fish is perhaps the most recognisable symbol of quality in the fish world. If the Minister has not yet had the chance to try some, I urge him to visit my constituency and to come along to Alfred Enderby, which supplies Marco Pierre White’s restaurants, and hopefully then he will understand exactly why it has such an excellent reputation.

However, the fish that feeds those factories and smoking houses no longer lands at the docks in Grimsby, and often not even in the UK. Instead, the fish processed in my constituency arrives at our factories from across northern Europe. The cod and haddock used by companies such as Young’s and Seachill and enjoyed by many in the fish and chip shops up and down the country are caught in the likes of Norway and Iceland. They are then transferred across Europe, usually by lorry, moved on to a container ship and then put back on a lorry, eventually arriving at their destination. Those companies really worry about the effect of Brexit on their sector.

It is right that we talk about the sector as a whole, including processing. The Government document, “Seafood 2040: A strategic framework for England”, looks at the whole sector, from catching the fish all the way through to its ending up on people’s plates. The strategy covers the industry in its entirety, which is why it is relevant for me to raise these issues. Companies such as Young’s and Seachill rely on seamless supply routes to ensure that the fish that they use arrives in as fresh a state as possible. Any delay in the transport of what is a highly perishable good will have a massive impact on both the quantity of spoiled fish and the quality of the end product in our supermarkets.

Mrs Sheryll Murray (South East Cornwall) (Con): The hon. Lady mentioned, and is a powerful voice for, processors in her constituency. Could she give us some idea of how much of their supply those processors source from EU member states and how much is sourced from places such as Norway and Iceland, which are clearly third countries to the EU at the moment?
Melanie Onn: The hon. Lady is absolutely right: we source the majority of our product for processing from Iceland, Norway, the Faroe Islands, Greenland and so on. However, it is worth noting that those countries have European economic area and European Free Trade Agreement agreements with the EU. Our relationship with the EU will impact on those agreements. There is no way, so far as I can see, that we can supersede their existing relationships with the EU. The hon. Lady is shaking her head vigorously from a sedentary position. I am sure that she will address that point in her own comments when the time comes.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I congratulate the hon. Lady on securing the debate. Does she share my concern about a no-deal scenario? The Welsh fish and sea fish sector exports 90% of what it produces, much of it to the EU, and is worth £25 million to Wales. Will she join me in calling on the Department to provide financial support in the event of a no-deal scenario?

Melanie Onn: The hon. Lady raises an important point, and £25 million is not an insignificant sum to Wales. We saw this morning the release of proposed tariff rates, which I will come on to later. Perhaps the Minister can offer some reassurance on that. Going ahead with no deal will have a dramatic impact on trading as we know and understand it, because all our systems are set up to work within the current framework. It is absolutely imperative that the Minister hears these issues raised by colleagues.

Mr Alistair Carmichael (Orkney and Shetland) (LD): The hon. Lady will doubtless be aware that the tariff guidance published by the Government this morning lists a range of tariffs for imported fish. However, there will of course be zero tariffs between the Republic of Ireland and Northern Ireland. First, how workable does she think that scheme will be? Secondly, does she think that it will find favour with processors in her constituency?

Melanie Onn: Certainly, the information we received this morning presents a range of difficulties, as the right hon. Gentleman is absolutely right to highlight. The difficulties of potentially having zero tariffs on imports coming from Ireland, through Northern Ireland and into the UK will have a dramatic impact on the whole sector’s trade routes. I think the figure put on tariffs for import was 11.9%. I will ask for further information about that, because obviously we had that information only this morning.

It is quite concerning that that information has only been released today. It would have been preferable for these kind of details to be in the public domain at an earlier stage. All parliamentarians have been considering and voting on issues relating to leaving the EU and we are only now finding out some of these facts. That is not in the best interests of the industry and is certainly not in the best interests of people working in the industry in our constituencies around the country. Grimsby’s fish processing sector needs assurances that, come what may, it can continue to enjoy its current seamless supply route. However, industry leaders in the area currently express deep concern about the lack of clarity over how they expect the sector to operate in what could be a matter of weeks.

Currently, health certificates for fish imports from inside the EU or EFTA are only required for species that carry, or are at risk from, controlled diseases, but they are needed for all fish imported from outside the EU. Fish from EU and EFTA nations do not need to go through border checks when entering the UK. Imposing requirements on markets such as Norway and Iceland to provide health certificates for all the fish they export to us would lead to increased border checks on fish from those countries and could mean damaging delays to the delivery of fresh fish into the country. Will the Minister confirm that it is not the Government’s intention to require all fish from markets such as Norway and Iceland to have health certificates once we leave the EU?

If we leave the EU without a deal, all fish exported to the EU will require export health certificates, but companies in my constituency have raised concerns that local environmental health officers simply do not have the resources to facilitate that significant increase in their workload. Can the Minister perhaps put companies’ minds at ease by informing us of what steps the Government are taking to ensure that exporters will not be hindered by struggles to produce health certificates in the very unenviable situation that we leave without a deal?

If there are extra certificates, checks and tariffs, those will all be checked and carried out at our ports, and there are concerns among Grimsby companies that even with a deal, ports will experience a bottleneck post Brexit. We have heard about the plans for lorry parks in Dover, but there are also plans around the country for extra capacity to deal with delays in port areas, and the position is the same in north-east Lincolnshire.

Currently, fish arriving at ports in north-east Lincolnshire have been checked and certified in Iceland before being shipped to the UK. Fish arriving here can be seamlessly transferred because of the long-standing relationship between Grimsby and Iceland. There is enormous trust as a result of that relationship, which has existed for decades. It works, and nobody wants that to change. It means that the fish is moved seamlessly. There is no damage to the product. It comes in, and there is no risk of any kind of perishing of the product when it comes through, which of course would devalue it on the open market.

If the UK imposes its own customs checks on fish once we leave the EU, rather than accepting checks as it does now, that would severely impact the quality and quantity of usable fish that ends up in the UK market. Can the Minister therefore confirm that the Government will continue to accept checks from the likes of Iceland as valid and will not impose further checks at UK ports, which could have severe impacts on the viability of the fishing industry in the UK?

We know that additional funds have been directed towards UK ports. The Humber ports of Immingham, Grimsby, Hull and Goole will share £135,000. However, the “Seafood 2040” document highlights the fact that 72,000 tonnes of fish caught under UK licence are currently landed in ports outside the UK. That issue is partly about infrastructure at ports and partly about inadequate facilities. If the Government really recognises the potential for the future of the fishing industry—the potential to grow as we leave the EU—do they consider
that that investment of £135,000 between four different ports in the Humber area will be enough to enable them to cope with future demand? Will it make Grimsby fish stocks ready for the 21st century?

Sir Alan Campbell (Tynemouth) (Lab): May I congratulate those people in my hon. Friend’s area who have secured some of that money for the ports, however inadequate it is. I point out to the Minister—I understand that this is a Department for Transport and Ministry of Housing, Communities and Local Government matter—that of the £3 million in total that is being given to ports across the country, not a single penny is coming to any port in the north-east of England.

Melanie Onn: My right hon. Friend raises a serious issue. There must be equitable distribution of funds. If there is a genuine desire to support the industry, the infrastructure and the facilities must be there. To exclude one at the expense of another is not looking to the future. I hope that the Minister will take the opportunity to respond to my right hon. Friend’s point in his closing comments.

The additional funding is of course welcome; nobody is going to say no to additional funding, but how it will be shared and distributed and where the priorities will lie are still a concern. When it comes to the spending, will it go to the company that runs the dock facilities, or will it make Grimsby fish stocks ready for the 21st century? Will it get a share of it? That is not clear. I would be interested to know whether the Minister has any thoughts on that, too.

The concerns are clearly not felt by the processing sector alone. According to the UK Seafood Industry Alliance, we export most of what we catch and we import most of what we eat, with 90% of the cod consumed in the UK coming from outside our borders, and species such as nephrops, which are quite unfamiliar to UK dinner tables, being among our most valuable seafood exports. If we leave without reciprocal and species such as nephrops, which are quite unfamiliar to UK dinner tables, being among our most valuable seafood exports. If we leave without reciprocal and favourable trade arrangements with major importers and exporters, we could easily end up in a situation in which fishermen struggle to make vital profits on export species that are extremely valuable in foreign markets, while we see the cod and haddock in our chippies and supermarkets skyrocket in price as tariffs are slapped on our imports.

The Minister for Agriculture, Fisheries and Food (Mr Robert Goodwill): Customers may not recognise nephrops, but they will certainly know what Whitby scampi or Young’s scampi look like.

Melanie Onn: Yes. The Minister makes a key point. Perhaps there is less familiarity with some of the other species that we export, and export very valuably, to the EU markets.

Let me return to the point about tariffs, which we touched on. There was the publication this morning that referred to 11.9% on protected lines. That is the most preferred nation rate. It is what, in the event of no deal, we will be trading on. Can the Minister explain that in greater detail? The information came out only this morning. I have gone to various sources, including the Library, to try to get more detail about exactly which species will be affected and how, but perhaps the Minister can put that on the record here today. If he cannot do so, will there be a ministerial written statement to explain the implications of the tariffs and what they mean for the UK sector?

Ian Paisley (North Antrim) (DUP): The hon. Lady will accept that the EU would be absolutely barking mad to embark on a tariff war on fishery and fishing products with the United Kingdom, given our dominance of the sea.

Melanie Onn: We are in a fortunate position, in that the Minister’s predecessor set a very positive tone from the start of the negotiations to leave the EU. I expect that to continue under this Minister. He is a very reasonable gentleman, and I expect him to recognise, in the same interest of standing up for the UK fishing sector, that an unnecessarily aggressive approach is not one that he should take. I do not think that there is any desire on either side to start so-called tariff wars. There is a mutually beneficial industry. The common fisheries policy may continue to be a bone of contention, but in more recent years the relationship has improved, and the changes that have been made in the CFP have struck a good balance between the environment and the catching sector. I hope that that will continue, so I hope that the Minister will take the opportunity to respond to my right hon. Friend’s point in his closing comments.

Mr Carmichael: I confess that I am not entirely sure what this means, but the list published by the Government this morning says that “shrimps of the genus ‘Penaeus’ even smoked or whether in the shell or not—including shrimps in shell cooked by steaming or by boiling in water” will be subject to a 12% tariff. If that is what we are levying as a tariff on imports, why would the EU not levy something similar on our exports to the EU?

Melanie Onn: The right hon. Gentleman makes a valid point about what would happen in the event of no deal. We know—we will be voting on this very subject later—that it is highly unlikely that there will be a majority for a no-deal outcome. For this sector, we should perhaps, in the course of the debate taking place in the main Chamber, go and make our voices heard and say exactly why that would be an incredibly unhelpful outcome.

Liz Saville Roberts: Does the hon. Lady share my concern, though, about the withdrawal agreement? The whelk market is worth £6.2 million a year to Wales. It is understood that even if we leave with the withdrawal agreement, there is currently no agreement with South Korea. At the moment, we trade with South Korea under an EU agreement. Processed seafoods, such as whelks, would be subject to a 20% tariff in South Korea if we traded under World Trade Organisation rules.

Melanie Onn: The hon. Lady leads me neatly to a point about international trade and the role of the Secretary of State for International Trade in securing
deals. As I see it—I am sure hon. Members on the Government Benches will leap to the defence of the Secretary of State—there has been such a strong desire to ratchet up the number of confirmed trade deals that, in some circumstances, they have been made at the expense of the fishing sector. The hon. Lady’s point stands, but I would like to expand on the example of the Faroe Islands deal.

It is good that a deal has been done with the Faroe Islands. In the fishing sector, the Faroe Islands is a relative small exporter to this country, exporting about 35,000 tonnes, which is much less than Norway and Iceland. In previous fisheries debates, we have discussed the fact that the catching sector has been kept very separate from the trading element. At the time, we all agreed that it was probably a good thing not to combine the two, because it would get too complicated. In the case of the Faroe Islands, it seems the deal has been made at the expense of—

Mr Carmichael: Mackerel.

Melanie Onn: Mackerel. I am reliably informed by the right hon. Gentleman from a sedentary position. If that is the blueprint for future deals with Iceland and Norway, it will not serve our industry well. I wonder what conversations have taken place between the Department for International Trade and the Department for Environment, Food and Rural Affairs on this specific issue. If there have not been detailed conversations, perhaps there could be such conversations in advance of signing up to any more deals, which otherwise will make it more difficult for companies that catch and trade in fish to continue their business. Companies that rely on importing say that we need to focus on deals with major suppliers, such as Norway, Iceland and Canada, if we are to have a seamless transition post Brexit.

Dr Philippa Whitford (Central Ayrshire) (SNP): Is the hon. Lady aware that in the trade deal between the UK and the US, fish and fish products are included with industrial goods? While agriculture is excluded and protected in that deal, bizarrely, fish is not.

Melanie Onn: That point has been discussed in previous debates on this matter. It complicates the issue of whether things are considered food or industrial goods, or whether they come under farming. Therefore, it is unclear which Department has responsibility for and understanding of the fishing industry, which is a complex industry, because it encompasses so many different elements, as we discussed.

Will the Minister confirm what discussions he or his Department—given his recent appointment—have had with the Department for International Trade about the importance of getting those deals with major suppliers over the line? Will he inform us of the status of the deals with Norway and Iceland, and whether we can expect favourable trade terms for fish when we leave the EU, regardless of the scenario in which we leave?

I know that people in the industry are very concerned at the amount of repetition that occurs in paperwork and fear that it will only get worse post Brexit. Are there any plans to simplify the often arduous paperwork?

Currently, there are no digital solutions in place that I am aware of to reduce the burden of the bureaucracy on people throughout the sector.

Finally, regarding the future of the fishing sector, I know that people in Grimsby would be delighted to see the rebirth of its traditional fishing industry, to sit alongside the new, emerging sector in offshore wind energy. There remain issues around training, awareness and skills. Even in the industry as it stands, we have not managed to get those things right as a country. I hope the Minister will put all his efforts into ensuring that we have the best possible industry in future.

Graham Stringer (in the Chair): We have about half an hour before I call the Scottish National party spokesperson, leaving about five and a half to six minutes for each speaker. I do not want to impose a time limit.

2.55 pm

David Duguid (Banff and Buchan) (Con): I congratulate the hon. Member for Great Grimsby (Melanie Onn), my colleague in the all-party parliamentary fisheries group, on securing this debate. My constituency of Banff and Buchan is estimated to have been the most pro-Brexit constituency in Scotland—in fact, it was the only constituency in Scotland that voted to leave the EU in the 2016 referendum. That is unsurprising in the context of this debate, given that it is home to two of Europe’s largest fishing ports. Peterhead is the largest white fish port in Europe and Fraserburgh is the largest for shellfish.

Fishermen across the UK have endured 45 years of their industry being run down through being a member of the EU and the common fisheries policy. They voted to take us out of the EU and the CFP. For years, they have compared their industry, declining under the CFP, to the Norwegian and Icelandic fishing industries, and even to that of the Faroese, all of which have flourished. Opposition to the CFP is a major reason why those countries have refused to join the EU.

It is clear that we can forge a better way as an independent coastal state with our own fisheries policy, but it is important that we get this right. We must ensure that we leave the CFP and take back control of our waters no later than the end of 2020. The UK Government have committed to that repeatedly. I hope that my amendment to the Fisheries Bill currently going through Parliament, ensuring that we do become an independent coastal state by the end of 2020, will reinforce that commitment and reassure fishermen across the country.

Likewise, it is vital that any future relationship with the EU does not compromise our status as an independent coastal state in exchange for some other priority, which would be a betrayal of the fishing communities. I have repeatedly said that I could not support any future arrangement that does not advance the interests of fishermen in general, and Scottish fishermen and those in my constituency in particular.

The Government have repeatedly committed to lead us out of the CFP, to become an independent coastal state. When that is achieved we can control the access to UK waters for all foreign fishing vessels and secure a greater supply of fish for our industry, without compromising on sustainability. That rebuilding process will require more than those measures alone.
Decades of decline in the industry, coupled with the appeal of the oil and gas industry in north-east Scotland, have made it particularly difficult for the industry to attract local labour to crew fishing vessels, leaving us heavily reliant on attracting foreign crew. In Scotland, approximately 400 fishing crew come from the EU and twice that number come from places outside the EU, such as the Philippines, Sri Lanka and Ghana.

The industry has already made moves to return to reliance on local workers in the future, and is willing to work with the UK Government to achieve that, but for the time being it expects to continue having to employ significant numbers of foreign crew, especially from non-EEA countries. As the hon. Member for Great Grimsby will appreciate, that applies to the seafood processing industry, which is heavily reliant on foreign labour.

Across the fisheries sector, the increased supply that Brexit promises will exacerbate the need for foreign staff in the short term. It would be tragic for British fisheries to be liberated from the CFP, only to be held back by labour shortages. I have been consistent in calling on the UK Government to ensure that their future immigration policy is fair for the entire UK fisheries sector.

Dr Whitford: Does the hon. Gentleman recognise that inshore on the east coast, and particularly on the west coast, where all fishing is inshore because of the Hebrides and the Outer Hebrides, we have an even greater problem in getting visas for non-EEA fishermen? We require a fishing or seafarers visa. At least a lot of fishing in the north-east is outside the inshore limit.

David Duguid: The right hon. Gentleman makes a couple of interesting points. One reason why I supported the withdrawal agreement last night was that it would have helped to alleviate that. The need for additional environmental health inspectors has been repeatedly raised with me by the fishing industry in my constituency. They are employed through the local council but no funding has been received from the Scottish Government for them, although I understand that English councils have received about £56 million overall for EU exit preparations.

I am conscious of time, so I will finish. As I said, we must ensure that our fish and seafood produce can be easily exported to markets. These are turbulent times for Brexit and for the country more generally, but we must never forget the hope that led many of our coastal communities to vote to leave the EU and the CFP. We can vindicate that hope, and I believe that the Government are committed to doing so, but delivering on that commitment will not be straightforward. It will require a cross-industry and cross-Government vision of our islands becoming the world-class global centre of excellence that they can be in the fisheries sector.

3.3 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to speak on this matter. Mr Stringer. I do not think a fishing debate has taken place during my time in Westminster that I have not participated in. People may say, “Well, he participates in most debates”, but that is by the way. The predecessor of the hon. Member for Great Grimsby (Melanie Onn) was the instigator of many fishing debates and it was always a pleasure to work with him, as it is to work alongside the hon. Lady now.

It is also a pleasure to follow the hon. Member for Banff and Buchan (David Duguid), with whom I see eye to eye on many fishing issues. He highlighted the issue of the Filipino fishermen, who we have spoken to the Minister about. The Minister knows the story only too well, because the four parties involved have made cross-party representations to him to try to bring about changes. We are fortunate to have the Minister in his place and I look forward to working with him. I also thank the former Minister, the hon. Member for Camborne and Redruth (George Eustice), for his contribution, because he was definitely a friend of the fishermen as well.

The Minister was a member of the Northern Ireland Affairs Committee, which did an inquiry into fishing, so he knows the issues. He also had an opportunity to visit my constituency, especially the village port of Portavogie. He sampled and enjoyed the wonderful Portavogie prawns and scampi, so when I say they are the best in the world, he knows that they clearly are.

The other issue that came up in the visit to the village port of Portavogie was the boats and the fact that many of them were old—we talked about it yesterday, as the Minister will recall. We need reinvestment in the fishing fleets in Portavogie, and in Ardglass and Kilkeel. In this House, I represent the fishermen and fishing sector in Portavogie, but I also have the opportunity and privilege of representing the fishermen in Ardglass and Kilkeel, given that the hon. Member for South Down (Chris Hazzard) unfortunately does not feel that it is his duty.
[Jim Shannon]

as a Member of Parliament to come to the House and represent the fishing sector. That is a story for another day, although it is true and factually correct.

The difficulties with fishing post Brexit could be no different from today, but I am quite confident about the future and I believe that the situation will improve. The fishing sector in my village of Portavogie is confident about where it will go and what it will do. The investment and the money that the Northern Ireland Fishery Harbour Authority has spent in Portavogie harbour is significant and welcome. We are also pleased that significant multimillion-pound projects are planned for Kilkeel post Brexit.

On a slightly different issue, I mention to the Minister the issue of the eel fishery, which we looked at in the Northern Ireland Affairs Committee. I am mindful of the time, so with that introductory comment, I will quickly comment on one issue.

The hon. Member for South East Cornwall (Mrs Murray) and I brought the issue of the voisinage agreement to the Minister’s attention. He responded to me in a letter after I applied for an urgent question, which the process of the House unfortunately did not allow to happen. I put on the record my annoyance on behalf of the fishing sector. We talk about post Brexit, but here is an example of what could happen to us.

The voisinage agreement means that Irish fishermen can fish in our waters close to the shore, and enables us to do the same, but a court case brought by Irish fish producers down south legally restricted the option and possibility of our fishermen—British fishermen—fishing in their waters. Under that legal agreement, they seized two fishing boats from Kilkeel and arrested the crew. At that point, some sanity crept into the process at long last. The Northern Ireland Fish Producers Organisation and the Anglo-North Irish Fish Producers Organisation released a statement, but in fairness, the judge in the court down south realised that the matter could be dealt with in only one way, and released them. That increased our angst about it, however.

For our fishermen who have fished under the voisinage agreement, and for the future of fishing, that is a warning signal that we cannot afford to ignore when we move out of the EU and into better times. We have continued to allow Irish boats access to our fisheries as part of our gentlemen’s agreement and as a nod to good working relations, and the behaviour of the British Government, the Minister and the Minister before him has been above reproach, yet that was the Irish Government’s response to our decent hard-working fishermen. They need to be reminded of the harsh truth; I am sure the hon. Member for South East Cornwall will do likewise.

I am conscious of the time, so I will skip forward to the other issue. I welcomed the immediate statements from the Irish Government; it appeared that they had realised that their aggressive approach and the arrest of our fishermen was not in the spirit of co-operation or good working relations, and the behaviour of the British Government, the Minister and the Minister before him has been above reproach, yet that was the Irish Government’s response to our decent hard-working fishermen. They need to be reminded of the harsh truth; I am sure the hon. Member for South East Cornwall will do likewise.

I am conscious of the time, so I will skip forward to the other issue. I welcomed the immediate statements from the Irish Government; it appeared that they had realised that their aggressive approach and the arrest of our fishermen was not in the spirit of co-operation or neighbourliness. Despite the commitments made by the Irish Prime Minister and deputy Prime Minister, however, who indicated that in the light of the situation, they would table legislation in the Irish Parliament to resolve the matter, I have seen little or no evidence of that so far. Again, I ask the Minister to update us on where the Irish Government are on that. Our fishermen need assurances that the Government will hold the Republic of Ireland to their commitment to pass legislation to resolve the voisinage agreement in the immediate term.

The previous Minister told us that he was committed to doing that at a meeting that my hon. Friend the Member for Upper Bann (David Simpson) and I held with the two fishing producers organisations in December last year. The Secretary of State for Environment, Food and Rural Affairs addressed a group of industry representatives in London stating that he and the Home Secretary were working to ensure that there would be a route for non-EEA fishermen into the industry post Brexit. I mentioned that earlier, and I mention it again. There seems to be some welcome news coming. Indeed, it is an essential component to any fishing policy.

I finish by making something abundantly clear: the post-Brexit fishing potential is enormous. It can bring great dividends. We must make the most of it, and stop kowtowing to those who have no respect or regard for us. They are taking care of their own and now, I believe, it is the Minister’s job to take care of us.

3.10 pm

Mrs Sheryll Murray (South East Cornwall) (Con): Leaving the common fisheries policy provides so many opportunities for the UK fishing industry. Article 62 of the United Nations convention on the law of the sea states that any surplus, and only the surplus, that UK vessels are unable to take from UK waters needs to be made available to other nations, and the UN fish stocks agreement protects shared stocks that transit between each country’s waters.

Leaving the CFP means an opportunity to boost our fishing industry, rather than allowing other member states to simply come in and take fish from UK waters, as is the case when the French take 80% of the cod from waters off the south-west coast—we will be able to take that with our fleet. That has the potential to benefit the UK economy: we will no longer be just giving away this very valuable UK asset to other nations to profit from, with no benefit at all to the Exchequer.

I pay tribute to the Minister’s predecessor, my hon. Friend the Member for Camborne and Redruth (George Eustice)—he did a really good job—and I welcome the Minister to his place. I cannot think of a better person to represent the fishermen for whom I care so much.

Leaving the CFP gives us the potential to implement measures that will attract young blood into the fishing industry. The industry has been in decline for the last 40 years, and we have the potential to grow it. I pay tribute to my joint co-chair of the all-party parliamentary group on fisheries, the hon. Member for Great Grimsby (Melanie Onn), who I know really cares about the processing sector. I also pay tribute to her predecessor, who I knew for many years and who I worked with on the Save Britain’s Fish campaign, since he was—

Melanie Onn: A lad!

Mrs Murray: Absolutely. Austin Mitchell was a great man, and the fishing industry cared so much for him.

Melanie Onn: He is still alive!
Mrs Murray: Yes, but he is not an MP any more. Sorry—I should have said he was a great MP!

Processors source much of the fish used in their factories from outside the EU—from Iceland and Norway, in particular. As an independent coastal state, we can set up deals with those nations. The hon. Member for Great Grimsby mentioned the European economic area. I may be wrong, and the Minister may correct me, but as I understand it, protocol 9 of the EEA agreement refers to no tariffs between EU and EEA nations, but does not prevent the European Free Trade Association—the three nations that sign up to the EEA—from signing bilateral agreements, either collectively or independently. I genuinely believe that there is an opportunity for the United Kingdom to sign trade deals that could benefit our processing sector with those nations.

I also believe that our membership of the North-East Atlantic Fisheries Commission provides us with a very real opportunity to speak to other nations that are not part of the European Union club. We have been hampered by our membership of the European Union for the past 40 years. I also understand that the EEA agreement excludes fisheries and agriculture, apart from some areas of compliance with regard to fisheries products. Could the Minister confirm that?

Finally, I pay tribute to the hon. Member for Strangford (Jim Shannon). It is time for the UK to take action under the voisinage agreement to stop the Republic of Ireland from imposing what I would describe as a hard border between the six-mile limit off the Republic of Ireland and that in UK waters off the coast of Northern Ireland. I hope the Minister can give us that assurance today.

3.16 pm

Peter Aldous (Waveney) (Con): It is a pleasure to serve under your chairmanship, Mr Stringer, and to welcome the new Minister to his place. I thank his predecessor, my hon. Friend the Member for Camborne and Redruth (George Eustice), for his sterling efforts over the past few years. I congratulate the hon. Member for Great Grimsby (Melanie Onn) on securing this debate. Her timing is particularly auspicious.

Although the final form that Brexit will take is uncertain at present, I believe that, generally, the Government and Parliament have used the period from 23 June 2016 up to now to good effect—focusing on the UK fishing industry and gradually putting in place a policy framework that will revive the industry.

To revitalise the industry in Lowestoft and along the East Anglian coast, which is now a very pale shadow of its former self, we need to address three challenges. First, local fishermen must be given the opportunity to catch enough fish to earn a fair living and to supply local markets, processors and mongers. Secondly, we must put in place a sustainable fisheries management system. Thirdly, we must ensure that the benefits of properly managed fisheries go to local people, local communities and local businesses.

My view is that, although there is still much work to do, we are gradually moving in the right direction and making progress. The cornerstone for the revival of UK fisheries is taking back control of our waters so that we decide who fishes there and on what terms. The Prime Minister has come under much pressure in negotiations to compromise on that undertaking. She has not done so and, whatever happens in the next few months, it is vital that we do not give ground on that point.

Mr Carmichael: I remind the hon. Gentleman that the Prime Minister has compromised on this—she compromised when she said she would put fisheries into the transitional arrangement period.

Peter Aldous: From my perspective, the Prime Minister has come under a lot of pressure from the French and the Dutch, and she has not given way in a meaningful sense.

Despite the fact that I tabled a large number of amendments to the Fisheries Bill when it was in Committee, it is generally a good document and Ministers and officials are to be commended for drafting it to such good effect under such time pressure. That said, it does need some changes. I have tabled an amendment to promote the fairer distribution of fishing opportunities, and we need to consider strengthening what is known as the economic link. Furthermore, although the Government have laid down a statutory instrument to outlaw electro-pulse fishing, there is a worry that loopholes are being left open. I wrote to the previous Minister detailing those concerns and, if they cannot be addressed, we may need to consider outlawing that abhorrent and completely unsustainable practice through provisions in the Bill.

To make the most of the opportunity to ensure that Lowestoft and other East Anglian fishing communities reap the Brexit dividend, the industry in East Anglia, under the leadership of June Mummery and Paul Lines, has formed the Renaissance of East Anglian Fishing. With the assistance of Waveney District Council, a grant has been obtained from the Marine Management Organisation to develop a long-term strategy for the East Anglian fishing industry. Additional financial support has been provided by the east Suffolk councils, Suffolk County Council, Norfolk County Council and SeaFish. The work, which is being carried out by Vivid Economics, is now under way. It looks at the current state of the industry and will come up with a strategy for its revitalisation all the way from the net to the plate. I anticipate that it will highlight where investment is needed in port infrastructure, skills and supply chain building, and I expect that we will be making submissions to the Chancellor’s autumn Budget.

The project is exciting and could prove to be a blueprint that could be replicated around the coast. I invite the Minister to visit us in Lowestoft to find out more about it.

3.20 pm

Ian Paisley (North Antrim) (DUP): It is a pleasure to serve under your chairmanship, Mr Stringer. It is always an honour to follow the hon. Member for Waveney (Peter Aldous), who is well known for his knowledge of these matters. As he knows, I have family connections to Lowestoft, and it is good to hear him.

The Minister was a member of the Select Committee on Northern Ireland Affairs and had the honour of visiting Northern Ireland on many occasions during that time. He of course visited Portavogie and other ports, and met fishermen there; he was a keen Committee
member. We prepared a report on fisheries in Northern Ireland, and the conclusions and recommendations were welcomed by the fishing industry there, as he will know. Unfortunately, however, the Committee and industry have still not received a substantive response to the report from the Government. Now that the Minister is effectively a poacher turned gamekeeper, perhaps when he is in the Department he could rustle up a powerful and positive response to it, to ensure that the industry and indeed the Committee is better informed about Government thinking on the key issues we identified. The report recorded the enormous potential that Brexit offers the industry in Northern Ireland. The common fisheries policy has had a detrimental impact there, and we want to rectify that—something that the industry looks forward to.

The United Kingdom has previously stated its intention of leaving procedures for importing seafood unchanged. Today that has been reinforced by the Government’s announcement of no tariffs on produce entering Northern Ireland from the Republic. Clearly that must be reciprocated by Dublin and the EU. Otherwise, as I said in an intervention, it is the Republic of Ireland that stands to lose more in a tariff war with the rest of the United Kingdom, given its dependence on British sea waters. No one wants that; we want to be good neighbours to the Republic of Ireland, and we have been good neighbours. However, it is important that people recognise that the hard border in Northern Ireland is actually a hard sea border, where the fishermen of the Republic of Ireland have denied access to our fishermen. That has to be rectified. I wait with interest to see whether an amendment goes through the Irish Parliament in Dublin will rectify the situation and ensure that the reciprocal voisinage agreement once again operates fairly for our fishermen in Northern Ireland.

Our report came out in December, at which time the Minister for Immigration would have been aware of the issues that affect the Minister’s constituency in this regard. The Minister met fishing representatives in Northern Ireland, and heard that among the issues that affect them is the fact that Whitby Seafoods, based in his constituency and employing 250 people in Kilked in Shetland. However, there are a lot of smaller-scale operators. In Troon in my constituency, we have the south-west Scotland fish market. It is very much a matter of small boats, and of nephrops, lobster and langoustine. Eighty-five per cent. of that harvest is sent to the EU. People make statements about all fishermen supporting leave, but that is not the case. The Clyde Fishermen’s Association and the Scottish Creel Fishermen’s Association have withdrawn from the Scottish Fishermen’s Federation because they felt that the only view ever put forward was for leave, as if fishermen were unanimous.

I understand that there are major issues with the common fisheries policy, but lots of issues that have been blamed on it are nothing to do with it. One is the fact that 80% of all the boats in Scotland share 1% of quota. The rest has largely been dominated by a handful of companies. In England the figure is 77% sharing 3% of quota. A lot of change would have to happen in the UK to make sure that the industry has quota. Norway has been mentioned. Why not look at having community quota, so that quota remains where it should be and is not transferred, as happens in Scotland—bought up and transferred from the west coast to the east? When we talk about opportunities for coastal communities, that must include the harbour, market and processors. The processors employ more people and generate higher gross value added than the fishermen. We must look at the whole supply chain. We do not feel that that is happening.

The right hon. Member for Tynemouth (Sir Alan Campbell) mentioned that there was no funding for ports in north-east England. No Brexit preparation funding has come to ports in Scotland. I am not sure of the situation in Northern Ireland. Up and down the west coast, we cannot get crew and have boats tied up, so the industry is on its knees. That is not to do with the common fisheries policy; it has to do with decisions made here. As I have said, most of our produce from south-west Scotland goes to Europe. As was mentioned, under WTO there would be a 12½% tariff, but fishing is excluded from the customs union, even within the withdrawal deal. We have a particular problem because of the Irish backstop. Northern Ireland fishermen could fish right in close to our waters, land fish and send it through southern Ireland at 0% tariff, whereas the more that was processed, the higher the tariff would be. Scottish salmon
dominates the smoked salmon market in Europe. It is one of the biggest food exports of the UK. It beats Norwegian salmon, which carries a 13% tariff. We will lose our aquaculture advantage, and Scottish smoked salmon could also end up with a 13% tariff. The idea that this is all easy and will be beneficial to fishermen is simply not true.

3.29 pm

Brendan O’Hara (Argyll and Bute) (SNP): It is a pleasure to serve under your chairmanship, Mr Stringer. I welcome the Minister to his place. I congratulate the hon. Member for Great Grimsby (Melanie Onn) on securing this debate, which gives Members another opportunity to raise their concerns about the effect that Brexit will have on their fishing industries. I say “industries” because it is important to recognise the great differences that lie underneath the catch-all term “fishing industry”, and all too often only the voices and opinions of the big players are heard or considered newsworthy.

As my hon. Friend the Member for Central Ayrshire (Dr Whitford) rightly said, in Scotland about three quarters of our active fishing vessels fish primarily in inshore waters, which are defined as those up to 12 nautical miles from shore. As Member of Parliament for Argyll and Bute, I am well aware of the importance of the fishing sector to the economic wellbeing of my constituency. As well as having an inshore fishing fleet, Argyll and Bute produces and exports enormous quantities of shellfish and has a hugely valuable Scottish salmon industry. Although those industries may do different things, they are linked by a couple of vital threads. First, they need to be able to recruit the right people to crew their boats and process their catch, and secondly they need guaranteed, fast and unimpeded access to markets. I believe that Brexit, in whatever form it eventually takes, threatens all that, and I do not think that that feeling of trepidation about what lies ahead is confined to the west coast inshore fleet.

Mrs Sheryll Murray: Will the hon. Gentleman give way?

Brendan O’Hara: I will make some progress for now. In a debate last November I quoted from an article in the Financial Times by Mure Dickie who, during a visit to Peterhead, spoke to at least one fish wholesaler based there who believed that they had been sold down the river once again.

Mrs Murray: Will the hon. Gentleman give way?

Brendan O’Hara: Let me finish my point. Interestingly, a couple of weeks ago, the Financial Times asked Mure Dickie to visit the west coast of Scotland to see how the promise of the bright new post-Brexit world was going down with fishing communities in Argyll and Bute. What he found bore a striking similarity to what he had encountered in north-east Scotland. When asked about the “sea of opportunity” that was promised to fishing communities during the referendum, Kenny MacNab from Tarbert, who chairs the Clyde Fishermen’s Association, replied:

“It’s only a sea of opportunity for a few. It’s not a sea of opportunity for the west coast inshore fleet”.

Just down the road in Campbeltown, long-time skipper Andrew Harrison said:

“We haven’t got the fishing opportunities to gain out of Brexit. We’ve got a hell of a lot more to lose”.

For fishing communities—from large producers in north-east Scotland to the inshore fleet on the west coast—the promised sunlit uplands of a painless extraction from the European Union, in which the UK will dictate who can fish in our waters and exactly how much they can take, while still receiving tariff-free access to the European Union, have been replaced by cold reality. Their sense of betrayal is palpable. That is not what people were promised; that is not what was written on the side of a bus.

Mrs Murray: Will the hon. Gentleman confirm what he appears to be saying, which is that Scottish National party policy is to remain in the common fisheries policy?

Brendan O’Hara: I am referring back to the debate we had last November, and indeed before then; we have had this verbal ping-pong before, and I will not be taken down that blind alley again. [Interruption.] I will make some progress.

I fundamentally disagree with the hon. Member for Waveney (Peter Aldous); like it or not, the EU has already linked gaining access to UK waters with access to markets. That suggests that any increase in quota for UK boats could come at the price of new trade barriers. That is an inescapable fact; that is what the EU is going for. Let us be honest: United Kingdom Governments do not have the best track record in defending the interests of the fishing industry when it is expedient for them not to do so.

In 2016, fishing, aquaculture and fish processing combined generated just short of £1 billion to the Scottish economy, and employed 15,000 people. In 2017, Scottish vessels landed just short of 0.5 million tonnes of sea fish and shellfish. However, it is one thing to catch and land fish, but quite another if there is no market to sell it in. Right now, we have a mature, stable and growing market. Fifteen days from now, who knows what we will have? That is causing grave concern in the Scottish fishing industry.

The European Union is by far the most important export market for Scottish seafood; in 2017, 189,000 tonnes of Scottish seafood, with a value in excess of £700 million, was exported to the EU. Fishermen in my constituency have perfected the art of getting langoustine, lobster or prawns out of the water and on to tables in some of the best restaurants in Europe in a matter of hours. That does not happen by chance. That has taken 40 years of dedicated hard work, and we will not stand by and watch it be thrown away by this Government’s incompetence, intransigence, and ideologically motivated red lines. As members of the European Union, we enjoy tariff-free access to 27 member states. No Brexit deal out there could be better for our exporters than the one we already have as full members of the European Union.

Dr Whitford: Does my hon. Friend see the danger in the fact that if fish processors on the continent require fish, they can invite fish catch landing at zero tariff? That could take fish from the North sea to the continent, which would mean that processors, harbours, and the rest of the supply chain here would not get to handle it.
Brendan O’Hara: My hon. Friend makes a good point, and I will touch briefly on fishing tariffs. We all feared that catastrophic tariffs would accompany a no-deal Brexit, and at 7 o’clock this morning we found out just how catastrophic they would be. As the hon. Member for Great Grimsby and the right hon. Member for Orkney and Shetland (Mr Carmichael) pointed out, the suggested tariffs are colossal and include a 7.5% tariff on monkfish, 15% on frozen fish, 12% on shrimp, 12% on nephrops, and 24% on tuna. I do not share the optimism of the hon. Member. Member for North Antrim (Ian Paisley) that the EU will not at the very least reciprocate when it comes to those tariffs. Those figures are potentially ruinous for the industry and will cost thousands of jobs in areas of the country that can least afford to lose them. I hope that every MP who cares for the future of this industry will join me in the Lobby tonight to ensure that no deal is taken off the table.

This debate is not solely about the tariff regime; a lot of other issues are deeply concerning. Last month I hosted a fishing summit; 60 skippers from all over the west coast of Scotland and beyond came to meet the Cabinet Secretary for the Rural Economy in the Scottish Government. Had anyone else bothered to turn up, they would have heard concerns about the loss of the European maritime and fisheries fund, how the quota has operated historically, and how the crippling cost of buying or renting quota is blocking new entrants to the industry.

In conclusion, for more than two years the UK Government and Westminster have offered Scotland, its people and its businesses nothing more than crippling uncertainty, and there is no prospect of that ending soon. More and more people are coming to the conclusion that only independence as a member of the European Union will save Scotland and its peoples. I look forward to the day when we can work with our neighbours and friends in Europe, collectively and collaboratively, on a fishing policy that benefits us and our neighbours.

I will spend the brief time I have today talking about what fishing should look like after Brexit. There is an opportunity to recast fishing policy and to address the genuine concerns that have been raised about the common fisheries policy; like my hon. Friend the Member for Great Grimsby, I am no fan of the CFP. However, concerns have been raised about the additional powers that the Government are considering, how they will be used and whether the Government are using the powers they already have to make the lives of fishers better.

It is worth saying that the Labour party does not oppose the Fisheries Bill. However, like the hon. Member for Waveney (Peter Aldous), who mirrors lots of my views about fisheries, there are still improvements that should be made to it. In particular, we need to consider how the Fisheries Bill can create truly sustainable fisheries. Our fishing needs to be sustainable, both environmentally and economically. In the past, those two elements have been seen as being opposed to each other, when in fact they are the same thing. If we do not have a sustainable fisheries policy, we will not have the fish, which means we will not have the fishing fleet, the processors and the industry, which would further affect our coastal communities.

That is why sustainability needs to be at the heart of the Fisheries Bill. The Minister’s predecessor was not so generous as to accept an amendment from the Opposition that sought to change the name of the Fisheries Bill to the “Sustainable Fisheries Bill”. Nevertheless, I would like to see the new Minister not put sustainability throughout the Bill. We need to ensure that, regarding what comes after Brexit, the Fisheries Bill considers how we can regenerate our coastal communities, gives a fairer deal to our small fleets in particular, ensures a high level of marine safety by UK boats and—importantly—by foreign boats in our waters, promotes fishing co-operatives, and deals with the grand rhetoric and huge promises that the Secretary of State and others in Government have made about what fishing can get out of Brexit, because, as has already been mentioned, there have been concerns about the betrayal of fishers.

I encourage the new Minister to be cautious about making any grand promises, because, as we have heard about fishing in the transition period, promises that have been made to the industry and repeated time and again have not been delivered. I therefore invite him to be cautious about some of the words that he uses, to make sure that there are no additional betrayals or disruption.

The Labour party believes there is an opportunity to use the Fisheries Bill and post-Brexit fishing to consider redistribution of quotas. It is really important to consider how we can support the small-scale fleets in particular in post-Brexit fishing. There is an opportunity, with the powers that the Minister already has under the CFP, to consider reallocation of quotas and whether our quota system is the right one.

The Minister, writing on his own website, has come out in support of effort-based regimes regarding quota allocation. Many of us in this House hoped that that had been put behind us, so I would be grateful if he clarified his views on effort-based regimes, especially as they were not front and centre in the Fisheries Bill. As we go forward, it is important that the promise to coastal communities that Brexit will deliver more jobs and more fish is delivered, and it can be delivered...
through fair distribution, within the CFP and outside it. That needs to be written throughout the Fisheries Bill.

Another issue that we discussed in the Fisheries Bill Committee was marine safety. Brexit must be used as an opportunity to increase marine safety, for not only for UK boats but foreign boats. At that time, the Minister’s predecessor did not want to consider a suggestion from the Opposition to require foreign boats to have the same high environmental standards and marine safety standards as UK boats. However, there are great opportunities to adopt more widely what is already going on.

I invite the Minister to consider the lifejacket scheme being pioneered by Labour-run Plymouth City Council. This scheme has been developed with the industry to provide new lifejackets to fishers—let us face it: fishers do not always wear the lifejackets that we know they should wear—to ensure that the buckle does not get in the way of their work, and, importantly, that there is a personal locator beacon on every single lifejacket, so that if a fisher falls overboard or comes into contact with seawater, the PLB activates and the “search” is taken out of the search and rescue operation. Although responsibility for this scheme is shared with the Department for Transport, developing it further is something that the Minister could achieve a quick win on.

Mrs Sheryll Murray: I am sure that the hon. Gentleman is very well aware that I have a personal interest in safety at sea. Does he welcome the fact, as I do, that in the last Budget the Government made quite a considerable sum of money available for safety equipment for fishermen?

Luke Pollard: I thank the hon. Lady, who has a neighbouring constituency to mine, for that intervention. It is good that we have two MPs from the far south-west championing fisheries in this debate. However, I would like to know what that money is being spent on, because I am cautious about press releases and announcements, and I want to see action, including action to spread the best practice of that lifejacket scheme to every single one of our fishing communities. That could be really strong action.

I agree with the hon. Member for Waveney, who made some compelling points about strengthening the economic link; we know that for every one job at sea, there are 10 jobs at home in fish processing. However, the Fisheries Bill does not strengthen that link; it is nowhere near strong enough in that regard. I therefore invite the Minister to consider how we can strengthen that economic link. Labour’s proposal to ensure that at least 50% of all fish caught under a UK licence is landed in a UK port could be a huge step forward in that respect.

I also press the Minister to do more to support the development of fishing co-operatives, in both the catching sector and the processing sector. Fishing co-operatives are a real success story; from the south-west of England to Scotland, they have prospered largely without Government support. Their potential for expansion, with a fairer share of wealth and power in our coastal communities, is vast.

I hope that the Minister will carefully consider ways to encourage the establishment of more co-operatives, and that he will work with Labour and Co-operative MPs to help double the size of the co-operative sector in fishing. There is a real opportunity to keep the money that is generated by fishing in those coastal communities by building more co-operatives.

Finally, because I realise my time is running out, I repeat that I share the concerns of my “double” from across the aisle—the hon. Member for Waveney—about electric pulse beam fishing. I know that we had a brief conversation about that in the margins of yesterday’s debate on farming, but I put on the record the Opposition’s real concern about electric pulse beam fishing. It is a cruel method of fishing. As a nation, we should be proud to say that we will not allow it in our waters. I know that the Minister is taking steps to look again at the licences of UK boats engaged in electric pulse beam fishing, but the statutory instrument that was tabled by his predecessor would allow 5% of the UK fleet—around 200 boats—to use this cruel method of fishing, which is simply not good enough. We should ban electric pulse beam fishing and allow it only under scientific derivations when there is a clear scientific case for it, and we should not use the case for science—as some of our Dutch friends do—to create commercial fisheries that use electric pulse beam fishing.

There is a huge opportunity to make sure that our coastal communities receive the investment they need, because in many cases those communities have been hit hardest by the austerity of the last nine years, and if we are to realise the promises made during the leave campaign, and since the referendum, about the benefits that can derive from a revised fisheries policy, we need the Minister not only to ensure that the regulations and laws that come after Brexit work, but to use the powers that he already has to ensure a fairer distribution of quota and more investment in our coastal communities.

Graham Stringer (in the Chair): Before I call the Minister, may I ask him to leave a minute or 90 seconds at the end of his remarks for the proposer of the debate to wind up?

3.48 pm

The Minister for Agriculture, Fisheries and Food (Mr Robert Goodwill): Thank you very much for that, Mr Stringer, and I am grateful to the hon. Member for Greater Grimsby (Melanie Onn), who is my relatively near neighbour on the other side of the Humber, for securing this important debate.

As a former shipping Minister, I know Grimsby very well. Indeed, I recall that, years ago, when I first entered Parliament, there was the annual fishing debate, when Austin Mitchell and I would often engage in speeches. By the way, I am very pleased to know that he is still alive, but he will be very pleased when the UK finally leaves the European Union, as will the many people in Greater Grimsby who voted to leave.

I begin my first debate as fisheries Minister by paying tribute to our fishermen, who regularly risk their lives to provide healthy, sustainable and nutritious food in what is still one of the most dangerous jobs in this country. My thoughts are with the fishermen who have suffered loss and injury and with their families, and I thank those in the rescue services for their bravery and dedication. Before I turn to the notes I have prepared, I will comment on some of the points that have been made during the debate, which are probably more important. I particularly want to address the hon. Lady’s point about tariffs, and the situation in Northern Ireland,
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Leaving the EU with a negotiated deal remains the best outcome for the UK, and I am disappointed that so many people in this room, particularly those on the Opposition Benches, did not vote last night to leave the European Union on 29 March. Doing so would have moved us on from many of the concerns that Members expressed about a no-deal Brexit.

Liz Saville Roberts: I know that many fishermen are watching this debate. Will the Minister tell fishermen in Wales who export processed whelks to South Korea what their future will be under the withdrawal agreement? I emphasise to the Minister that the highest percentage of small vessels in the United Kingdom are Welsh vessels. Ninety per cent. of Welsh vessels are under 10 metres, and many of their owners make their money out of this sort of industry. The withdrawal agreement could be devastating for them—I declare an interest, because my daughter is the part owner of exactly one of those vessels. Will the Minister commit to providing financial support to fishermen who trade under non-EU free trade agreements in this current situation of uncertainty?

Mr Goodwill: South Korea, as we know, is not in the European Union, and therefore Brexit will not have an impact on that industry. However, the hon. Lady may rest assured that we are planning for all scenarios, as any responsible Government would, including leaving without a deal.

Today, the Government have published information about essential policies that would need to be in place if the UK were to leave the EU without a deal on 29 March. In that scenario, the Government would implement a temporary tariff regime that would apply for 12 months. Under that regime, the majority of imports would be tariff-free, including the majority of fish imports. There would be exceptions for some fish products, primarily tuna and warm-water shrimps and prawns. For those products, preferential access to the UK market is important for developing countries.

In a no-deal scenario, the Government are committed to entering into urgent discussions with the EU, including Ireland, to jointly agree long-term measures to avoid a hard border on the island of Ireland. On a temporary basis, the Government would not introduce any new checks or controls on goods crossing from Ireland to Northern Ireland. However, fish from outside the EU would need to enter Northern Ireland through a designated entry point.

Martin Vickers (Cleethorpes) (Con): In recent weeks, I have been corresponding with Iceland’s ambassador to the UK, who is particularly concerned about whether the tariff advantages that Iceland receives under EEA arrangements will continue. Can the Minister confirm that that will be the case?

Mr Goodwill: I think I will be spending quite a lot of time in Oslo, Reykjavik and the Faroe Islands, which will be our new allies in this area, particularly at the annual Fisheries Council. We will attend those negotiations as an independent coastal state like Norway, making those important decisions.

The hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), the Opposition spokesman, talked about effort-based regimes. The points I made came at the height of the discard crisis, when there was a particularly emotive story on local BBC television about perfectly good fish being thrown into the sea because the fishers had found some larger-quota fish. We are moving into a new era, and the landing obligation solves many of the problems that the quotas created, but our White Paper noted that effort-based regimes attract mixed views. We may consider a pilot, but we need to ensure that fishing is sustainable and that we do not encourage a race to fish.

The right hon. Member for Tynemouth (Sir Alan Campbell) made a point about investment in ports; as a former ports Minister, I refute his allegations. Ports up and down the country, including in the north-east—private ports, trust ports such as the one in Newcastle, and local authority ports—are making massive investments. In Whitby, £7.6 million is being invested in pier repairs. Sirius Minerals is investing massive amounts of money as part of a £4 billion project to deliver polyhalite fertiliser through the port of Tees, using many of the facilities that British Steel used. On 26 February this year, Hartlepool council announced a big investment development order through which many opportunities will come to Hartlepool, including offshore wind.

My hon. Friend the Member for Banff and Buchan (David Duguid) repeated his invitation to visit Peterhead, which I hope to do very soon.

Kirstene Hair (Angus) (Con): I want to correct the record. Opposition Members said that there had been no investment in the fishing industry, but last year’s UK Government Budget delivered millions in technology and methodology funding. That will ensure that we not only regain control of our waters when we leave the CFP, but give our fishermen the chance to innovate within the industry.

Brendan O’Hara: On a point of order, Mr Stringer. The hon. Lady claims that people on the Opposition Benches said certain things, but she was not in her place for most of the debate. I am flabbergasted as to how she could have come to that conclusion having not been in her place.

Graham Stringer (in the Chair): That is not a point of order.

Mr Goodwill: If anyone wants evidence of investment and confidence in the Scottish fishing industry, they should visit Parkol Marine Engineering in Whitby, which builds fishing boats. It has an order book stretching almost into the middle of next decade, with Scottish fishermen from Shetland and elsewhere buying state-of-the-art boats because of the confidence they have in the fishing industry. Massive investment has gone into Fraserburgh and Peterhead, and I have also heard of amazing plans for future investment in Peterhead’s fishing industry.

David Duguid: I hope the Minister will forgive me for potentially being helpful to Scottish National party Members, but does he agree with the Scottish Government’s
Mr Goodwill: That is exactly right. It is nice to hear some optimism from the Government Benches, in stark contrast to the SNP, which is fast becoming a one-trick pony. It has had one referendum, which it lost, but it seems to think that the answer to everything is an independent Scotland. The people of Scotland made their view quite clear in that referendum, and the SNP should respect it, in the same way that the people of the United Kingdom respect the result of the referendum on leaving the European Union.

It is a fact that the majority of people working in the fishing industry voted to leave, and many did so because those in that industry who survived the common fisheries policy still bear its scars. It is also true that we have asymmetric access to the market: an average of 760,000 tonnes of fish was caught by foreign EU vessels in our waters between 2012 and 2014, compared with only 90,000 tonnes the other way around.

Mrs Sheryll Murray: Does the Minister agree that it is not just UK fishing businesses that will benefit from increased catches, but the UK Exchequer?

Mr Goodwill: My hon. Friend makes a good point. We touched briefly on visas, and as a former immigration Minister I know about the problems with Filipinos working on vessels because of the way the 12-mile limit works, particularly in Ulster and the west of Scotland. I am sure that the new Immigration Minister will have conversations with right hon. and hon. Members on that topic. Of course, as my hon. Friend the Member for South East Cornwall (Mrs Murray) said, we need to get young blood into the industry. We need to train our own people, and have newer ships in places such as Portavogie.

I know of the recent concerns about the Irish suspension of the voisinage agreement, which has been mentioned, and the impoundment of two Ulster boats. That was the result of a legal challenge, not of any action by the Irish Government; I am pleased that the Irish Government have committed to resolving that issue, and we will monitor any moves closely. When I was a transport Minister in the European Council, Mr Varadkar was my opposite number. I know that he is a man of great integrity, and we should take the Irish Government at their word that they are going to fix that problem.

I understand the concerns that have been raised about pulse trawling. The statutory instrument laid before the House on 13 January will provide continuity for the fishing industry by ensuring that EU law on technical conservation is operable in the UK. That will mean that vessels will no longer be able to conduct pulse trawling in UK waters.

I had better allow the hon. Lady who secured the debate to make a few concluding points. If I have not covered every point, I will be happy to write to right hon. and hon. Members.

3.59 pm

Melanie Onn: I have to say that I am sorry about the tone that the Minister took in his remarks, particularly about the withdrawal agreement. He said that he knows my constituency very well, but he does not know it that well. It is Great Grimsby; getting its name right would be a good start.

I worry about the flippant tone that he has taken about non-EU nations and the impact on the industry of leaving, even with a deal. That is not going to help the Welsh industry, as the hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts) pointed out, so I hope that the Minister will take that point seriously. Why will the Minister not set up a DEFRA marine safety hub in my constituency, to support the industry in Grimsby and secure its future?

Motion lapsed (Standing Order No. 10(6)).
Child Trust Funds

[Helen Goodman (Bishop Auckland) (Lab): I beg to move.]

That this House has considered Child Trust Funds.

It is very nice to see you in the Chair, Sir Christopher. I am pleased to have secured this debate on child trust funds—a landmark Labour policy set up by Gordon Brown in 2005 to give every young person a financial asset.

Child trust funds were closed to new accounts by the coalition Government in 2011. When Gordon Brown launched them in 2005, he said:

“Our aim is a Britain of ambition and aspiration where not just some but all children have the best possible start in life. The Child Trust Fund is designed to ensure every child has assets and wealth and that no child is left out.”

Unfortunately, it seems that lots of children are being left out. Child trust funds provided a tax-free savings account, with Government contributions to children born between 1 September 2002 and 2 January 2011. Under the scheme, the child is allowed to manage the account when they become 16, but can withdraw money only when they reach 18 years of age. The funds will mature on 1 September 2020.

The scheme was designed to provide a financial cushion for young people as they entered adult life, while building their skills and confidence in money management. As I said, child trust funds were closed to new accounts in 2011, but they remain live and continue to gain value through market growth and family contributions. Today, the Chancellor of the Exchequer announced the continuation of their tax-free status. There are now 6 million such accounts, worth an astonishing £9.3 billion in total, but shockingly the Government have lost more than 1 million of the account holders; their accounts are worth £1.5 billion. What a blunder! The Government have failed to run the scheme properly.

Chris Ruane (Vale of Clwyd) (Lab): I congratulate my hon. Friend on securing the debate. Does she share my concern that, when I have tabled written parliamentary questions asking for the number of lost accounts by social class or nation and region, the Minister does not know? He also does not know how much he has allocated socially. I am afraid that the Treasury has not been able to get the information from the Department.

Chris Ruane: My hon. Friend is making an excellent speech. I have to declare an interest: both my children received child trust funds when they were born. That started the pathway for us to save for them for when they are 18. It is a terrible scandal. The Government should recompense all the families who missed out, and look at the accrued interest and compensate them fully for everything that they have lost.

Chris Ruane: The Government have overturned the whole purpose of the scheme. Moreover, as my hon. Friend the Member for Vale of Clwyd (Chris Ruane) said, the Government seem to be hiding the funds from those for whom they are intended. Information is printed in tiny typeface on the letter that goes to 16-year-olds giving them their national insurance number. All it says is: “When you turn 16, take control of your child trust fund.”

Unfortunately, it seems that lots of children are being left out. Child trust funds provided a tax-free savings account, with Government contributions to children born between 1 September 2002 and 2 January 2011. Under the scheme, the child is allowed to manage the account when they become 16, but can withdraw money only when they reach 18 years of age. The funds will mature on 1 September 2020.

The scheme was designed to provide a financial cushion for young people as they entered adult life, while building their skills and confidence in money management. As I said, child trust funds were closed to new accounts in 2011, but they remain live and continue to gain value through market growth and family contributions. Today, the Chancellor of the Exchequer announced the continuation of their tax-free status. There are now 6 million such accounts, worth an astonishing £9.3 billion in total, but shockingly the Government have lost more than 1 million of the account holders; their accounts are worth £1.5 billion. What a blunder! The Government have failed to run the scheme properly.

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Chris Ruane: The money is in the accounts but the families have not accessed them and do not know about them, so what the Government need to do is link them up. The Chancellor had an opportunity in his spring statement this afternoon, but he failed to take it. The whole purpose of the scheme was redistributive. The wealthiest children were given a Government contribution of £250 at the outset and middle-income children were given £500, but poorer children and children with disabilities got more. They got it in two chunks that totalled an average of £920.

Chris Ruane: I thank my hon. Friend for being so generous. Why does she think that she can get that information from the Share Foundation, but I am unable to get the information from the Department?

Helen Goodman: Absolutely. I did not know about my hon. Friend’s parliamentary questions, but I find that astonishing. The figures that I will present come from the Share Foundation.

There are now 6 million accounts worth £9.3 billion, but 6% of the accounts held by children in the top 15% of the income distribution have been lost. In total, those have a value of £213 million. Some 14% of accounts in middle-income families—where Her Majesty’s Revenue and Customs cannot link them up with the family—have a value of £540 million. There is no contact information for four in 10 of the children from families on child tax credits—the worst-off, struggling families, in the lowest 15% of the income distribution. The Share Foundation tells me that, on top of that, another 40% have been contacted but have not responded.

There are therefore between 400,000 and 800,000 children with accounts valued at £1,600—a lost value of £710 million, or even £1.4 billion. That is completely disgraceful. Losing £1,000 may not seem like a lot to a Treasury Minister, on a salary of £100,000 a year, but to most families in my constituency it is a fortune that could pay a young person’s rent as a student for several months, or for a course, or for driving lessons.

Alex Sobel (Leeds North West) (Lab/Co-op): My hon. Friend is making an excellent speech. I have to declare an interest: both my children received child trust funds when they were born. That started the pathway for us to save for them for when they are 18. It is a terrible scandal. The Government should recompense all the families who missed out, and look at the accrued interest and compensate them fully for everything that they have lost.

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Chris Ruane: I thank my hon. Friend for being so generous. Why does she think that she can get that information from the Share Foundation, but I am unable to get the information from the Department?

Helen Goodman: I simply think that the Treasury has taken its eye off the ball completely on this matter. It thinks that it can contract the administration out to a small, well-intentioned charity that is doing its best, but it is fundamentally a Government responsibility, and Government Ministers must take their share of the responsibility.

As I was saying, children from wealthy families started off with £250. Children from poor families started off with £920. However, the valuation of the accounts now shows that that position has completely reversed. The accounts of the wealthiest children are now worth, on average, £4,000, but the accounts of the children from the poorest families are worth £1,600. That is partly because wealthy families were able to keep tipping them up, which poor families cannot afford to do. Wealthy families have also been managing them more actively.

In essence, the Government have overturned the whole purpose of the scheme. Moreover, as my hon. Friend the Member for Vale of Clwyd (Chris Ruane) said, the Government seem to be hiding the funds from those for whom they are intended. Information is printed in tiny typeface on the letter that goes to 16-year-olds giving them their national insurance number. All it says is: “When you turn 16, take control of your child trust fund.”
fund. Ask your parents for more information. Go to www.gov.uk/child-trust-funds. If someone does not know that they have a child trust fund, or what a child trust fund is, they will not notice or follow that. It ought to say: “You have an asset. It is probably £1,000. If you want to get hold of it, you need to do this.” It should be in big red typeface, like the national insurance number itself, on the letter that is sent out.

Furthermore, most young people, once they have clicked through to the Government website, will not be able to access the fund, even if they follow the instructions in the letter that they get with their national insurance number, because the Government website requires them to have a Government gateway user ID—I do not know whether you are familiar with those, Sir Christopher. It means that, as well as their national insurance number, young people need a passport, a P60 or a payslip. Obviously, 16-year-olds are at school; they do not have P60s and payslips. We are particularly concerned about people in low-income families. Many of them do not have passports, which are very expensive. More to the point, young people are not really very financially sophisticated: 62% of 14 to 17-year-olds cannot read a payslip, while only 52% of seven to 17-year-olds say that they have received any financial education in school, at home or in other settings.

The Government contracted out the administration of the scheme to the Share Foundation, a charity that has been administering it for the 45,000 children in care and which has managed to track down 60% of them via local authority records. That is very commendable, but I put it to the Minister that it is completely irresponsible to contract out the administration of a database of 6 million people to a voluntary sector organisation for a fee of £300,000 a year and expect 1.5 million people to be tracked down on a voluntary basis.

HMRC writes to every mother whose child is soon to be 18, stating that entitlement to child benefit is about to end. I suggest that that is the perfect opportunity to signpost them to the child trust fund. Mothers could be told, “Your child benefit is coming to an end, but your child will then be entitled to this money.” I hope that the Minister will take that idea away and implement it with HMRC, which is a department under the Treasury’s responsibility.

Tonia Antoniazzi (Gower) (Lab): Is my hon. Friend aware of the possibility that accounts that have not been activated may be deemed dormant and may therefore be subject to the Dormant Bank and Building Society Accounts Act 2008? Does she agree that that is an issue?

Helen Goodman: That is exactly right. If the account is dormant for 15 years, the person will no longer be able to access it.

The results of a YouGov survey, published at lunchtime today, underscore the lack of signposting:

“One in six parents of children aged 8 to 16 were not aware of Child Trust Funds... This figure rises to one in five (21%) among families who were receiving child tax credit at the time”—families that would thus have been eligible for the larger voucher from the Government.

This is a scandalous and secret maladministration of public money on a vast scale. Unless the 1 million children and young people are tracked down and the £1.5 billion is given to those for whom it was set aside, that money will go back to the Treasury, as my hon. Friend the Member for Gower (Tonia Antoniazzi) said, to be redistributed by a bureaucrat. That would be a terrible waste—not just of the money, but of the life chances of the young people for whom it was intended.

4.12 pm

The Economic Secretary to the Treasury (John Glen):

It is a pleasure to serve under your chairmanship, Sir Christopher. I congratulate the hon. Member for Bishop Auckland (Helen Goodman) on securing this debate; I recognise that she has taken a keen interest in the issue and has been a doughty campaigner on matters of childcare and child poverty, following her 11 months as a Minister in the last Labour Government. I also acknowledge and will try to address the points made by other hon. Members.

The Government share the commitment of hon. Members of all parties to supporting people to save at every stage of life, irrespective of income or background. Financial inclusion is one of my key priorities as Economic Secretary, and in the past year I have worked with organisations and experts in the field. I strongly believe that learning financial skills at a young age equips young people to make better decisions when they are older, so I am pleased to have this opportunity to set out the Government’s view.

The Government introduced junior individual savings accounts in place of child trust funds in November 2011, providing continued tax incentives to encourage families to put money away for their children’s future. Under legislation introduced in 2015, existing child trust fund accounts can be transferred into a junior ISA, providing families with the flexibility to choose the right option for their child. The Government also sought to make specific provision for children in care; as the hon. Lady pointed out, we contracted the Share Foundation to work with local authorities to open a junior ISA account on behalf of looked-after children.

The Government currently pay £200 into the accounts of children who have been in care for at least one year. The Department for Education has provided the Share Foundation with funding totalling £531,624 for that administration, and 120,000 payments of £200 have been made to children in care since 2012. We want those children to leave care with money to their name and the means to continue saving as they become independent. I should stress that junior ISAs are just one element of our work to promote financial education among young people. We want all children to enter the world of work understanding the importance of budgeting and saving, so financial literacy is now taught as part of the citizenship curriculum for 11 to 16-year-olds.

Let me turn to the so-called lost child trust funds, which were the core of the hon. Lady’s speech. There are many complex and overlapping reasons for the lack of engagement, but the Government are working with industry to actively seek holders of the accounts. Child trust fund providers are required to send regular statements to the child’s last known address and are taking steps to trace those who have moved. They have a statutory obligation to send such statements on the child’s seventh, 10th and 15th birthday, but in line with Financial Conduct Authority guidance, most do so annually.
The national insurance notification letter that HMRC sends to all 16-year-olds has recently been amended to include details about how child trust funds can be located; the hon. Lady referred to the size and colour of the font used, which is clearly a matter that I can take on board and examine. I also draw hon. Members’ attention to HMRC’s online tracing tool, which is available via gov.uk. Of course, people can still contact HMRC by telephone or post if they so choose.

Chris Ruane: May I put to the Minister the same question that I put to my hon. Friend the Member for Bishop Auckland (Helen Goodman)? The Share Foundation was able to give her statistics on the distribution among socioeconomic groups, but when I tabled questions to the Treasury asking for exactly the same information, it was not available. When I asked for estimates by nation and region, that information was not available. When I asked what additional resources had been allocated to assist in locating child trust fund accounts, that information was not available either. Can the Minister supply it today?

John Glen: I am grateful for that question about the regional and income breakdown of the distribution of child trust funds. Such information is published by HMRC and discriminates by region and county and by whether additional contributions were made; no income distribution data is collected by HMRC. I am happy to look into the matter further; if I can give the hon. Gentleman any more information, I will write to him.

Looking to the future, approximately 6 million child trust funds have not yet been transferred to junior ISAs. The first of those accounts will mature next September, and a further 55,000 will mature every month thereafter until 2029. What young people choose to do with their money is ultimately a matter for them, but we want them to engage in the process so that they can make the best decision for their individual circumstances.

Helen Goodman: As I have explained to the Minister, the problem is that people cannot use the Government website to access their accounts if they do not have a payslip, a P60 or a passport. Will the Minister address that point? Hundreds of thousands of young people will be in that situation.

John Glen: The key question is how an individual child knows what they have. The hon. Lady’s allegation is that this money is lost, but it is not lost; it is just that the individuals have not come to the point at which they can engage with it, which will happen at age 16 when they get a letter with their national insurance number. At 16, they are allowed to make decisions about their investment choices for that fund, and at 18 they can access it. They get the letter, along with their national insurance information, at 16, the age when they can start making individual decisions about that money. I think it has been suggested that the Share Foundation should interrogate data from the Department for Work and Pensions, cross-reference it with HMRC’s, and somehow write to these individuals—

Helen Goodman: That is not what I said.

John Glen: Well, that point has been made in other forums. I am just trying to respond completely to the points that have been raised generally.

Tonia Antoniazzi: What plans does the Minister have to encourage eligible parents, and children when they turn 16, to access this money? Is it not the responsibility of the Government to do some kind of public awareness campaign to say, “Hey, look—here’s your investment that the Government made for you. This is how you access it.” Let us make this a can-do exercise.

John Glen: The key point is that children have access to this money when they are 18, but can influence decisions about it from the age of 16, when they are paying tax and have a national insurance number. They will gain that access mechanism when they secure their national insurance number. The hon. Member for Bishop Auckland made a point about how this issue should be depicted on the form when 16-year-olds get their NI number, but that number provides the key to unlock awareness of, and access to, the fund that has been invested for them.

Helen Goodman: I do not like to denigrate my former profession, but I do not think the Minister has been very well briefed. According to the Share Foundation, the lost accounts of the most wealthy number 54,000, the middle income 560,000, and the poorest 444,000. Those are not families in which the child is already 16 to 18; it includes all families. It means that the addressee has gone away. We do not know whether the address we have got is the right address for that group of people.

John Glen: The point I am making is that all individuals, no matter what their background is, will gain access to the funds at the point when they can gain their national insurance number, by reference to the letter that has been provided. I have had extensive conversations with my officials, and I note the hon. Lady’s reference to bureaucrats. She worked for over 20 years at the Treasury—I have the highest regard for it and the accuracy of the material it has given me.

No funds or accounts have been lost. All child trust funds have been managed by child trust fund providers—either by the original provider with which the account was set up, or by a subsequent provider to which the funds have been transferred. There are 69 providers currently managing child trust funds, and the Share Foundation’s analysis appears to be based on accounts held with just one provider: the Share Centre, which represents only 1.5% of the number of accounts. The hon. Lady might want to contradict that by extrapolating the data to all of them, but the Government are working together with the industry to encourage child trust fund holders to re-engage with their accounts.

As I said, we have developed an online tracing mechanism and recently amended the national insurance notification letter to 16-year-olds to include a reference to child trust funds. That happened in January in order to take into account the points raised. Any account holders who are unable to retrieve their account details online are encouraged to contact HMRC directly.

Helen Goodman: I have just explained to the Minister that to get through to the website, people must have other documents that—by definition—16-year-olds do not and cannot have. The system is not working. The Minister needs to rethink how the website works!


John Glen: I do not think that the hon. Lady’s raising her voice in an aggressive manner is going to help anyone. I have just set out the Government’s position and explained the detail of the provision. The hon. Lady has extrapolated some figures from one piece of analysis by one of the providers, which is not a reliable way of carrying on. I have told her about the action we took in January.

The issue is not just about the online portal, but about being able to call up HMRC. Last year’s Budget included a commitment to consult on draft regulations that will ensure that investments currently held in child trust fund accounts can retain their tax-free status after maturity. The consultation will take place later this spring, when the Government will lay regulations before the House, well in advance of the first accounts maturing in September 2020.

In summary, both junior ISAs and child trust funds allow parents and guardians to save on behalf of their children, tax free. People have the option to convert their child trust fund into a junior ISA, and we are working with providers to reunite dormant accounts with their intended owners. However, all remaining child trust funds will continue to enjoy tax-free status, even after they mature. The amount that young people can save in child trust funds and junior ISAs will increase by the rate of inflation in April—it is currently £4,260 a year.

Chris Ruane: I agree with my hon. Friend the Member for Bishop Auckland that the system is not working. As a way out, would the Minister consider meeting people who have sufficient knowledge—I would include my hon. Friend—or perhaps citizens advice bureaux, the Share Foundation and a panel of parents, so that some answers can be given to the questions that have been raised?

John Glen: On behalf of the Under-Secretary of State for Education, my hon. Friend the Member for Stratford-on-Avon (Nadhim Zahawi), who is the Minister responsible for this area and is currently before a Select Committee, I would be very happy to offer a meeting with hon. Members to discuss this matter further. It is his responsibility, and I am sure he would be very happy to attend.

We have made efforts to provide young people with savings to draw on as they reach adulthood, and we hope this encourages further saving at every stage of life. The points made by the hon. Member for Bishop Auckland on access have been comprehensively addressed by the Government’s sending a letter to 16-year-olds.

Helen Goodman: They have not!

John Glen: I understand that the hon. Lady is not satisfied with my response. Meeting with the Minister would probably be the best way forward.

Helen Goodman: Will the Minister take on board my suggestion of writing to the recipient of the child benefit when the person turns 18? The Government writes to every mother across the entire nation, and that would be an opportunity to catch them in the net.

John Glen: The key point here is: when does somebody have access to make investment decisions as a young person? It is when they turn 16, and then they can access it when they are 18. Trying to overlap the letter with the mother when actually it is about the beneficiary, who is the child, is not the route to go down.

Helen Goodman indicated dissent.

John Glen: The best way forward would be for the hon. Lady, who is clearly shaking her head and dissatisfied, to meet my colleague from the Department for Education. Hopefully, that will provide her with the answers she needs.

Question put and agreed to.
Disability Assessment Services

4.27 pm

Gillian Keegan (Chichester) (Con): I beg to move,
That this House has considered improvements to disability assessment services.

It is an honour to serve under your chairmanship, Sir Christopher. I am grateful to have the opportunity to debate this important topic. People with disabilities and ill health are often confronted with barriers at every turn. I believe it is the role of Government to remove these barriers as often as possible. Everyone deserves the same opportunities to achieve their potential, and I am proud that we are ensuring that the issue is high on the Government’s agenda. The support available through the benefits system is there to take some of the strain off people who are living through often unimaginable day-to-day challenges. However, I am sure that, like me, colleagues have heard from constituents at times when they have needed help and found it difficult to navigate the system.

A very dear friend of mine and colleague from the business world, Andrew Knowlman, sadly lost his courageous fight with motor neurone disease late last year. He used his time and experience of the disease to campaign to ensure that I clearly understood the physical challenges it brought him, and the challenges he faced in trying to access the support available through the Department for Work and Pensions. One of the most significant issues that he brought to my attention was the repeated requests he received to attend work capability assessments.

This point is echoed by my constituent Lee Millard, who has been diagnosed with the same condition. Lee and his wife Jean have been campaigning to make a difference for those affected by the disease. When we met, Lee explained how stressful the reassessment process can be for claimants of the employment and support allowance, which is now moving across to universal credit, and personal independence payments—particularly when we consider that conditions such as motor neurone disease are degenerative, and the person who is affected is all too aware that they will not improve. He said that the whole process can feel very much like a “waste of precious time.”

Andrea Jenkyns (Morley and Outwood) (Con): Does my hon. Friend agree that disability assessors should rely more on the opinion of medical experts, particularly when judging mental health and invisible disabilities?

Gillian Keegan: Yes, that is absolutely vital. One of the learnings from the system is that it needs to make sure that those assessments are available in time. I will go on to talk about that.

In a bid to tackle this problem, the Department stopped requiring people with the most severe and lifelong conditions to undertake assessments from September 2017. However, some of my constituents told me that that is not their experience, and that they are still being asked to go for assessments. The Minister kindly clarified that for those receiving ESA and universal credit before 29 September 2017, the severe conditions criteria will take effect at their next work capability assessment, so it could be that my constituents had one after that date, but will not have another.

I welcome the move, which is being encouraged, to enable decisions to be made without face-to-face assessments, through health questionnaires and evidence collected from GPs and specialist health professionals. On a similar note, I am pleased that people receiving the highest level of PIP will receive an ongoing award, with only a light-touch review after 10 years. That is another progressive step to ensure that those who most need support receive it hassle-free.

Vicky Ford (Chelmsford) (Con): Some of my constituents have found the PIP assessment process and the work capability assessment deeply traumatic and very fluctuating, and they often get confused. Does my hon. Friend agree that allowing assessments to be recorded—especially video-recorded—will give people confidence that they are getting a fair assessment, and that the assessors are being monitored and must come up to a high standard?

Gillian Keegan: Yes, I do. Technology in general is enabling us to put better processes in place. Recording will not be appropriate for some people, but it is important to use technology in the right circumstances.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I declare an interest: my wife is disabled. I am interested in the assessment that takes place when somebody moves from the disability living allowance to PIP. From my constituency surgeries, I have noticed that that the mobility element for DLA is somewhat lower than for PIP. Does the hon. Lady think that that pattern is more widespread throughout the UK? Is there something here that is not right? Leaving out my wife, I have dealt with cases of people who have lost out on the initial assessment. The sentiment about continuing assessment is absolutely correct, and I support that.

Gillian Keegan: I am not in a position to see an overall pattern—perhaps the Minister does, because she sees what is going on across the country—but many of us have heard about issues relating to mobility and Motability.

Last week, the Secretary of State announced that people over state pension age will no longer have to go through PIP reassessments. That is part of her ambition to ensure that disabled claimants do not feel like they are on trial. These changes have been rightly welcomed in the press and, I am sure, by many Members in this Chamber.

These improvements are good news for claimants. However, one of the most common times when I receive a request for help from a constituent claiming disability benefits is when they do not agree with the outcome of their assessment. Recent figures from my area—Chichester—show that the overturn rates at tribunal are 71% and 81% for ESA and PIP respectively. It is my understanding that that is largely due to medical evidence not being available in good time, and being available only at tribunal. Those levels are clearly unacceptable. It is very stressful for people to go through the initial assessments, the reassessments and a tribunal. I would be grateful if the Minister could let us know what more work is being done to improve the system. Are there any plans to consider the timescales within which we ask GPs and medical professionals to give information about claimants, to ensure it is in time for assessments?
Justin Madders (Ellesmere Port and Neston) (Lab): We have all seen that the appeal rates are unusually high. What, in the hon. Lady’s experience, is the time it takes to get to an appeal? In my part of the world, it is 40-plus weeks, which for some of these people is a ridiculous amount of time to wait.

**Gillian Keegan:** Yes, it can be quite a long time. We have heard that people can wait for three or four months. That uncertainty means that it is very difficult for a person to plan, as they do not know how much support they will receive.

Ruth George (High Peak) (Lab): The hon. Lady is making an excellent speech and is putting into words what a lot of us experience in our constituencies. In my area, it takes 48 weeks for an appeal to be heard, and people usually have to sign on for universal credit, rather than ESA. They have to undergo conditionality, even though in 71% or 72% of cases in my area, at the end of the process it is found that they are not able to work. They are being pushed into that by a system that does not take into account their disability. Does the hon. Lady agree that that desperately needs looking at? People have to wait a year or more to get assessed properly.

Gillian Keegan: Yes, I do, but we need to solve the root cause of the problem, so that we do not have these high tribunal rates. If we do not have them, we will not have the waiting times. That is the best way to ensure that the system has a low failure rate.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I am very grateful to the hon. Lady for giving way. She is being very generous with her time. Is she as concerned as me about a report in the GP journal *Pulse* last week that said that the transformation of the new health assessment system could lead to unfettered access to medical records via the GP? We should surely speak up against that. Medical records are personal data; that is an absolute human right.

**Gillian Keegan:** Yes, although we need to balance that with having enough medical data to make the assessments in the first place. I have not seen that report. I do not know whether the Minister has, and whether she can take that into account in her speech.

I am glad to hear that, following the recent Government announcements, we are moving our benefits system into the 20th century by integrating multiple data sets into one system, although I take the hon. Lady’s point that we must ensure that they are very well protected. That will streamline the assessment process and make submitting a claim much more user-friendly, particularly for people transitioning between benefits. Plans to test a single health assessment for all disability benefits will mean cutting red tape and the inconvenience it causes. My constituents who need support often have highly complex needs, so I hope the changes will save them time and stress. It is important that we listen to our constituents and put them in the driving seat of reforms. I hope the Department will do that.

An issue that has been highlighted to me is people’s reluctance to attend assessments. We must do more to ensure people feel comfortable with and trust the process. It is key that we ensure that people know that in every case they are being assessed by a qualified doctor, nurse or healthcare professional—often somebody who works in the NHS—who has undergone additional training to carry out assessments. I did not realise that every single assessment is carried out by a qualified medical assessor. Many members of the public do not realise that. They think it is some third-party company, but often nurses work for those companies. We need to do more to make sure that people are aware of that, so they feel more comfort and trust.

**Kirstene Hair** (Angus) (Con): Does my hon. Friend agree that we must ensure that the questions in the assessment process are not too intrusive, so people do not feel that their integrity or dignity has been taken away from them? They should feel comfortable taking part in the process.

**Gillian Keegan:** Yes, absolutely. We should not only look at who is carrying out the assessments, but open up where they can take place. Perhaps we can have a wider range of premises where assessments can be carried out, including places that are more familiar to and convenient for claimants, such as local authority buildings, NHS sites or even jobcentres. I would be interested to hear whether the Minister has any plans to do that.

In recent years, disability employment has risen, and now over half of disabled people are in work. Nine per cent. more disabled women and over 6% more disabled men are in work than in 2013. That is testament to the programmes that support people with disabilities into the workplace. I am pleased to hear that the Secretary of State outlined her ambition to build on that record, as every person with a disability or learning difficulty deserves the same opportunities to go to work and build a career. Programmes such as the personal support package have been crucial to that; they provide tailored employment support that recognises the individuality of people’s conditions. Much of that work is done through the jobcentre. In Chichester, we have a great team with some real success stories because of the support available through the programme.

Our Jobcentre Plus makes good use of the community partners and small employment advisers. Chichester has a low unemployment rate of 1.7%, so local businesses look to use all the available talent and need more local people in the workplace. I am glad that the small employment advisers are able to bring people with long-term health conditions and disabilities together with businesses to help them find a decent job.

Work coaches and disability employment advisers use all the tools at their disposal to help build skills, and to help disabled claimants prepare for the workplace. They do that not only through national programmes, such as the Work and Health programme, but local initiatives, such as WorkAid, which is run by the Aldingbourne Trust. It is great to hear the success stories of constituents who have managed to move into work, and that is made possible by the tireless effort of the jobcentre staff, who make those initiatives a success on the ground. I am sure that we all have many examples of that.

Getting a good job has a powerful impact. Last year, I met a constituent whose son is on the autism spectrum—there is a big problem getting people with autism into the
workplace; much more needs to be done on that. She told me that he rarely utters a word and is uncomfortable around people. She is determined to help her son, and managed to get him work experience at a games software development firm. That was transformative; for the first time in a long time, he began to speak.

Getting a foot on the career ladder is challenging irrespective of disability; sometimes, extra-special effort must be made to find opportunities, particularly for work experience. I am very pleased that the jobcentre is offering careers advice to disabled students in schools, because building confidence in disabled kids as early as when they are 12 is critical to making them feel that they have all the opportunities that everybody else has. This is just the start; there are exciting pilots up and down the country, such as Tri-Work, which offers work experience to children in years 10 and 11, and programmes that support internships for school-leavers. I want every disabled child to be excited and have a wide range of options in the workplace, so we need to ensure that such initiatives are available throughout the country. The schemes are empowering young children, but they must be available to all who need them.

The Disability Confident scheme is another successful programme, which now has almost 10,000 signatories. One participating employer is Chichester District Council, which works hard to make sure that its work environment is accessible, and has made workplace adjustments—for example, providing ramps, lifts, and an emergency evacuation chair. Perhaps more importantly, on top of that, the council has a welcoming workplace culture, actively helps applicants to apply, and will always interview disabled applicants when they have fulfilled the basic role requirements. That additional support removes the barriers to the workplace for disabled people and gives them confidence to start their journeys into new jobs.

We all know from our constituents that the system is not perfect, but I am pleased that the Government and the Secretary of State are listening to constituents’ voices and reforming it. There needs to be less stress, wasted time, and red tape all round; we need a more welcoming environment that makes people feel that they can trust the system, not that they are on trial.

I am proud of this Government’s record in supporting disabled people into work. There is still a long road ahead to ensure that all disabled people who can and want to work get the support that they need and the opportunities that they deserve.

4.44 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to serve under your chairmanship, Sir Christopher. I congratulate the hon. Member for Chichester (Gillian Keegan) on securing the debate. Like many other Members, I am sure, I felt compelled to speak because of the number of constituents who have come to me with harrowing stories of their experiences, and with a clear message that improvements to disability assessment services are very much needed.

In my constituency, we have seen a variety of issues recently, including cases of incorrect information being recorded; there have been statements saying that physical assessments were carried out when they were not, and that a constituent could go out alone when the assessor was actually told in the interview that they could not. In one case, the information was so incorrect that it was assumed that the assessment report had been mixed up with that for another case. My constituent Amy was recorded as walking despite being wheelchair-bound, which must surely have been apparent at the assessment. When a complaint was raised, the DWP noted that that could be a “misleading statement”, but worryingly, Capita, which has consistently failed to meet its target for an acceptable standard of assessment, responded that there was no evidence that the statement made by the assessor had been misreported. I find that unbelievable.

Last-minute cancellations are a problem. We have heard from constituents whose assessments were cancelled on the day that they were due to take place. Even worse, in some cases, the constituents were actually at the assessment centre when their appointment was cancelled. Yet perversely, if a constituent is unable to attend their assessment, they are penalised. When one of my constituents rang up two days before her assessment to give notice that she would not be well enough to attend, she was told that it was too late for the assessment to be rescheduled, and that she would be recorded as a no-show. Those are double standards of the highest order.

Constituents who have attended assessments have raised with me the concern that their assessor carried out the assessment very quickly, and did not listen to their answers. Others were concerned that the assessment was not carried out safely. For example, a constituent with a slipped disk was asked to complete the physical part of the assessment without anything to support her, despite informing the assessor that she would need to hold on to something. Why are my constituents being put at risk in that way?

Another major concern is the refusal to conduct home assessments, despite medical evidence that they are necessary. That is a concern shared by organisations such as Macmillan Cancer Support, which has found that home visits can often be difficult to obtain, and that the option of a home visit is not widely communicated.

Jamie Stone: The hon. Gentleman makes an excellent point about home visits. Does he agree that the problem is compounded by the fact that some people have to travel very large distances for those assessments? That is an issue facing some of my constituents. It would be so much easier if they could be done at home.

Justin Madders: Absolutely. The hon. Gentleman’s constituency must be rather more rural than mine, but for anyone who has a disability, travelling distances of any order is challenge. Home assessments need to be much more widely promoted.

Andrea Jenkyns: I was recently contacted by a constituent who won her battle against cancer. That should have been a moment of celebration, but she is worried about her impending disability assessment. Does the hon. Gentleman agree that the parity of esteem between mental and physical health should be reflected in disability assessments?

Justin Madders: I agree; I will address that shortly. I will not take any more interventions, because a number of hon. Members wish to speak.
My constituents feel let down by the complaints process. They do not feel that it is fit for purpose. Many of their legitimate complaints are just passed back to the DWP, so those undertaking the assessments face little accountability. Does the Minister monitor the number of complaints against particular providers, and if so, can she tell us who the worst offenders are and what will be done about them?

As the hon. Member for Morley and Outwood (Andrea Jenkyns) mentioned, another common issue is that assessments do not take into account the effect of mental health conditions, or acknowledge that many physical conditions can fluctuate daily. Certainly, the assessments that I have seen have focused on what people say about their good days—or moments—as the baseline for a typical day. There appears to be an almost institutional incapability of appreciating that just because people with fluctuating conditions have times when they are doing better, that does not mean that that is their condition all the time. There are occasions when they do need real assistance.

I am sorry to say that some private providers show no prospect of making any real improvements to disability assessment services, which are inaccurate, ineffective and unfair, and need to be brought back in house. It is a damning indictment of the system’s failings that the DWP does not even bother to turn up to about 80% of the appeal hearings against the assessments.

The message that I bring from my constituents to those who undertake the assessments—perhaps the Minister can consider this—is that they should be carried out with the idea that we should treat others as we wish to be treated. Show respect, show empathy and show compassion. That is what our constituents deserve.

4.49 pm

Derek Thomas (St Ives) (Con): I am grateful for the opportunity to speak in this debate, Sir Christopher, and I congratulate my hon. Friend the Member for Chichester (Gillian Keegan) on securing it. I know that the Minister, who is almost a constituency neighbour, is fully engaged in the issue, and we should be in no doubt about how committed she is to finding a way through.

Vicky Ford: Would my hon. Friend like to take this opportunity to put firmly on the record what a brilliant Minister and champion for disabled people she is?

Derek Thomas: I am sorry that I did not make it quite as plain as my hon. Friend did, but that was the point that I was trying to make.

I am fortunate that in my office I have a member of staff who used to work in the DWP, before I pinched him. He has taken this issue seriously, and we work hard and often successfully to support people who find themselves challenging, and struggling because of, PIP decisions. My office has seen numerous cases of the DWP accepting a poor medical report containing obvious errors and incorrect recommendations from medical services. If those reports had been returned at an earlier stage, decisions would have been overturned immediately.

We have also seen numerous cases in which the mandatory reconsideration has rubber-stamped the original decision, failing to reflect in any detail what the constituent has said or to refer to any new evidence provided, and in which the DWP has failed to send new medical evidence for a medical opinion—I mentioned that earlier—to contact the constituent to find out more, or to consider further evidence when it is provided. Therefore, once a mandatory reconsideration is done, it must go to appeal. I know that is often very much the responsibility of work coaches and individual jobcentres, but there is a need for leadership in addressing the problem.

Resolving any disputes without the need for an appeal will help to ensure that people receive the right decision earlier in the process. Avoiding a tribunal saves money and time for everyone concerned. I am reluctant to mention the Minister’s constituency and county, but the tribunal statistics for the Truro tribunal centre in this financial year show that 351 PIP appeals have been cleared, with the DWP’s decision upheld on only 32 occasions. We have heard other tribunal statistics this afternoon, but in Cornwall 90% of tribunal appeals are won. That must be addressed; we need to look at what is going on in Cornwall.

A constituent of mine was awarded no PIP at all, but on appeal was awarded higher mobility and daily living components within minutes of attending the tribunal. I dropped off my member of staff as I went to another meeting on the way up to London, and he texted me within 15 minutes to say that it had been won—it was almost immediate, because the minute the tribunal started my constituent was awarded the higher allowance.

Mr Jim Cunningham (Coventry South) (Lab): Like the hon. Gentleman and his office, we have had cases—in particular those related to PIP and other benefits—where it has been questionable whether people will get their benefits through examination. I know that the Secretary of State is looking at that, but it also strikes me that the companies who do the assessments are not well managed and, more importantly, their staff are not trained properly. Does the hon. Gentleman agree?

Derek Thomas: That is fair. I sit on the Select Committee on Work and Pensions with other colleagues in the Chamber, and we hear such examples all the time.

I met the individual I am talking about and I could see clearly that he should have been getting the higher mobility component. An assessor who had asked the right questions and inquired after the person’s clear and obvious physical difficulties would have discovered their whole life was adapted to be independent, and a tribunal would absolutely have been avoided.

On a few occasions, medical services for PIP assessments have stated that tribunals are not as “restricted as we are”, when justifying the fact that tribunals are often successful for the claimant. Our understanding, however, is that they all follow the same legislation and the same medical handbook, so it can only be down to poor information gathering, poor questioning and poor decision making.

The Minister knows about what I will mention now, and I am sure that she shares my concern. If the DWP did not rubber-stamp mandatory reconsiderations, as it does, people in Cornwall would not be left in desperation, causing them to turn to organisations such as Benefit Resolutions, which charges clients £100 before it even looks at the cases. Then, from some of our most vulnerable people, it takes 15% of tribunal winnings in commission. It no longer attends tribunals, and it uses aggressive
tactics with the DWP, other offices and its clients. Going by the results claimed on its website, Benefit Resolutions has taken almost £200,000 from the most vulnerable people in Cornwall over the past four years. There have been numerous complaints about its conduct throughout Cornwall, and the previous charity related to it, which was called Bufferzone, was closed down following an investigation by the Charity Commission.

I take the opportunity to remind people that the many free-to-use services include Citizens Advice, Counselling and Benefit Support, disAbility Cornwall and MPs’ offices. I have serious questions about the work and moral justification of companies such as Benefit Resolutions. I would always encourage people to make contact with the organisations that I have referred to. However, the truth remains that Benefit Resolutions and companies like it exist only as a result of incompetent and poor service provided by the system.

To conclude, I will read from a letter that has been submitted as a formal complaint to the DUP, I mean the DWP—probably not the DUP, though they might do a better job—which clearly sets out the case being made this afternoon:

“Last week I had a PIP assessment which lasted an hour and a half. They ask you really hard questions like do you think about committing suicide, and you have to go over again and again how your disability or illness has affected your life.

I understand they have to assess people and I am grateful there is somewhere that we can ask for help in this country, but the system is failing and more importantly it is hurting people...This was my third assessment in three years. It was gruelling and left me completely distraught afterwards. Having to face how much my life has changed and how little I can do now in comparison to before is very difficult. Watching the person who is sitting in on your assessment with you get visibly upset by the process is heart-breaking.

I have probably over 20 supporting letters from doctors, neurologists, colorectal surgeons and healthcare professionals. These letters state that I am not going to get better. That things are likely to deteriorate for me. Not fun reading. I hand them all over willingly.

A week later I got a phone call saying that I would have to be reassessed again. The healthcare professional had not gathered enough evidence. They were at my house for an hour and a half asking me question after question. I have support from all my doctors. How could they not have enough evidence? They could not answer that question. My father asked for management to call back the next day. They did not, and have not fulfilled that request. Instead I was booked in the next day for another assessment. Not just a few extra questions. I have to go through the whole thing again.”

Thank you, Sir Christopher.

Sir Christopher Chope (in the Chair): I will call the wind-ups at 10 past 5 o’clock, which means that we have about 12 minutes and four or five people wanting to speak.

4.58 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): Thank you, Sir Christopher. I will be as brief as possible.

Support for those living with a disability is a mark of a civilised society but, as we have heard, the process that too many seeking support have to go through is often found to be daunting. That is certainly the case in my constituency. The rate of successful mandatory reconsiderations and appeals demonstrates that the process is fundamentally flawed. Evidence-based reviews conducted on behalf of the DWP have identified a pervasive culture of mistrust around PIP and ESA processes. That is simply not good enough.

There is no place in a welfare system for private companies, because that immediately introduces the profit motive. Looking after and supporting our sick and disabled should not be influenced by how much profit a private contractor can make. The Scottish Government will therefore remove the use of private companies for assessments.

We all have cases of constituents who have had an unfavourable decision made about them because information on them has been inaccurately recorded. Unbelievably, for example, someone with a heart condition has been assessed by a mental health professional, or vice versa. How does that promote faith in the assessment system? We need an overhaul of the system, a true recognition of the fact that life costs more for someone who lives with a disability. That is not a matter of opinion; it is a matter of fact. For that reason, in Scotland the bedroom tax has been fully mitigated by the SNP Scottish Government, because we know that people who live with a disability are disproportionately affected by the tax.

The PIP evidence-gathering process should be streamlined—that is the way forward. The stress and bureaucracy that claimants are put through, which I see every day in my constituency, are unacceptable. They cause real harm to people who are already struggling every day with serious and debilitating conditions. The system must take more account of the often very vulnerable people with whom it deals, and be redesigned accordingly. Otherwise, when our constituents need support, they will continue to face cruel and unnecessary barriers.

Scotland is building a social security system that is fair to all. I urge the Minister to look critically at the system in place and do what she can to improve it for the people who use it.

5 pm

Bill Grant (Ayr, Carrick and Cumnock) (Con): I thank the hon. Member for Chichester (Gillian Keegan) for securing this debate. As MPs, we have all handled cases where errors have been made with disability assessments; that was the case before the introduction of universal credit and the personal independence payment. Sadly, no doubt it will continue to be the case as the system is further refined and improved. I do not say that to lessen the impact of the distressing cases we have all assisted with or read about, but to illustrate that individual mistakes do not alone indicate a fundamentally flawed system, just that the system has to improve.

I certainly had concerns previously that there was a lack of common sense and flexibility in the assessment process for those with longer-term disabilities. I know many in this House felt the same. Health conditions can change and hopefully improve over time, so there will always be a need for occasional assessments to establish the correct level of support, but one must recognise that for some conditions sadly there is no improvement or recovery. However, I am pleased that of late there has been a greater focus on flexibility in the assessment process, whereby those with the most serious conditions can now have their evidence reviewed by a DWP case manager without the need for a face-to-face and repeated assessment. I very much welcome that change.
The help to claim service in tandem with Citizens Advice, which was mentioned earlier, is free to the user and is to be launched next month. It is designed to help the most vulnerable claimants with their applications, whether through a home visit, over the telephone or online. It will assist universal credit claimants with their award until the first accurate full payment is received. I very much welcome the Government’s recent improvements to the PIP process and the measured approach with which the universal credit system itself is being implemented nationally. However, there is no room for complacency. I hope the Minister and the Department will develop a policy of continuous improvement, ensuring that client trust is established—particularly with clients with a disability.

5.2 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Chichester (Gillian Keegan) on bringing forward this debate. It is an important issue; I told her I would make it my business to be here at the right time.

I have made my reputation as a councillor, a Member of the Legislative Assembly and an MP based on my constituency work, which I am very proud of. I used to fill out the disability living allowance application forms myself, and attend appeals for constituents. I do not have the time do that now because I am over here most of the time, but also because the number of applications and the help needed have increased so much. I have a full-time staff member who is allocated to PIPs and benefits, although I still carry out that work whenever I can when I am at home.

Benefits is the biggest issue in my office, but the question is not why so many people are claiming—I have always had large numbers in my area who are disabled and who claim. People are so desperate for help and they deserve help and attention. The Minister is always very responsive to anything I ask her—I thank her for that. I have seen people with serious illnesses being turned down for PIP.

I have a constituent with a long list of ailments who is at pains always to be dressed well, be washed and look the part. That is only possible because his ex-wife comes every day to make sure he gets out of bed and is washed and dressed. He was turned down. Like the example the hon. Member for St Ives (Derek Thomas) gave, he went to an appeal and was not even called in, because the panel looked at the notes and said, “You know something? This man should get it,” and he got it in 15 minutes. Why did that happen? When someone goes out to assess someone and looks at their circumstances, they will say, “He looks terribly well,” or, “She’s dressed well and her hair is combed. She’s okay, she has no illness.” But they need help.

I have said this to the Minister in correspondence and I will underline it: one must question how much a physiotherapist knows about the intricacies of ulcerative colitis and the side effects of the medicine. How much does a paramedic know about the restriction on the movement of someone with multiple sclerosis? Someone with expertise needs to assess the circumstances, and GP notes should follow that up. Four out of 10 PIP candidates do not appeal as they cannot handle the stress. Do we really believe that half of the people who are claiming do not deserve it? I do not. As far as I am concerned, those people are telling the truth and they should not be looked upon as liars.

There must be a written review. We must start again for the sake of those people who are living beneath the poverty line, because they do not possess the mental fortitude to fight for what they are entitled to. Today, other hon. Members and I fight on their behalf and ask for fairness, a level playing field and an assumption that not all people are telling lies.

5.5 pm

Paul Masterton (East Renfrewshire) (Con): I congratulate my hon. Friend the Member for Chichester (Gillian Keegan) on securing this debate.

I welcome the Secretary of State’s recent announcement of the change in the assessment process. Face-to-face assessments cause anxiety and distress among our constituents. It is paramount to safeguard the most vulnerable in society from undergoing assessment when their conditions are unlikely to have changed from their previous visit. As a constituency MP, I am often able to obtain the agreement of the DWP for paper-based reports that remove the need for face-to-face assessments, or at least the agreement to a home consultation, but it can be a real uphill battle to do so.

Those suffering from conditions such as MS, myalgic encephalomyelitis, severe autism and Asperger’s agoraphobia and a range of mental health health disorders should not be required to submit a new claim every two years. Those suffering from mental health conditions do not find it easy to obtain the required evidence, particularly if that person has no engagement with medical professionals due to their condition. The recent announcement will alleviate those concerns for some claimants. I quickly draw hon. Members’ attention to the great report by the Scottish Association for Mental Health, which is the Scottish equivalent of the charity Mind. It is a sensible report that states clearly that the assessment process does not adequately gauge the impact of mental health or other fluctuating conditions, because it focuses primarily on physical impairment.

The decision to integrate assessment services into one body is welcome news; it will streamline services and allow those applying for ESA, universal credit and PIP to undergo just one assessment rather than two. Although the benefits assess two different matters, the information obtained from one assessment can be used to determine both benefit outcomes.

Like all hon. Members, I have met several constituents who have stressed their anxiety at undergoing assessments because they do not trust the system. Many constituents have been reassessed for ESA and PIP every couple of years and do not get the time to focus on improving their well-being without the threat looming over them of going back for another assessment and potentially losing some or all their benefit. Ultimately, as many Members have stressed, the issue is a lack of trust and faith in the system. Is it any wonder, given the number of low or nil awards given incorrectly, not properly picking up hidden and non-physical disabilities and forcing people to battle the system that should be supporting them?

Like many MPs, my office offers full advocacy support for welfare claimants, from the initial application and accompanying to the assessment centre, to doing appeals and representation at tribunals. Our record of success is well over 80%, which is partly due to my amazing caseworker, Jamie. But that is ridiculous, because we...
Paul Masterton

should be getting those decisions right first time, to increase the faith and trust of vulnerable people in the assessment process. By introducing the changes the Government have outlined, we are taking a huge step to begin to rebuild that trust with those living with disabilities.

5.8 pm

Ruth George (High Peak) (Lab): I echo much of what has been said across the House. I am glad that Members on the Government side are taking an interest. I would love for some of them to take up the vacancies on the Work and Pensions Committee, where we look in detail at these issues.

I have met and heard from many constituents, particularly those with mental health problems, who suffer from the whole round of assessments. They are often on both ESA and PIP, so they have assessments roughly every year. Once they get a letter about an assessment, they have to fill in a form and seek medical letters to substantiate their claim. Many medical professionals are refusing to write those letters, because the DWP ask for such detailed information and they cannot possibly give the time to provide that. If they do, they charge for the letters—often £25 or £30.

As Members across the House have said, there is great reluctance to perform home visits—particularly in my very rural area where they can take longer, but also where it takes much longer for constituents to travel to appointments. Often, they simply cannot. One constituent told me about dragging her disabled daughter, who was ill and in pain, out of bed to go to her assessment because she was told she had to. Another’s GP refused to give evidence for any more assessments about home visits.

Yes, people get their taxi fare paid for them, but they have to pay up front. That often costs £100, which some people simply cannot afford. The Minister promised the Work and Pensions Committee that work capability assessments would be video-recorded, but now people are being asked to provide their own recording equipment. Again, that is an issue of affordability.

As the hon. Member for East Renfrewshire (Paul Masterton) said, the process has an impact on claimants’ mental health. They go to an assessment; they wait for the result; they put in for a mandatory reconsideration, which often is turned down point-blank, and they then have to wait for an appeal. That is an incredibly stressful process, during which the claimant has to sign on for universal credit and go through the process of being assessed for work and claimant conditionality, under threat of sanctions.

I spoke to the Minister last week about a constituent of mine who died on his first day back at work. I spoke to his wife, who was absolutely clear that her husband had been forced into returning to work by DWP’s refusal to take doctors’ evidence. It said it knew best because he had passed a work capability assessment. That should no longer happen. Doctors should not receive letters saying they must not give people fit notes because they have passed a work capability assessment. That sends people further into mental health despair and, in some cases, towards suicide. I really hope the Minister looks at this issue.

Angela Crawley (Lanark and Hamilton East) (SNP): It is a pleasure to serve under your chairmanship, Sir Christopher. I appreciate that we only had an hour for this debate; I am only sorry that some hon. Members who made a number of interventions were not able to stay to hear the Minister sum up. I am grateful for the opportunity to follow the hon. Member for High Peak (Ruth George), whom I commend for her work on the Work and Pensions Committee. I thank the hon. Member for Chichester (Gillian Keegan) for securing the debate. I share her belief that we need a system that works better for everyone, especially those with disabilities.

The process for claiming personal independence payment or employment and support allowance is not easy or straightforward. As we have heard, claimants fill in extensive forms detailing how their condition affects their daily life and send them off to the Department for Work and Pensions. For some people, that, along with medical evidence, is enough to merit an award. However, more often than not, people are required to attend a face-to-face assessment carried out by one of three contracted assessment providers. The healthcare professional employed by the contractor reports back to the Department, and a decision maker makes a decision about the claimant’s entitlement.

Last Friday, I was invited to witness a personal independence payment assessment, which was conducted by an actor and a health professional. It took an hour and a half. I imagine that was the gold standard for conducting such an assessment. I am sure everyone in the Chamber would agree that the experience of most of our constituents—granted, we see the worst examples—is that assessments are never conducted quite as efficiently or as gold-standard a way, so I think that exercise was slightly contrived. It was worthwhile to see how the process should operate, but we have all argued time and again how it should operate; the reality is that it does not operate in that way. In reality, assessments are stressful, and many people are forced to go through the mandatory reconsideration process and the conclusions of a decision maker, which ultimately is unfair.

I only have a few minutes to sum up, but I pay credit to the hon. Member for Chichester for rightly highlighting the experience of her constituents, and to my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson) and the hon. Members for Ellesmere Port and Neston (Justin Madders), for St Ives (Derek Thomas), for Ayr, Carrick and Cumnock (Bill Grant), for Strangford (Jim Shannon) and for East Renfrewshire (Paul Masterton). I agree with the hon. Gentleman about the work of the Scottish Association for Mental Health. The Government have to do more to recognise mental health in the assessment process.

I read recently that the Department for Work and Pensions will introduce a further step in the appeals process called the continuous online resolution system, which will involve an online review by a tribunal panel. If my understanding is correct, that means people will have to endure a claim, potentially a mandatory reconsideration, and an online text-box tribunal before they can get an oral appeal. The success rate for written appeals is dramatically lower than that for oral hearings, so does the Minister accept that that step may serve
only to introduce another needless level of bureaucracy to claimants' appeals, and that it may not achieve the ends she hopes it might?

The high number of mandatory reconsiderations and the fact that, as the hon. Member for Chichester outlined, 71% of decisions are overturned shows that there are already flaws in the system. I would like the Minister to do more to address those current flaws before taking on the process of streamlining and bringing all these benefits together. I genuinely worry that that would cause many of those who need financial support—particularly those who are disabled—not to get that support, and that such an integrated assessment service would penalise disabled people who need the full range of benefits. I would hate to see that happen.

It is not right or fair for any individual, whether they are disabled or suffering from mental ill health or a long-term debilitating health condition, to be put through such an arduous process. These people are not criminals—they are people who demand and need support from the social security system, which was designed to support them. I hope the Minister takes the time to answer my questions.

5.15 pm

Marsha De Cordova (Battersea) (Lab): It is an honour to serve under your chairmanship, Sir Christopher. I congratulate the hon. Member for Chichester (Gillian Keegan) on bringing forward this debate. She made some really valid points. She is absolutely right that it is up to the Government to remove some of the barriers that disabled people face to ensure that they can live independently and participate fully in society. I welcome the move to stop assessments for personal independence payment for pensioners, but we need to go further to ensure that those who do not need reassessment do not have to continue to go through the arduous assessment process.

We heard from Members across the Chamber about the fundamental flaws in the assessment framework for disabled people. We heard about the time that many ill and disabled people have to wait for an assessment. Indeed, my hon. Friend the Member for High Peak (Ruth George) highlighted that in her area people have to wait up to 48 weeks before they get to an appeal. We heard countless accounts of what happens at assessments and of poor decision making. My hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) shared his constituent’s experience of being given two days’ notice but still being recorded as a no-show, yet assessment providers can cancel at the last minute. We need to eliminate such double standards. The hon. Member for St Ives (Derek Thomas) pointed out some of the poor decision making that happens after assessments and highlighted the rubber stamping of decisions at mandatory reconsideration stage. That step was put in place to ensure that we got decisions right earlier, so it is really important that that issue is picked up.

Since 2013, more than 700,000 ill and disabled people have been forced to challenge decisions at appeal following poor decision making after their assessment. Last week, the Secretary of State for Work and Pensions admitted that disabled people feel “put on trial” by these assessments. By her own admission, we need not just small-scale improvements of the assessment framework, but a wholesale overhaul of the system, which has created a hostile environment for disabled people.

Every week, I hear from constituents and from disabled people across the country who have been pushed to despair as a result of the failing assessment framework. I was contacted by a lady called Susan, who has Crohn’s disease. She is on DLA and has a Motability vehicle. Following her assessment, in which she did not score any points for her mobility, she lost her car, which she described as her one bit of independence. I share her experience with the House because it is not isolated; I hear these heart-wrenching accounts all the time.

Some 72% of PIP decisions are overturned at appeal, and more than 100,000 disabled people have been wrongly deprived of PIP. We heard that more than 4,500 disabled people were wrongly denied PIP when they transferred from DLA. Most shockingly, 17,000 people died before their PIP decision was reached. In the last three months, nearly three quarters of people who appealed their work capability assessment decision were successful.

We know the system is flawed and is not working. That is why it is worrying that we are looking at combining all these assessments. We cannot combine them when we know there is bad decision making and the assessment framework is flawed, so I ask the Minister: why not listen to people like Susan, and look at conducting a wholesale review and overhaul of the system?

Ruth George: Will my hon. Friend give way?

Marsha De Cordova: I will not; I do not have time, frankly.

The Government announced last week that they would extend the contract of the Centre for Health and Disability Assessments, better known as Maximus, to carry out work capability assessments. Nothing could be worse for any disabled person to hear. Since 2014, an estimated £595 million has been paid to Maximus to carry out assessments and in total £1 billion has been paid out to private contractors. These companies have repeatedly failed the DWP’s standards, so does the Minister agree that rather than extending the contract, it is time to bring these assessments back in-house? Will she confirm that the details of the new contract will be made available to Members?

It appears that I have only 20 seconds left, which is shocking, so let me be clear: we need a radical overhaul of the assessment framework before any moves are taken to combine the assessments. We need an assessment framework that will take into account disabled people’s lived experiences and treat all disabled people with the dignity and respect they deserve.

5.20 pm

The Minister for Disabled People, Health and Work (Sarah Newton): It is a pleasure to serve under your chairmanship, Sir Christopher. I am grateful for the number of Members from across the House and all parts of the country who have come together for the debate. There is a compelling debate going on in the main Chamber, yet many Members chose to prioritise this debate, which is to the great credit of everybody who has participated.

I pay particular tribute to my hon. Friend the Member for Chichester (Gillian Keegan) for her passionate, eloquent and well-informed contribution. She was joined by many colleagues who shared examples of the poor treatment that their constituents had faced in going through the
assessment services. That is exactly why we made the announcements last week about the transformation of the way that we undertake assessments.

Our approach has been one of wholesale continuous improvement—to the personal independence payment since it was introduced, but also to the work capability assessment, since it was introduced by the Labour Government back in 2008. There have been numerous independent reviews, the Select Committee did an excellent inquiry and the Department has embraced and implemented a great number of recommendations. We are committed to continuous improvement, as the hon. Member for Oldham East and Saddleworth (Debbie Abrahams) asked us to be. I thoroughly agree with him and want to reiterate what he said: we should treat others as we would like to be treated. Everyone should be treated with respect and dignity, and I can assure him and my hon. Friend the Member for Chichester, who also raised that point, that there is no complacency at all; there is an utter commitment to improvement.

Patricia Gibson: Will the Minister give way?

I want to reiterate a commitment that I made at the Dispatch Box, when I answered the urgent question about the new transformed service. I want to make sure that disabled people co-design the service with us. We are starting soon on stakeholder engagement to enable that. We will work with the medical professionals—as I said, we will do a lot of work with them over the summer on this—stakeholders and disabled people. We want to improve people’s confidence and trust in the system, and make it properly accessible.

There were a whole range of really good points raised by the hon. Members for Strangford (Jim Shannon), for High Peak (Ruth George), for North Ayrshire and Arran (Patricia Gibson) and for Lanark and Hamilton East (Angela Crawley), and my hon. Friend the Member for St Ives (Derek Thomas), pointing to changes that they would like to see in the training of the healthcare professionals undertaking the assessments. I reassure hon. Members that a whole series of stakeholders—charities or people who work alongside those with particular health conditions—have met those undertaking health assessments to ensure that the guidance given to them is up to date and properly takes into consideration variability in conditions, and to ensure that those assessing people with rare conditions that we do not often come across are aware of that condition and its impact on a person’s ability to live their daily life in the way that we would like them to.

I assure all hon. Members that we give physical and mental health parity of esteem. Many of our healthcare assessors, as well as our frontline staff in the DWP, are undergoing good mental health awareness training, and they all have access to specialists whom they can call on.

Through lots of small improvement to assessments, we are beginning to see real changes.

We spend a lot of time working with our colleagues in the Ministry of Justice to ensure that people can access tribunals in a more timely way. The delays are unacceptable. There has been recruitment of a lot of staff, and there is a new online resolution service for PIP, which was piloted and received good feedback from claimants. It will not replace people’s opportunity to have a face-to-face tribunal service, but some people might choose to go that way.

We are looking at improving our mandatory reconsideration process. It is not fair to say that it is a rubber-stamping process—around 20% of decisions are changed at mandatory reconsideration—but we are learning from the work we are doing with Her Majesty’s Courts and Tribunals Service to ensure that we can get more information, including medical information, from the claimant at the mandatory reconsideration stage, so that more decisions can be changed then, without having to go on to appeals.

However, the most important thing is to get more decisions right the first time, and to enable conversation, so that people are confident enough to give us all the information we need when we need it, and that we get that. We are working on that at pace.

In terms of the transformed service, it has been necessary to extend the existing contracts for both PIP and the work capability assessment, so that we have a
secure and stable way of assessing the benefits. Developing the new transformed service will take a huge amount of work. We are creating a new digital platform, which we will co-design with disabled people. It will take this year to get that right; only then can we start to introduce the new service.

In the short time I have left, I return to the good point that my hon. Friend the Member for St Ives made about organisations such as the Benefits Resolutions service, formerly known as Bufferzone. I would love to work with him on what we can do to regulate those offering support to people going through the tribunal service. I agree with him; what he described is totally unacceptable. I would also like to work with my hon. Friend the Member for East Renfrewshire (Paul Masterton) and look at the report he mentioned to see what we can do to ensure that improvements are made.

I thank all hon. Members very much indeed; I am absolutely determined, as they all are, to improve these services and ensure that they are the best they can be.

5.29 pm

Gillian Keegan: I thank the Minister very much, mostly for listening and taking into account all the points raised today. I thank you, Chair, for your excellent chairmanship, which got us through this debate in an hour, and I thank all hon. Members for their participation. It is clear that we all have similar desires and concerns: we want to ensure that the system continuously improves, treats people with respect and in the way that we would all like to be treated, and, perhaps most importantly, helps people to live a fulfilling life, so that they can make the most of their many talents. I thank everyone for participating, and I look forward to seeing the transformation of the service.

Question put and agreed to.

Resolved,

That this House has considered improvements to disability assessment services.

5.30 pm

Sitting adjourned.
Westminster Hall

Thursday 14 March 2019

[Mr Charles Walker in the Chair]

Future of the Oil and Gas Industry

1.30 pm

Pete Wishart (Perth and North Perthshire) (SNP): I beg to move,

That this House has considered the Sixth Report of the Scottish Affairs Committee, The future of the oil and gas industry, HC 996.

It is a pleasure to serve under such a distinguished member of the Panel of Chairs today, Mr Walker. I am grateful to see so many members of the Scottish Affairs Committee in their places and ready to go for this very important debate.

The Scottish Affairs Committee decided to hold an inquiry into oil and gas because of the unprecedented uncertainty caused to the sector by the dramatic fall in oil prices at the end of the last decade. We were interested in assessing how—or indeed whether—the sector had recovered and in better understanding the contemporary issues in the industry and how new innovations and interventions had played out.

Critically, we wanted to explore the readiness of the sector for transition and decarbonisation. We also wanted to look at its preparedness for diversification of the skills acquired over 40 years of production and development in the North sea.

We are, as always, grateful to the many people who gave evidence and contributed to our inquiry, and for the support we received from the sector. We held six evidence sessions and received more than 30 written submissions to the inquiry. We are particularly grateful to the Oil & Gas Technology Centre in the constituency of the hon. Member for Aberdeen South (Ross Thomson), which hosted one of our evidence sessions and kindly lent us their premises to launch the report a few short weeks ago.

I should say first that the sector is in a reasonably good place. The resilience shown by our oil and gas industry in the face of such turbulence is to be commended. The tenacity that has been shown by the workforce and others involved in the industry is something we all recognised, and which has supported the sustainable recovery that has been put in place in the past few years. There remains a strong and positive future for Scotland’s oil and gas sector, and the opportunities of a just transition to a decarbonised future are there to be grabbed.

Scotland remains at the forefront of the global oil and gas industry, which contributed £9.2 billion to the Scottish economy in 2017 and supports 135,000 jobs in Scotland. Only this week, the Oil and Gas Authority predicted that 11.9 billion barrels will be extracted by 2050—a hike of almost 50% from the forecast four years ago of 8 billion barrels. That shows an industry and a sector in a reasonably healthy condition.

More than that, Scotland’s oil and gas is central to the UK’s energy security. It is forecast that two thirds of the UK’s primary energy needs will be met by oil and gas until at least 2035.

Jim Shannon (Strangford) (DUP): The hon. Gentleman is speaking of the benefits to the United Kingdom of Great Britain and Northern Ireland. I have some constituents who depend on the Scottish oil and gas sector for their employment. The skills that they have learned are not specific to Scotland—they are for everyone. Does the report acknowledge that all regions of the United Kingdom benefit from the Scottish oil and gas sector and it is therefore good for everyone?

Pete Wishart: The hon. Gentleman is of course absolutely right—this is a UK-wide industry, which has a footprint in most nations of the United Kingdom. Practically every region of England has some link to the supply chain serving the oil and gas industry across the UK. He is absolutely right to remind us that this is a UK-wide industry and one that we should all be very proud of, whether we are in Northern Ireland or in rural Perthshire.

It will not surprise hon. Members, however, that the inquiry found that the sector is still facing unprecedented challenges. Fluctuation in the oil price has hit companies with extreme uncertainty, particularly those working in the supply chain, while the rate of new well exploration has nose-dived. At the same time, the industry needs to properly prepare for the decline in production that will inevitably happen, to ensure that the economic benefits and highly skilled jobs the sector has acquired in and brought to Scotland are not lost.

The industry also has to find new ways to reduce its carbon footprint and use its skills and engineering knowledge to help develop low-carbon and renewable technologies. That is no small task, and those challenges are at the heart of the Committee’s report. We address how the Government should support the industry while it gets ready for production to decline. How do we meet the UK’s energy needs, of which oil and gas will remain a major component, while meeting our climate change obligations?

We believe that the best way for the Government to support the industry through those challenges is to agree an ambitious sector deal. A sector deal backed by a combined investment of £176 million from industry and the Government could deliver £110 billion for the UK economy, with particular benefits for Scotland and the north-east of Scotland. The funding would support three centres of excellence, focused on transformational technology, underwater innovation and decommissioning.

When the Minister for Energy and Clean Growth, the right hon. Member for Devizes (Claire Perry), appeared before the Committee in December, she said that she was not able to go into the detail of the deal, which we totally accepted given that the Government were still to properly design it and come forward with what would happen. She said that progress would be announced in weeks, not months. It is not many months since December, but it is certainly weeks. I know the Energy Minister could not join us today because she knows the Minister responsible for sector deals with us. Perhaps he can update us on the progress and shape of the sector deals.
I am certain that any delay will, of course, be down to the Government's taking very seriously the recommendations in our report, and designing the deal around some of the very useful recommendations that we made—that the sector deal is forward-thinking and sets up the industry to meet the challenges of climate change, decommissioning and of the industry's future beyond the UK continental shelf head on, rather than focusing on the usual support for maximisation of production in the short term. The days of short-termism in the North sea are over. Long-term planning and strategic thinking is required, and those are the priorities for the deal that the report outlines.

I will explain the detail a little further. First, a sector deal must capitalise on the opportunities arising from decommissioning. The North sea is not only going to be the first major basin to go through large-scale decommissioning; without doubt, it is also one of the most challenging environments anywhere in the world for decommissioning. As one of the witnesses said to us in an evidence session, if we can decommission a rig in the North sea, we can decommission a rig anywhere in the world. Scotland has an unmissable opportunity to export its decommissioning knowledge to the rest of the world and the Committee has therefore called for the sector deal to be accompanied by a Government decommissioning export strategy to anchor a global decommissioning industry in the north-east of Scotland.

The sector deal also needs to deliver on reducing the cost of decommissioning. We were surprised when we heard the range of estimates of the cost of decommissioning—the gulf between the lowest and highest point was quite extraordinary. We need to see that cost reduced for UK taxpayers, because half of the decommissioning cost will still be met through the Treasury and by taxpayers through tax relief. The sector must find ways to transfer its unique expertise to other sectors of the economy so that the jobs are not lost when oil production stops. One of the most impressive features—I think all members of the Committee recognised this when we were taking evidence for the report—is the range of skills available to us from North sea exploration. The skills acquired over four decades of production are among the most impressive to be found in the oil and gas sector anywhere in the world. It is absolutely imperative that the skills, expertise, talent and energy that have been built up in the sector are not lost as we move towards decommissioning and the ending of production.

We heard that there is no end to the opportunities available if we get decommissioning right. Sectors including aerospace, data analytics, marine and offshore engineering, digital manufacturing, satellite technology and offshore wind are all open for skills and technology transfer. We were particularly taken by the opportunities in the renewable sector, and we call for the sector deal to contain specific and measurable proposals for how it will improve skill and technology transfer to the sector. Scotland gained by acquiring North sea oil. It is questionable whether we secured the benefits of discovering North sea oil; we must not lose any benefits of what happens next with renewable technology. The skills acquired in the North sea are perfectly fitted, and could be adapted, for use in renewable energy.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): The hon. Gentleman is speaking very well about the work of the Committee in this regard. We worked very well to produce the report. On the redeployment of skills as the supply of oil continues to diminish, paragraph 82 of the report identifies fracking as an opportunity for these skills to be redeployed. Colette Cohen, the chief executive of the Oil & Gas Technology Centre, said that fracking would provide “increased opportunities for the workforce” and “for the technologies and skills we already have.”

Does the hon. Gentleman agree that there is an opportunity to continue to use these skills in fracking and connected industries?

Pete Wishart: I had a sneaking suspicion that I would secure an intervention based on the hon. Gentleman’s desire for fracking to be included in all this. As he knows, there was a robust debate among Committee members on the value of fracking and what we should say about it in the report. He knows that I do not share his views, although I am aware of the evidence that was given sincerely by some members of the sector. The Committee agreed a consensus that this was something we were not really concerned with as we went forward, and we have left it as such in the report.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): Yesterday in his statement the Chancellor talked about banning gas from new homes in 2025. Surely we have to look to the benefits of oil and gas in the future. Is that not a worry for us?

Pete Wishart: Absolutely. I was intrigued by the message from the Chancellor yesterday, when this was mentioned. Yes, there are huge opportunities for us. I think the hon. Gentleman will agree that it was mightily impressive to see the things that could come and how these skills could be applied and transferred. Perhaps the Minister can say what more work could be done to ensure that we get this. We would be grateful for any insight into the conversation he has been having with the sector on skills transfer.

The sector deal must bring forward proposals for how the sector will address its carbon footprint, both in the process of producing and extracting oil and gas, and by finding ways to reduce emissions from their use. The report received a mixed reaction from some environmental groups—I will put it as delicately as that. That surprised me, due to the range of recommendations we made and the care and diligence that we gave to shaping up some of the transition recommendations. We believe in a just transition and said as much in the report. We believe that if that is achieved, we will get to a new future—a green and transformative future for the sector.

David Duguid (Banff and Buchan) (Con): I agree with the Chairman of the Committee, who is speaking very well about the report. We received criticisms from Friends of the Earth, for example, which said that there was no coverage of the impact of climate change. Does he agree that the organisation had clearly not got as far as chapter 6?
Pete Wishart: Absolutely. When the report came out, all of us on the Committee were quite surprised by the scale of the response. I do not think there was a true examination of what we had in the report. We say in it that a transition is required, but it has to come from a position of strength. We cannot do anything that would compromise our ability to have a viable and sustainable sector that is in a position to carry out the just transition that environmental groups are looking for.

Jim Shannon: The hon. Gentleman is being very generous with interventions. One of the things that I noticed in the report was the impact on fisheries. The Scottish Fishermen’s Federation referred to the retention in the seas of artificial rigs and so on, which might disadvantage the local fishing community. What consideration did the report give to that?

Pete Wishart: I was not going to mention this, but it was a fascinating feature of the report; I am really grateful that the hon. Gentleman has drawn my attention to it. We took a lot of time speaking to environmental groups, particularly some of the wildlife groups, about sustainable fisheries. There was a suggestion of switching from rigs to reef: to leave the infrastructure in place as a magnet and attraction for wildlife and fish species.

We received very mixed evidence on that. One group told us that in the gulf of Mexico, where this project had been initiated, people had to drag the reefs off the seabed, take it onshore to clean it, and then put it back again. One recommendation in our report is that the environmental groups have to decide among themselves about the best way forward. We encourage that debate among our friends in environmental sustainability groups, and I am grateful to the hon. Gentleman for raising the issue.

We were struck by the importance of carbon capture technology for the long-term future of the industry. The Committee on Climate Change told us that without this technology, decarbonisation of the sector will happen much more slowly and be more costly. This is one area where the Government are ahead of the industry, having announced £45 million of funding for carbon capture innovation, with more potentially available from industrial strategy funds. I know that particularly pleases the hon. Member for Banff and Buchan (David Duguid), because most of that investment will be in his constituency. It is right that it should be, because of the infrastructure that exists there.

We believe that the industry needs to step up its contribution in this area, and that the sector deal must contain a detailed proposal from the industry on how it will support the development of carbon capture technology and how that progress can be measured. The oil and gas sector has a bright future ahead of it.

Colin Clark (Gordon) (Con): I am very impressed by the report. Oil and gas obviously have an enormous footprint in my constituency. Does the hon. Gentleman welcome the fact that the UK continental shelf oil and gas sector has been welcome, and it is of course necessary. I think we are going to the next stage, which is the sector deal initiative. That is now critical, according to the report and what we found in the course of the inquiry. That type of investment will be required in order to ensure that some of the things highlighted in the report take place.

We believe there is a bright future for the industry; it is now up to the Government to respond with how they will help the industry to secure it. I hope that the Government and industry rise to the challenge of the report and secure Scotland’s future as a global leader in energy technology for decades to come. We have 30 to 40 years, and we have the opportunity to maximise economic recovery. We now have the ability to ensure that we can transition to a new type of future for the North sea. I am sure that with the right type of approach and the right type of mentoring and support, we can get there. Our oil and gas industry still has a viable future.

1.48 pm

David Duguid (Banff and Buchan) (Con): It is a pleasure to serve under your chairmanship, Mr Walker. As a member of the Scottish Affairs Committee, and as someone with 25 years’ experience of working in the oil and gas industry, I have taken a particular interest in this inquiry and very much welcome the report’s publication. Like all parts of north-east Scotland, my constituency has and has a deep relationship with the oil and gas sector. Many of my constituents work in the industry, as I did. The industry has helped bring prosperity to the area over the last half a century or so.

It is clear that the industry is moving into a new era, which is why the report is so important. While the industry is emerging from the downturn of the last few years, the medium to long term promises smaller reserve finds, reduced production rates, more decommissioning and the challenge of a wider transition towards a low-carbon economy. The prosperity of north-east Scotland relies on the industry making the most of this transition. The report makes a valuable contribution to the important debate on how we can achieve that. The industry has led the way in that debate, and its recognition of long-term risks and the need to address them will give many people confidence in the industry’s future.

It is worth recognising the work that many of the large oil and gas companies have been doing to encourage a transition towards low-carbon energies. They are often cast as cartoon villains in relation to climate change, but throughout the inquiry I have commended them for leading the way in the sector, and for taking climate change seriously. That commitment was exemplified by the creation in 2015 of the Oil and Gas Climate Change Initiative, initially made up of the BG Group, BP, Eni, Repsol, Saudi Aramco, Shell, Statoil—now known as Equinor—and Total. Significantly, it was joined in the last year by American companies—Chevron, ExxonMobil and Occidental. Having worked for many of those companies as a member of staff, mostly for BP, and as a consultant for some of the others, I can confirm that that commitment to a low-carbon future is not just lip service.

The Committee’s report praises industry efforts such as Vision 2035 and the “maximising economic recovery” strategy, which aim to ensure that the industry continues to thrive in the medium to long term. As recommended
in the report, I hope that the UK Government continue to listen to the call for an oil and gas sector deal to help the industry achieve those aims.

We need to use the next couple of decades to diversify the industry beyond just exploration and the production of hydrocarbons. Decommissioning technology and expertise will not only accelerate the reduction of decommissioning costs in the North sea but open up new export opportunities for the industry. Similarly, the subsea or underwater sector has great export potential, provided that we act quickly and do not fall behind other countries with expertise in this area, such as Brazil and Norway.

I am particularly pleased that the report recognises the potential of carbon capture, use and storage for the future of the industry. As the hon. Member for Perth and North Perthshire (Pete Wishart) mentioned, that is particularly important in my constituency. CCUS technology will be vital if we are to continue to use oil and gas in a low-carbon economy. In assets that have ceased or are due to cease production, decommissioned infrastructure can be converted to use for CCUS purposes. This report is certainly not the first time that that potential has been recognised. Banff and Buchan has been the location of previous proposals for CCUS projects, which were sadly deemed not viable at the time. I continue to believe that CCUS can be part of a great future for the energy sector in Banff and Buchan, provided that the right proposals come along.

I am particularly excited by the Acorn project by Pale Blue Dot. Unlike previous proposals, it focuses on the St Fergus gas terminal, which is the third-largest emissions site in Scotland. The St Fergus gas terminal is an attractive proposition because it is already linked by pipeline to the Grangemouth industrial complex. Unlike previous proposals, Acorn aims to achieve commercial viability by starting small and growing through additions to the core project later. Whereas a previous proposal for a CCUS power station at Peterhead would have cost about £1 billion, the cost of the initial Acorn project is estimated to be just £300 million.

I pay particular tribute to the Oil & Gas Technology Centre, run by Colette Cohen. Its vision is to become more about the technology than the oil and gas. The trade body, Oil & Gas UK, led by Deirdre Michie, provides a huge amount of co-ordination and expertise for the industry. Finally, the Oil and Gas Authority, run by Dr Andy Samuel, is an exemplar of how a UK Government body can be hugely effective when based closer to the action.

I look forward to the Minister’s response to the report and, in particular, the recommendations on the sector deal. The report’s tone and the industry’s approach are constructive and optimistic, so I hope that the UK Government’s response will be similarly constructive and encouraging. Together, we can build on the work already done, and take the necessary steps to help the oil and gas sector continue to contribute to the economy, not just for Aberdeen and north-east Scotland, but for the whole United Kingdom, sustainably and for decades to come.
of short-term and zero-hours contracts. The industry and trade unions have observed practices including the application of retrospective charges for training, the exclusion of trade unions from heliports, the denial of holiday entitlements and the ignoring of TUPE requirements. I believe that Unite is right to call for the full devolution of employment law to Scotland so that we can begin to address those issues, alongside investing in skills, apprenticeships and training in the industry.

Although decommissioning must be a crucial part of the sector deal, it must be done in a way that preserves skills, expertise and technology. It is clear to me that there should be a national decommissioning strategy to ensure that decommissioning delivers for workers and our economy. The strategy must be devised through discussions between the UK and Scottish Governments, local authorities, industries and trade unions.

I would like to talk about safety in the industry. As a trade unionist, I want to ensure that all workers are safe in their workplace. It alarms me to see the findings of a recent report by Robert Gordon University, which received responses from 40% of offshore workers from the major companies in the industry. It found that 52% of workers are dissatisfied with their work-life balance; 45% said that it takes them longer to recover from their shifts, and 57% believe that the conditions of their offshore sleeping environment have worsened. Let us not ignore workers’ concerns about offshore helicopter safety. Some 62% said that they would be unlikely to fly in a Super Puma helicopter if given a choice.

Bill Grant (Ayr, Carrick and Cumnock) (Con): I share the hon. Gentleman’s concerns about the safety of workers and the avoidance of accidents. What does he think the Government can do to bring the oil companies to the table for discussions with trade unions about the important matter of the safety of personnel on their rigs and in helicopters?

Hugh Gaffney: I will come to that point; I take an interest in it. I recently met Oil & Gas UK, with which the hon. Member is getting together to bring the workforce on board. Without the workers on board, no company can go anywhere. Unless companies involve their workers in the process, there is no point trying to organise the company.

I declare an interest: 27 years ago today, I took an interest in North sea oil safety helicopters when a Super Puma helicopter went down, killing 11 men, of whom my brother-in-law was one. Today is the 27th anniversary of the crash, so I welcome the report. I hope that the workers concerned about offshore helicopter safety. Some 62% said that they would be unlikely to fly in a Super Puma helicopter if given a choice.

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I declare an interest: 27 years ago today, I took an interest in North sea oil safety helicopters when a Super Puma helicopter went down, killing 11 men, of whom my brother-in-law was one. Today is the 27th anniversary of the crash, so I welcome the report. I hope that the industry will take serious steps to address those safety concerns, particularly as employers have a duty to ensure that workers are safe in their workplace and can get home safely.

To conclude, I reiterate my support for the findings of the report, including its recommendation of a sector deal. It is clear, however, that there are challenges that we will have to address: “maximising economic recovery”, decommissioning, terms and conditions and, most importantly, the safety of the workforce.

2 pm

Ross Thomson (Aberdeen South) (Con): It is a pleasure to serve under your chairmanship, Mr Walker. I genuinely welcome the report and thank colleagues on the Scottish Affairs Committee not only for looking at this important issue, but for taking the time to come to Aberdeen—the heart of the UK’s oil and gas industry—to speak with representatives and hear the views of the industry on how we can move forward. That was much appreciated by the oil and gas companies there.

My constituents in Aberdeen South know better than most just how important the future of the oil and gas industry is and how difficult the past few years have been. The climb out of those difficult days has been long and not without challenges. I see those challenges every day when I speak with constituents and meet local businesses.

I was encouraged to hear the latest news from the OGA this week that North sea production reached a seven-year high last year. That shows that the sector still has huge potential to form an integral part of the UK’s energy mix and be a major source of high-value jobs across Scotland and the whole of the UK. Last week, I was pleased to welcome my right hon. Friend the Foreign Secretary to Aberdeen, where we met representatives from Oil & Gas UK at Aberdeen harbour. During his visit, the Foreign Secretary highlighted the huge opportunities that await oil and gas companies once we leave the European Union.

Balmoral Group, a company based in my constituency, specialises in subsea buoyancy, renewable energy products and engineering solutions. It employs 500 people and is highly dependent on the rapidly growing markets of west Africa, South America, and the Gulf of Mexico. The company is clear that its opportunities for growth are truly global. Aberdeen is a global city, and oil and gas companies based in my constituency have an increasingly international outlook. The new technologies developed through the Oil & Gas Technology Centre show the great export potential that will place Aberdeen at the centre of supply chains reaching around the world into mature and emerging markets.

Oil & Gas UK’s Vision 2035 has the ambitious aim of doubling the supply chain’s share of the global market from 3.7% to 7.4% by 2035. Those new technologies will be key to achieving that goal. They will not just unlock the future potential of the UK continental shelf, but secure the future of companies throughout the sector, as they diversify their interests. I welcome the Government’s continued work with industry to invest in technology that maximises recovery, improves efficiencies and extends the life of the UK continental shelf, while boosting the potential for export growth.

From the day we arrived in Westminster, my colleagues and I have worked hard to secure much needed support for this vital industry. I remember vividly lobbying the Treasury at every opportunity, and we were successful in securing transferable tax history for the sector, which unblocked billions of pounds of investment. Maintaining certainty on tax relief and reducing barriers to investment will be crucial to attracting the investment that the sector requires to maximise economic recovery and secure the long-term future.

The UK’s position as a market leader at the centre of global supply chains rests on the industry and Government working hand in hand to attract talent and investment as the sector prepares to navigate the challenges and opportunities of the coming years. I welcome the report on the future of the oil and gas industry, as it sets out the case for a sector deal for the industry and calls on
the Government to commit to securing the long-term future of this vital industry. I look forward to the Minister’s remarks on the progress of that sector deal.

The future of the oil and gas industry rests on innovation not only in extraction to ensure that we maximise recovery, but in decommissioning. Decommissioning represents not the end of the oil and gas industry, but a huge opportunity to use the expertise and talent of a globally focused industry to turn a liability into an opportunity. The UK will be the largest market for decommissioning spending over the next decade, and is placed at the forefront of a rapidly growing market. I welcome the report’s emphasis on the benefits of a sector deal to unlock the global potential of the oil and gas industry not just in my constituency, but in constituencies across the United Kingdom.

There is a lot of life left in the North sea, and a bright future for the oil and gas industry. Investment in new technologies and the growth of the sector at the centre of a global supply chain are key to grasping future opportunities. I welcome the report, which sets out how industry and Government can work together to secure that future.

2.6 pm

Deidre Brock (Edinburgh North and Leith) (SNP): It is a pleasure to serve under your chairmanship, Mr Walker.

As has been mentioned, Scotland’s oil and gas industry is a world leader in many areas, health and safety being a notable one. Of course, we know the reason for that and we should pay our respects to the memory of the workers who have lost their lives in the industry, particularly in the Piper Alpha explosion and fire, but also in other incidents, including helicopter crashes, which the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) mentioned.

We should acknowledge that other workers have suffered serious injuries over the years while working in the industry. The safety record of North sea operations is better now, but that did not come easily or free of charge. The North sea industry has come a long way since its beginnings in the 1960s and the first gas from the Sea Gem rig, which gave us the first large-scale loss of life three months later. The industry has delivered substantial sums in wages, profits and taxes over the last half century, and it is incumbent on the Government to make a substantive contribution to decisions on the future of the industry, as the Committee’s report lays out.

That should include the transfer of skills to new industries, and it seems to me that renewable energy should be a major recipient of those transferred skills. Offshore wind farms and marine energy schemes would be ideal recipients of those skills. I recently had the privilege of visiting Nova Innovation, which is headquartered only a few hundred yards from my constituency office in Leith, and I was extremely impressed by the advances it is making and the pace of change in the offshore renewables industry. Nova leads the way in the tidal energy industry, and the Shetland tidal array looks like it may be at the leading edge of a new energy revolution. Just as Shetland was important in the development of the oil and gas industry, it may well be important in the development of the next energy industry.

While the Government are developing their future plan for the oil and gas industry, they really should be developing a parallel plan for the future of renewables that offers proper financial support for research and development and for connection to the grid. I have a bit of trouble having confidence in the UK Government to do that, however, given the record of past UK Governments when it comes to the North sea. Regulatory and taxation changes have come abruptly and swept in with very little consultation. Frankly, there is little in the current Government’s approach to legislating that gives me much hope of an alternative way of working.

David Duguid: Does the hon. Lady, my Committee colleague, agree with me and the testimony of witnesses that locating the Oil and Gas Authority, which is responsible for the regulations, in Aberdeen, close to the action, has already shown benefits and should show more in the future?

Deidre Brock: I agree that that was a definite point of progress and much to be welcomed, but the industry has been going for some 50 years, and some within it would argue that it was too little and almost too late. It is great that that came along, but much more can be done to support the industry.

As I mentioned with regard to improved support, I hope that the Government will surprise me, because the industry still has a lot to offer. The industry has plans to increase productivity so that in 16 years’ time it will be producing an additional £920 billion in revenue—not bad for an industry that we get told regularly is finished.

The scale of the contribution that the industry has made over the years is breathtaking. Scots will be aware of the famous, or infamous, McCrone report that was uncovered in 2005 by a friend of mine, Davie Hutchison, but written some years before he was born, in 1974. Professor McCrone was a UK Government civil servant at the time of writing, when he pointed out that the resources in the North sea were so enormous that they destroyed all the economic arguments against Scottish independence. Recently, Professor McCrone said that he regrets that the UK Government wasted that resource, frittering the income away, rather than investing in a sovereign wealth fund.

Furthermore, the McCrone report was written some years before the biggest discoveries in the North sea. Peak annual production did not come until 1999 and, as we have heard throughout the inquiry, new extraction techniques are increasing the potential recoverable resources even now. With another half century of extraction still possible, and new fields coming on stream in other areas, the industry has a long future yet. The Government need to step up to the plate.

One of the issues that has been mentioned is the protection of the environment and the development of serious carbon capture and storage proposals. Previous attempts to develop such schemes fell foul of Government inaction and broken promises. We need to see some serious commitment to making progress. I once heard about a pilot project. I think in Poland, where the carbon was captured and pressurised only to be driven a couple of hundred miles in tankers to the injection site, possibly defeating the purpose.
Some schemes that have been suggested before may well be capable of revival, and I am sure that more ideas would emerge when asked for. I hope that the Government will open the door to those ideas and help fund them, perhaps even hypothecating some of the revenue gleaned from the offshore industry, which should have gone into a sovereign wealth fund for Scots but is instead frittered away by successive UK Governments. The Government should consider doing a lot more for the environment with the resources brought in by the offshore industry. They could match the Saltire tidal energy challenge fund launched by the Scottish Government earlier this year, or reinstate the marine energy subsidy. If oil and gas were the energy choices in the second half of the 20th century, renewables will fill that role in the 21st century. We urgently need Government investment to make that industry a world leader.

The oil and gas industry is not dead yet, not by a long way. With at least as many years of exploitation left as we have already seen, there is still some way to go. The UK Government should sit down regularly with the industry to help plan the next half century. Vision 2035 UK Government should have gone into a sovereign wealth fund for Scots but is instead frittered away by successive UK Governments. The Government should consider doing a lot more for the environment with the resources brought in by the offshore industry. They could match the Saltire tidal energy challenge fund launched by the Scottish Government earlier this year, or reinstate the marine energy subsidy. If oil and gas were the energy choices in the second half of the 20th century, renewables will fill that role in the 21st century. We urgently need Government investment to make that industry a world leader.

The oil and gas industry is extremely important in the north-east of Scotland, but it also has other clusters, although not quite as large, in the north-east of England and East Anglia, which I represent. I chair the British offshore oil and gas industry all-party parliamentary group. It is important to remember that the industry is a national one and that it has a supply chain that extends throughout the whole of the UK.

The industry has been, I would say, the British industrial success story of the past 55 years. The results of extracting hydrocarbons on the UK continental shelf have been the creation of thousands of well-paid good jobs, the generation of an enormous amount of money for Her Majesty’s Treasury, and the development of expertise that can be taken, and has been taken, all around the world. Go to Libya, the Gulf of Mexico, Kazakhstan or China, and one hears Scottish, Geordie and East Anglian accents.

David Duguid: Following on from something the Chair of the Committee said in his opening remarks—I meant to say this in my speech—I have benefited from that skills transfer, having worked not in Libya but in some of those other places around the world where oil and gas are prevalent. Does the hon. Member for Waveney (Peter Aldous) agree that an important aspect of the sector deal, and the urgency of it, is to encourage the retention of those skills in this country in order to develop the technologies and innovations that we have discussed?

Peter Aldous: My hon. Friend is right. We have developed enormous expertise in the oil and gas sector which it is important to retain and build on. We are just beginning to see that in the offshore wind sector as well and, as I will come on to, the two are inextricably linked.

Yesterday was an important day for the industry. The APPG had its annual parliamentary reception, and those attending were in good heart and had a positive outlook for the future. We also had the Chancellor’s spring statement. Normally, the APPG lobbies Government hard coming up to annual Budgets and statements, but yesterday the Chancellor made no mention of the industry. I think that was mainly because he is keen for statements to be just that and not mini Budgets, but in many respects that was good news, because the industry wants a stable fiscal regime with no unforeseen, unpleasant or unhelpful surprises. That said, as we anticipate the autumn Budget, I suggest that we should all be back in top lobbying gear.

I acknowledge that we are now entering the second half of the contest—perhaps I should say challenge—of extracting oil and gas on the UKCS, but we should emphasise that this is not a sunset industry, as indeed colleagues in all parts of the Chamber have said. As in many matches, the best performances, goals and tries come in the second half. The industry has come through a great deal in recent years, but while challenges remain—in particular the low level of drilling activity and exploration—it is largely in a good place. Last year, significant final investment decisions were made on a number of major projects, production performance was strong, and unit operating costs had stabilised.

I shall highlight three areas in which the industry, the Oil and Gas Authority and the Government need to work together in the immediate future to maximise the sector’s potential for the benefit of all those who work in it and for the UK. First, attention needs to be given to strengthening the industry’s supply chain. Many companies’ revenues and margins are under extreme pressure, and increased collaboration and innovative contracting models are needed. If those are put in place, as a country we will be able to continue to compete for international investment, to provide security of energy supply, and to create and support highly skilled and fulfilling jobs.

Secondly, we need to build up expertise and create specialist hubs to carry out decommissioning. A good start has been made with the launch of the National Decommissioning Centre, but we must have it in mind that that is an enormous prize, not just on the UKCS—and, from my own perspective, most immediately in the southern North Sea—but in basins all around the world.

Thirdly, the sector has made a good start in promoting and facilitating the transition to a low-carbon economy. Instead of the Danish oil and natural gas company and Statoil, we talk about Ørsted and Equinor. Gas has an important role to play in the transition to a low-carbon economy. In the southern North Sea, the oil and gas and offshore wind sectors are collaborating on such innovative projects as gas to wire, which involves gas being generated into electricity offshore and transmitted to shore via spare capacity in the subsea cables that are used for the wind farms.

There are plenty of challenges, but my sense is that the industry is resurgent and brimful of ideas. With the right nurturing, promotion and collaboration, it can play a key role in the UK on the post-Brexit global stage.
2.20 pm

**Douglas Chapman** (Dunfermline and West Fife) (SNP): It is a pleasure to serve under your chairmanship, Mr Walker. I thank the Committee members and the witnesses for helping to reach the well-considered conclusions and recommendations, and I thank the Chair, my hon. Friend the Member for Perth and North Perthshire (Pete Wishart), for his push to consider matters of real significance to Scotland. If one sector has been a dominant industry in the political discourse of Scotland in the past 40 or 50 years, it has been oil and gas.

Today’s Scottish oil and gas sector is in a strong position. With up to 20 billion barrels of oil equivalent remaining, there is enough to sustain production for the next 20 years and beyond. Recent discoveries such as the Capercaillie and Achmelvich wells by BP, the huge and significant gas reserves west of Shetland and Clair Ridge, and Nexen’s phase two of developing the Buzzard field, demonstrate the significant untapped potential that this industry holds should we wish to exploit reserves.

Figures published in the last week by the Oil and Gas Authority forecast that 11.9 billion barrels will be extracted by 2050, up almost 50% from the estimated 8 billion barrels predicted just four years ago. That is why the Scottish Government are keen to do everything they can to support the industry and its workforce. In 2016, the Scottish Government launched a £12 million transition training fund to help oil workers retrain and make the most of their transferable skills to forge careers in other sectors. Some 4,000 applications have been approved, with training satisfaction at around 90%.

We have helped the Scottish supply chain to capitalise on an expanding decommissioning market that is forecast to reach £17 billion by 2025. The decommissioning challenge fund has offered grant funding of £3.1 million for projects focused on delivering innovative infrastructure improvements and technological advances in this area. As part of the Aberdeen city region deal, the SNP has committed £90 million over the next decade to support the Oil & Gas Technology Centre.

We are looking at an uplift of over £194 million in the enterprise and energy budget to support entrepreneurship, construction and productivity. That additional funding will contribute to an investment of almost £2.4 billion in enterprise and skills through our enterprise agencies and skills bodies.

The Scottish Government offer an impressive range of support for the industry. As we move forward, I hope the UK can step up to the plate and do more to support the industry as it moves into its next phases of production. However, successive Tory and Labour Governments have continually exploited the oil and gas industry for cash, with little regard for its future sustainability. They have been quite content to rake in a tax take of £350 billion from North sea revenues alone over the past 50 years. The Tories failed to deliver any real fiscal support when the sector was in depression after the oil price dropped. That is a lesson learned. This is an extremely important sector for the future, and we need to support it to allow it to continue, maintain jobs and transition out of oil and gas into other areas.

**Deidre Brock**: On successive UK Governments’ management of the oil resource, I should say that in recent years Norway’s state-owned oil sector has generated many billions of pounds in Government revenue, while the UK has lost many. Does my hon. Friend agree that that points to a gross mismanagement of this valuable resource over many years by successive UK Governments?

**Douglas Chapman**: My hon. Friend makes an excellent point. Norway’s population is very similar to Scotland’s and it has a similar ability make good from the resource it found on its doorstep. It now has the world’s largest sovereign wealth fund, yet in Scotland and the UK we have not put anything aside for future generations. That is a huge lost opportunity for the industry and the UK people.

**David Duguid**: We often hear about the Norwegian sovereign oil fund. Is the hon. Gentleman aware that the same fund is investing heavily in the UK market as we prepare to leave the European Union?

**Douglas Chapman**: That is a fantastic option that Norway has, but in the UK we do not have that wealth fund to decide how we will invest in the future. That makes a bit of a mockery of us. We have had all that wealth; Norway has done a huge amount with theirs, but we have taken ours off our balance sheet and spent it as it came in. We should have put some away for future generations.

**Ross Thomson**: I accept the hon. Gentleman’s point that there is no sovereign wealth fund in the UK, but the revenues generated from the oil and gas industry in the UK were used at the time to invest in what we enjoy now: hospitals and infrastructure. That money was used for huge investment in infrastructure that is still used today by people across the United Kingdom. In the 1970s, it was used to help lessen the costs of unemployment.

**Douglas Chapman**: The UK Government has had a spend, spend, spend approach, but as I said, I would like us to put away much more of that wealth for future generations. Perhaps it is a bit late to do that now; we probably should have started doing it from the beginning. It is easy to say in hindsight, but it should have been part of the overall oil and gas strategy right from the start.

It was interesting to hear the Chancellor’s reply to my hon. Friend the Member for Aberdeen North (Kirsty Blackman) during the spring statement yesterday. He said:

“Scotland gets its share of…capital and resource, but precious little thanks do we ever hear from…the SNP Benches”—[Official Report, 13 March 2019; Vol. 656, c. 360.]

The fact that £350 billion went into Treasury coffers but not a brass farthing went directly into the Scottish economy underlines the point made by my hon. Friend the Member for Edinburgh North and Leith (Deidre Brock) about what Scotland has got out of oil and gas. We could have had an awful lot more to benefit every man, woman and child in our country. The Chancellor’s concept of pooling and sharing is much different from mine.

I am grateful that the control, stewardship and the tax take will soon be back in Scotland’s hands—“stewardship” is the key word rather than “management”. I return to the eloquent point made by the hon. Member
for Coatbridge, Chryston and Bellshill (Hugh Gaffney) on safety: if companies are being brought to the table to talk about how to license certain fields, surely that is a fantastic opportunity to talk about their responsibilities for trade union recognition, and the safety and security of people who work on rigs far out in the North sea.

Scotland does not underestimate the vital part the oil and gas sector plays in meeting our energy needs; as the Committee points out, it is forecast that two thirds of the UK’s primary energy needs will be met from the North sea until at least 2035. However, we must also appreciate that we need to transition to a low-energy, low-carbon economy. Our world-leading, export-oriented supply chain already plays a positive role in that respect by looking at ways to reduce its carbon footprint at every turn. Average emissions per unit of production on the UK continental shelf have fallen year on year since 2013, and total emissions have been in decline since their peak in 2000.

Our oil and gas industry is awash with highly skilled individuals in possession of world-leading expertise. The sector currently supports 283,000 jobs across the UK. We must seek to hold on to those workers to retain the value they add to our economy. As I said, the Scottish Government’s transition training fund has made good progress in that regard, facilitating training for many oil and gas workers to move into renewables such as tidal, onshore and offshore wind, wave power and solar. However, the UK Government’s decision to slash funding for the renewable energy sector does not give us much encouragement. In fact, it does exactly the opposite, removing opportunities for talented individuals to utilise their skills to develop new wind technology and other low-carbon technologies such as carbon capture and storage—not so much opportunity knocks as an opportunity lost.

Brexit looms large in many people’s minds. We stand at a Brexit crossroads, with freefall into no deal on one side and a car crash of a bad deal on the other. It is inevitable that business across the UK will suffer if we ever actually leave the EU, but the oil and gas industry is likely to be one of the hardest hit, due to its highly globalised nature. With approximately £61 billion of oil and gas-related goods traded with the rest of the world, the threat of tariffs looms over the industry. In a worst-case scenario where the UK reverted to World Trade Organisation rules with the EU and the rest of the world, the threat of tariffs looms over the industry. In a worst-case scenario where the UK reverted to World Trade Organisation rules with the EU and the rest of the world, the cost of trade would likely almost double to around £1.1 billion per annum, assuming trading behaviours remained unchanged.

Mr Charles Walker (in the Chair): Order. I remind the hon. Gentleman that we want to share the time out: if he could wrap up in two minutes, that would be great.

Douglas Chapman: Certainly, Mr Walker; I will move on to my final comment.

The report’s conclusions focus on the positives: developing an ambitious deal for the sector as a whole, which I hope will be supported; developing new technology, which many Members spoke about, so we can recover more of what we need; reducing the costs of decommissioning; exporting the sector’s skills and experience, not just in exploration but in subsea work; sector making the vital transition from carbon energy such as oil and gas to renewables—especially hydrogen, which could be a game changer and might just help save the planet. The opportunities remain immense, and the sector deal outlined by the Committee would offer energy security for decades to come and allow Scotland to remain a sector leader.

2.33 pm

Dr Alan Whitehead (Southampton, Test) (Lab): I congratulate the authors of the Select Committee’s excellent and wide-ranging report, and everyone who took part in the Committee’s proceedings. The report goes well beyond some previous considerations of the future of the North sea by putting it in the context of a number of other issues relating to where we stand on the exploitation of North sea oil and gas and what the future looks like.

As the report states, the North sea is a very mature basin. Hon. Members mentioned that its exploited resources total some 43 billion barrels, and estimates of what is left vary from about 8 billion to 10 billion barrels. Some of the discoveries to the west of Shetland notwithstanding, it is extremely likely that there will be no more Bretons and that we will see the exploitation of smaller pools, which are more difficult to exploit. Clearly, there will be great emphasis on the efficiency of exploitation. The report emphasises the extent to which the oil and gas industry has increased its efficiency; it needs to continue to do so for that exploitation to be effective.

The report also goes into considerable detail about not just the future alternative paths, but what we might call the future imperative paths for the North sea as a mature basin. My hon. Friend the Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) mentioned that the oil industry has come through a challenging period—it is in a better position than it has been in for quite a while, given its efficiency achievements and what is happening with the exploitation of future fields—but he drew attention to the need to look at a future industry for decommissioning in the context of the climate change imperative. I was pleased to see that the report did not duck climate change: quite a few of its passages actually centred on the challenges that the fight to get us to a low-carbon economy will present for the oil and gas industry, and on how the industry can take part in that process rather than opposing it.

The hon. Member for Aberdeen South (Ross Thomson) is right about the need to consider how decommissioning can be turned from a liability into an opportunity and, indeed, become a substantial part of the industry. We need only reflect on what is at stake: 250 fixed installations, 250 subsea platforms, 10,000 km of pipeline and 5,000 oil wells need to be decommissioned. The potential decommissioning industry is huge, not just in its own right but in terms of the expertise that already exists, which could be added to. The UK could be a world leader in decommissioning, exporting its expertise and methods. I commend the report’s attention to the detail of decommissioning and how it can be undertaken to the advantage of jobs, skills and exports for UK plc.

We must recognise that the imperative of climate change will cause us to take a considerable number of decisions about the oil and gas industry. Indeed, the report identifies a number of those decisions, one of which is the question of what we do about carbon capture, use and storage. That is not just a possible extension of activity and industry for the North sea as fields are depleted—indeed, those fields are enormous
[Dr Alan Whitehead]

potential repositories for carbon dioxide—but can be used to the benefit of the North sea fields in their own right.

I would link that to the decommissioning efforts that are under way, because the next phase will be about exploiting smaller fields. That needs to be done on the back of existing infrastructure, which arguably should not be decommissioned but rather kept in place, so that those fields can be exploited without the infrastructure having to be completely replaced. If we decommissioned all that infrastructure when a lot of it could be used as the carrying capacity for carbon capture and storage, we may well live to regret it.

We need an understanding about future roles for the North sea. We should not only think about potentially depleted fields that could be repositories for carbon capture and storage, but look at practical considerations in respect of how the capture, transport and sequestration chain can be completed, possibly by using installations that are already there. The same applies to the future North sea wind industry. As the hon. Member for Waveney (Peter Aldous) said, there is a close link between the skills and practical measures involved in developing offshore wind energy and maintaining the structure and infrastructure of the North sea oil and gas industry. Those two industries should work in tandem, rather than separately. As is mentioned in the report, that is important for satisfactory developments in the North sea and for the transfer of skills to the new industries. The skills, facilities and techniques that are already there in the North sea can greatly aid us in creating world-beating offshore wind energy installations and similar technologies, and ensure that the North sea plays its part in the transition to the attainment of a low-carbon energy economy.

In conclusion, the report marks an important milestone. It shows where we need to go next with the North sea oil and gas industry, and its recommendations and suggestions will stand the test of time. In the immediate future, I commend the report’s suggestion that we need to get on with a sector deal for the oil and gas industry. I do not need to say more about that, because I am sure the Minister will update us about it in his response. I emphasise my support for the need to get that deal over the line. In addition to milestones for the future, we have ambitions for the immediate time ahead to ensure that the oil and gas industry continues to be in a better position than it was in before and that it has the wherewithal to make its mark over the decades to come.

Mr Charles Walker (in the Chair): Minister, please could you leave two minutes at the end for Mr Wishart to wrap up?

2.43 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): Certainly, Mr Walker. It is a great pleasure to serve under your chairmanship. The Chairman of the Scottish Affairs Committee referred to you as a distinguished member of the Panel of Chairs. The next time I appear in front of him in a different capacity, I will remind him of that, as it implies that he is less than distinguished. I am sure nobody could say that about him; in fact, Mr Walker, I think you would agree that the opposite is true.

I congratulate the Scottish Affairs Committee and its Chairman on bringing forward the report, which I have read. One never knows what happens with Committee reports behind the scenes—the whole idea, of course, is that that information is privileged to the Committee—but from what I can gather, the Committee is an exemplar in the way that its members work cross-party. With the greatest respect to the hon. Member for Dunfermline and West Fife (Douglas Chapman), the spokesman for the Scottish National party, most of the comments today were of a non-partisan nature. I will try to answer in that spirit.

Ministers in Westminster Hall debates either give a prepared speech—written by civil servants, then checked and rewritten by Ministers—or respond to comments; the difficulty is that so many comments were made today, and I disagree with so few of them, but I will absolutely do my best.

The former Prime Minister referred to this sector as the real jewel in the crown of the UK economy. Of course, I would refer to the former Prime Minister as the jewel in the crown, but he is not here to answer that. I briefly held the energy portfolio, but I am here today because there was a fight of a verbal nature between myself and the Minister for Energy and Clean Growth as to who should appear at this debate. I cover sector deals generally and she covers the oil and gas sector, but we are not both allowed to speak. I discussed the subject extensively with her and I am trying to speak for us both.

When I held the energy portfolio I went on a visit to Aberdeen, and I was amazed by the way the industry was fighting back from a real recession, if not depression, caused entirely by the reduction of the oil price on the international markets. I have not had any experience in oil and gas, but I realised that the cycle was similar to those in the mining sector that I had read about, though I have no experience in mining, either. Once skills disappear, it can be difficult to restart. In mining, as in oil rigs, some sites can become disused, and it is difficult to get them back into action. Exactly the opposite has happened; I was amazed by the way the oil and gas industry fought its way out of the recession, especially given that the core bit—the international commodity price of oil—is completely beyond its control.

To paraphrase some of the Brexit debate—the hon. Member for Dunfermline and West Fife brought Brexit into this, so I felt I should—the oil companies are market makers, rather than market makers. They cannot control the international oil price—the price of what they have to sell. At least, I assume they cannot; nothing I have read suggests that they can. The sector has changed itself into a lower-cost, more nimble industry, which is interesting. Some big companies found that difficult because of their high overheads, but other companies have come into the market, are more nimble and have new sources of cash, I found that fascinating.

On setting a regulatory environment in the oil and gas industry and funding for research and development—that funding can come about in different ways, including from Government—Government’s work has been absolutely brilliant. In these discussions, it is easy to criticise Governments generally, but please do not think I am
making a party comment; any sensible Government would have done this. I am pleased to say that we have had a lot of sensible Governments in this country. My comments are not a reason for complacency, though; I hope hon. Members do not think that I am saying that.

I am completely ignoring the speech that I prepared because I was so excited by some of the things that were said. To an outside person, perhaps a reader of the Daily Mail, it may seem as if North sea oil is finished and the continental shelf is clapped out. The exact opposite seems to be the case. I am pleased that the report reiterates that, and that it has been confirmed by hon. Members. There is huge potential. I hope the Government are on top of it.

A formal response to the report will be made in the usual way. However, the major conclusion, as far as I can see, was that a sector deal—a really ambitious one—should be agreed. I absolutely share the Committee’s desire to support the sector; there is a close relationship there.

I will make one comment that might be politely critical, if it is possible to be politely critical, to the hon. Member for Edinburgh North and Leith (Deidre Brock) regarding what she said about the McCrone report. I know one should not talk about drinks party conversations, but I had the pleasure of meeting Gavin McCrone—I believe that is his name—once. I do not think it was quite a formal report. He was a well-respected adviser to different Scottish Secretaries of State, I seem to remember his telling me—if Gavin McCrone is the same person. The way the hon. Lady quoted him, if I may respectfully say so, was a little unfair to what has happened.

On sovereign wealth funds, Norway sounds really great—it is wonderful what it does; it invests billions of pounds all over the place—but it is a little bit selective to say that our money was squandered. First, as has been said, a lot of tax came from it. We have a big economy and a big population. It is not as though the money was spent somewhere else; it was spent for the benefit of everybody in the United Kingdom, so I do not accept the “squandering” point of view.

Deidre Brock: I think we will have to agree to disagree on the benefits or otherwise of sovereign wealth funds, but can I ask about the tax situation and North sea oil revenues? In 2017, Norway taxed the Royal Dutch Shell company £4.6 billion, while the UK gave the company £176 million. Can the Minister talk a little bit about the implications of those figures? I find them quite staggering.

Richard Harrington: The hon. Lady has quoted me unawares, because I am afraid tax is not one of my specialities; I apologise to her. I will find out about that, and if she would like me to write to her—or we could have a coffee together outwith this place—I would be happy to do so.

I should make some progress, because I am testing the patience of the Chair, and he wants two minutes left over. Trevor Garlick and the team have done a lot for the industry. He has brought a diverse sector together, which is the purpose of our sector deals; previously, most relationships between Government and companies seemed to be based on a few big companies that had very effective lobbying machines and knew the way the Government worked. In the oil and gas sector, he has helped to break that and has brought a lot of things forward.

The leadership has been very good, as have many of the work streams; we have five areas of focus in the report, but it seems to me that work on them is already being undertaken. For example, the National Decommissioning Centre has already been launched, with £38 million in funding. The Oil & Gas Technology Centre continues to lead on new technology and to support MER UK, which I was happy to visit in Aberdeen, on transformative technology. The work on exports that was mentioned is progressing well.

The work streams on other things that are part of Government policy, such as diversity and inclusion as well as CCUS, have developed very well. I was pleased that the Chancellor yesterday called for evidence to identify what more should be done to make Scotland and the UK a global hub for decommissioning, as the Chair of the Select Committee has talked about.

Hugh Gaffney: The Chancellor yesterday mentioned, if I can rephrase him, using less gas by 2025. The Minister is talking about decommissioning. Is that not a worry for the oil and gas sector?

Richard Harrington: If I were the hon. Gentleman, I would not worry about that. We are also asking how the sector can support the development of UK carbon capture, usage and storage infrastructure through the effective use of legacy assets. The focus on underwater engineering proposed by industry, as part of a phased approach, is welcome. We are a global leader in subsea engineering, a market forecast to grow exponentially, but competition is fierce.

I am responsible for sector deals generally, and I am very much looking forward to advancing these proposals. What impresses me most about the way this sector has developed is that with Mr Garlick’s work and the co-operation of many people in Government, Parliament and the industry, so many of these things are already happening. I am very impressed by that; I wish I could say that was true in other sectors that I have been involved in. I commend the Committee’s report, and I look forward to developing the points in it.

Danielle Rowley (Midlothian) (Lab): The Minister is coming to the end of his remarks, but I worry that he has not touched on the issues raised by my hon. Friend the Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney). Can he outline how the Government will work with the workers in the industry and the unions?

Richard Harrington: The hon. Lady has brought up an excellent point. From what I have seen—I expect to be corrected by her or by the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) if I am incorrect—I feel that there is a lot of co-operation between companies and the union. However, I was very concerned by the points that the hon. Gentleman brought up about the survey from Robert Gordon University on the stress and everything else; that is of concern. While this is, I hope, a highly-paid industry, it is one where we must be very conscious of health and safety—not just the formal things to do with safety regulations, but things to do...
with the wellbeing of the workers in it. The hon. Member for Midlothian (Danielle Rowley) was correct to bring the question to my attention; I am sorry I had not answered it in the body of my speech. I will confine my remarks to that, and thank the Committee again for the work it has done.

Mr Charles Walker (in the Chair): Mr Wishart, you have three minutes, 45 seconds, or thereabouts.

2.56 pm

Pete Wishart: I am grateful to you once again, Mr Walker. I thank everyone who has contributed to a very fine debate, which has touched on and explored most of the issues in the report. It is a report that all the Committee are proud of, and I am glad to see so many Committee members here, contributing and making their own particular points.

In particular, I am impressed with the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney), who reminded us of very real trade union-related issues that we touched on in the report. We took evidence from the trade unions, as he will remember from the visit to Aberdeen. We heard about his personal tragedy—something that was taken very seriously. Safety at work remains a live issue throughout the industry.

I am grateful to the Minister for the update on issues to do with the sector deal. I recognise that we are making solid progress on the global hub for decommissioning, but we need to hear a bit more about the other ambitions we mentioned—things that we believe should be included in the sector deal—particularly as regards transformational technology and underwater innovations.

We have a real opportunity to be world beaters here, and we cannot lose it, because it is so important to the sector. The skills that have been acquired over the decades of production in Aberdeen and the north-east must be utilised to full effect, and we must ensure that the investment follows that; £178 million of investment between Government and industry could return something in the region of £110 billion for the whole UK, but primarily for Scotland and the north-east. We must ensure that we get that investment and that support from Government.

I am grateful to the hon. Member for Waveney (Peter Aldous) for reminding us again that this is a UK-wide industry, with a footprint in practically every nation of the UK and every region. That is something we recognise. I am also grateful to my hon. Friend the Member for Dunfermline and West Fife (Douglas Chapman) for reminding us about the history of all this; I know this has been a consensual report and we have all ensured that we can agree on it, but in Scotland we still have issues about not being able to secure the benefits, and we look across the North sea at what Norway has secured and acquired. We will leave that to one side just now, but it is worthwhile our being reminded of that as we go forward, and seeing what we can do to ensure that we continue to see the fruits and benefits of the North sea.

The key point, which I think everyone touched on, is ensuring a just transition from a hydrocarbon past to a low-carbon future, and that the investment, skills and expertise carry on into the next stage. I do not like talking of doing away with what we have, or a lack of production. A new adventure is in store for the North sea, and that will include all the things in this report—transformational technology, underwater innovation and decommissioning.

We have a great future, if we are able to ensure that all the wonderful skills that have been acquired can be properly utilised in the next stage of the story of the North sea. I look forward to seeing that chapter written with the support of both Governments, and of Members of Parliament right across this House.

Question put and agreed to.

Resolved,

That this House has considered the Sixth Report of the Scottish Affairs Committee, The future of the oil and gas industry, HC 996.
Health and Care Professions Council: Registration Fees

[MR STEVE MCCABE in the Chair]

3 pm

Mr Jim Cunningham (Coventry South) (Lab): I beg to move,
That this House has considered registration fees at the Health and Care Professions Council.

You and I have known each other a long time, Mr McCabe, but I think that this is the first time I have led a debate under your chairmanship. I hope you will show a bit of leniency, particularly to some of my hon. Friends. I thank Mr Speaker and the Chairman of Ways and Means for making provision for the debate. In actual fact, we were granted the debate at short notice; I think somebody else pulled out. Hon. Members will have to excuse me—I have a heavy cold, to say the least. I hope they can all hear me.

The debate follows on from early-day motion 2069, which I tabled last month and which condemned the Health and Care Professions Council’s unfair rise in registration fees. To date, that early-day motion has been signed by a truly cross-party group of 118 MPs, to date. I hope they can all hear me.

The HCPC exists to regulate health and care professionals. It sets standards, investigates complaints and keeps a register of workers in 16 different professions. Members might be interested to know what those professions are: arts therapist; biomedical scientist; chiropodist and podiatrist; clinical scientist; dietitian; hearing aid dispenser; occupational therapist; operating department practitioner; orthoptist; paramedic; physiotherapist; practitioner psychologist; prosthetist and orthotist—I do not know what those are—radiographer; practitioner psychologist; prosthetist and orthotist—I do not know what those are—radiographer; therapist. That covers quite a wide range, to say the least. Notably, social workers in England are still covered, despite plans to change that from 2019. Altogether, the HCPC regulates more than 360,000 professionals, 90,000 of whom are social workers.

To register, professionals have to pay an annual registration fee, which is currently £90. In autumn last year, the HCPC announced plans to raise its registration fees from £90 to £106 per year—an 18% rise. That follows a 5% rise in 2014 and a further 12.5% rise in 2015, so with the new rise fees will have increased by 40% since 2014. The HCPC argues that the rise is necessary in order to secure its financial health, giving five main reasons for the fee increase.

First, it plans to increase efforts to prevent problems before they occur. Secondly, it wants to use innovation and technology to modernise and improve services. Thirdly, it needs to address a caseload that is growing in number and complexity. Fourthly, it needs to address the impact of inflation since its last fee increase. Finally, it needs to pre-empt the transfer of social workers to a new regulatory body. While the HCPC has faced higher expenditure since 2015, these reasons cannot possibly support an 18% rise. Expenditure increased by £2.8 million in 2017-18, but £400,000 went on redundancy packages for management staff and £1.2 million went on refurbishing the HCPC head office.

The HCPC put its plans for a fee increase to its members over the winter. Responses to the consultation were damning, with 90% of respondents opposing the increase. Despite the findings of the consultation, the HCPC decided last month to impose the 18% increase. It has defended the rise by saying that its fees are lower than those of any other health and care regulator. However, the other regulators are not comparable. Some cover very few members, reducing their economies of scale.

Mike Hill (Hartlepool) (Lab): My hon. Friend is making an excellent speech. Of course, this issue affects not only the HCPC’s but other registrants, such as nurses, who have to register with the National Midwifery Council. Does he agree that, along with other things, such as car parking charges, low pay and no automatic incremental progression in a lot of health-related occupations—particularly for nurses—these kind of registration fee increases are just another tax on healthcare workers’ wages?

Mr Cunningham: In considering that, we have to remember that a lot of those workers’ salaries—for want of a better term—have in some instances been frozen since 2010, while in some instances they may have increased by 1% or 2%. With inflation at about 2% over that period, that is roughly an 18% cut in wages. Add the increased fee, and those workers are carrying a heavy burden that they should not have to carry. Adequate funding should be provided, rather than finding it by using hidden taxation methods. We all know that nurses and so forth in some of our hospitals have to pay car park charges. Given all those hidden costs, these workers are quite frankly bearing the brunt of the recession.

John Howell (Henley) (Con): A lot of these organisations have always said that they want to keep their independence and do not want to be funded by other sources; they are pretty keen on making sure that that continues. Is the real issue not the amount of regulation that they have to deal with? That must be one reason why the funding level has increased.

Mr Cunningham: Organisations always argue that they want to be self-sufficient, but that should not come at the expense of the people whom they actually regulate. I am not an expert on the regulations that some of these bodies govern, but we should be very careful when thinking about changing regulations or reducing their amount. We would need to test that.

Altogether, the HCPC has not given a strong reason for this huge increase, leaving affected workers frustrated and angry. In addition, the Government’s response to the fee change has been very disappointing: in answer to written questions, they have just repeated the HCPC’s weak defence of the fee rise. Ministers have argued that the registration fees remain the lowest of any health regulator, but that does not change the fact that the rise is disproportionate and unfair. The Government should be concerned over the threats to staff levels in the affected professions, but Ministers say they have made no assessment of the impact on staffing of this rise. That is a complete dereliction of duty, with staff openly talking of leaving due to the rise.
It is an irresponsible move by the Government to hide behind the HCPC’s independence. They must take steps to prevent fee rises from being the norm for the HCPC, and for all regulators, and help to build bridges between healthcare professionals and the HCPC, as trust is breaking down. HCPC members are understandably angry, believing that it is exploiting a stranglehold over their jobs. The rise amounts to nothing less than a tax on practising, and it has had little scrutiny or debate. I would like the HCPC to reverse the decision to increase registration fees by 18%. The Government and the HCPC must change the way fees are decided on, to prevent such a huge change happening in the future. The HCPC must operate in a fairer and more transparent way, and the Government must play a role in ensuring that that happens. It is time that the Government and the HCPC stopped taking advantage of those who take care of us all.

In response to the rise in fees, Unison conducted a survey of affected members and found that 99% of respondents did not back it. Importantly, it found that 76% did not see the current £90 fee as good value for money. Most felt that the HCPC offers no real benefit except for allowing them to practise. They are also critical of the justification given by the HCPC for the fee rise.

First, it must be pointed out that the 18% rise completely outstrips inflation. If the HCPC was genuinely concerned to cover inflation, it could implement smaller, year-on-year rises. I doubt whether the staff could afford those, frankly, but it is one way to look at it. Secondly, it is unfair for members of other professions to cover the costs of transferring social workers to a new regulator. The HCPC faces upheaval because of the change, but it is wrong for other professionals to pay the price.

Thirdly, the case for needing more funding after the transfer of social worker regulation is dubious. Social workers make up a quarter of members, which is a substantial number of registration fees. We all know what a difficult job they do. Often they are put in a position where they have to decide between healthcare professionals and the HCPC, as trust is breaking down. HCPC members are understandably angry, believing that it is exploiting a stranglehold over their jobs. The rise amounts to nothing less than a tax on practising, and it has had little scrutiny or debate. I would like the HCPC to reverse the decision to increase registration fees by 18%. The Government and the HCPC must change the way fees are decided on, to prevent such a huge change happening in the future. The HCPC must operate in a fairer and more transparent way, and the Government must play a role in ensuring that that happens. It is time that the Government and the HCPC stopped taking advantage of those who take care of us all.

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Unison also highlighted several changes that the HCPC should implement to reduce spending. First, it must take steps to make its complaints process more efficient. The Professional Standards Authority for Health and Social Care found in 2018 that the HCPC’s investigation committee refers cases too readily to the fitness to practise panel and that more than 20% of complaints are found at final hearings to be “not well founded”. Overall, members are funding a system that handles complaints against 0.64% of registrants and sanctions just 0.09%. No wonder so many members are left feeling that they gain nothing from their registration.

The fee rise comes on top of many years of wage freezes and below-inflation wage rises. Although £106 might not sound much to the Government or to some higher-earners in the health sector, the rise will be a real hit to part-time workers and those on lower wages. Professionals are left doubting their trust in the HCPC after being ignored in the consultation. The HCPC is facing growing unrest and resentment among its members. Many are now moving to non-regulated posts, and part-time working will become a lot less attractive, inevitably causing a fall in the number of workers in the sector.
I always relate my speeches in the House to what happens in Strangford, so that the people there know I am industrious on their behalf. The Strangford example I want to use today is of a district nurse who approached me a few weeks ago. She complained that those who have gone to the private sector to carry out personal independence payment assessments and the like not only get to work nine-to-five, have a company car and a higher wage, and are not run off their feet in an understaffed ward; they also have their registration fees paid. They get better conditions in the private sector, and their fees are paid, so we can understand how NHS professionals feel. My constituent said it is little wonder that wards are crying out for qualified nurses, while the assessors can find people left, right and centre. We have a dearth of nurses in Northern Ireland and are 1,500 short. The Minister knows I understand that is not his responsibility; I say it just to show the situation we are in. We simply cannot compete with the private sector, but why are we competing against ourselves with the PIP assessments, which are carried out with public money? We are robbing Peter to pay Paul, and that needs to end.

We need to take the opportunity to assure paramedics, occupational therapists, operating department practitioners, physiotherapists, radiographers, dieticians, chiroprologists, podiatrists, orthoptists, clinical scientists and speech and language therapists that to ask them for a 40% increase in fees over five years is not acceptable. Yes, it may be only a pound a month, as some people have said, but the fact is that all bills, from gas to petrol to food, have risen. The issue is the combination of all those increases in bills. They all contribute to the lowering of income. We should want to encourage NHS practitioners those in the health and care professions to stay there and work in their vocation of choice.

I firmly believe that a message must be sent today from this place that we support health and care professionals in their fight for fairness and equality, and that we oppose the rise or will pay the fees on behalf of those who work full time in our NHS as part of our thank you to them. That would be an endorsement of their fight for fairness and equality, and that we oppose the rise or will pay the fees on behalf of those who work full time in our NHS as part of our thank you to them.

I want to mention the effect of the fee increase on part-time workers, because scandalously there is no difference in fees between full-time and part-time workers, so it will have a disproportionate effect on part-time workers, who in the NHS are predominantly female.

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only 0.09%. Many members comment that they receive no benefit or professional services at all from their registration. As we have just discussed, the HCPC operates in a very opaque manner. Trade unions are not recognised within its own workforce, so there is no collective pay bargaining for its own employees, and so we do not even know what the HCPC pays its staff.

The HCPC says that it needs this increase so that it can deliver smarter regulation, improve services and mitigate the impact of the transfer of the regulation of social workers to Social Work England. However, I have already talked about how few fitness-to-practise cases the HCPC deals with as a proportion of the total membership. When social worker regulation moves to a new regulator later this year, that should lead to a reduction in fitness-to-practise expenditure, given that 59% of that expenditure currently goes on social work cases. The HCPC’s costs should decrease, not increase, which makes this demand on registrants even more unjustified.

This is Healthcare Science Week and I pay tribute to all the scientists working across our NHS. Their work quite often goes unrecognised, but is an essential component of the diagnosis and treatment of disease. Healthcare scientists and allied health professionals are a vital part of our NHS team.

In conclusion, I call on the HCPC to pause, to delay any decision to increase fees, and instead to explore alternative ways to reduce costs and to fully assess the impact of the transfer of social workers.

3.29 pm

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under you in the Chair, Mr McCabe. I was also registered with the HCPC and the preceding bodies. Although I am no longer registered, I recognise the impact this issue has on NHS staff.

There are nine different regulators in the NHS, regulating 32 different professions. They provide a very important function: this is about protecting not only the public, but health professionals themselves in the course of their practice. The regulators are there to set, maintain and raise standards and to give confidence to the public, as well as to hold a register and protect the title of a profession, so that other people cannot set up a business pretending that they hold the professional qualifications, which people across the NHS work hard for.

Increasingly, regulators also ensure continuing professional development. The most advanced programme of professional development has been put in place by the Nursing and Midwifery Council in recent times. The regulations around that ensure that registrants are compliant with continuing professional development. The function of regulators is to ensure that professionals who fail to uphold professional standards and their duty of care are called to account, so that sanction is applied where necessary and recourse is taken.

We have already heard that—thankfully—a minuscule number of professionals are taken through disciplinary processes. That is a tribute to the great professionalism across the NHS. However, such cases do occur, and it is appropriate that rigorous processes are in place so that individuals can defend their position and have recourse to justice before appropriate action is taken. To have someone practising who is not fit for practice risks the whole profession, so it is vital that that is put in place.

However, the cost of that process has escalated substantially, as hon. Members have mentioned. When I first registered as a physio, I had to pay only £17. In 2015, the last year that I was registered, there was a huge increase—from £80 to £90. The suggested increase to £106 is, quite frankly, unacceptable, particularly given the background, as set out by hon. Members, of a decade of pay regression, pension cuts and student loan repayments. In my time we had grants, so things have changed significantly.

More and more burdens are being placed on health professionals. That means that more risk is placed on health professionals. When we had adequate staffing in the NHS, mistakes were less frequent and caseloads were safer. Unfortunately, in many professions people’s caseloads are now too big. The pressure on those individuals increases.

I was formerly head of health at Unite. We focused on organisations’ duty of care. Managers in particular must say no to the organisation and argue the case for more staff, rather than increase the pressure on health professionals by making their caseloads unsafe—that would mean that managers were failing in their duty of care, in breach of their standards of professional conduct.

Mike Hill: I am also a former Unison official. In view of that, does my hon. Friend agree that, as my hon. Friend the Member for Heywood and Middleton (Liz McInnes) rightly pointed out, the professional bodies cover not only full-time and part-time staff, but student social workers and student nurses? They are under the same constraints.

Rachael Maskell: Students do have responsibility, but the registered health professional is responsible for ensuring that they are safe under their practice while they are training in their profession. Training the future workforce is an incredibly important additional function of health professionals.

The Law Commission came forward with a set of recommendations for registrant bodies in 2012. In 2019, we still have not seen the implementation of those recommendations in full. I would like the Minister to explain why that is the case. Implementing a substantial piece of work about ensuring patient safety should surely be at the forefront of the Minister’s agenda. I am interested to hear the reasons for the delay, and what plans there are to put those recommendations in place. Training programmes for health professionals need to focus on the ethics, behaviour and conduct of health professionals, if we want to see a reduction in the number of cases. Managing that risk is really important.

I want to raise a number of points to move this case forward. First, as we have heard, 38,000 people signed a petition to register their discontent with the fee rise. That cannot be ignored. These are valuable NHS workers. Their call must be heard and reflected on. However, the HCPC hardly seems to have taken that into consideration. As my hon. Friend the Member for Heywood and Middleton (Liz McInnes) said, the number of fitness-to-practise cases being taken forward—currently, 59% of them involve social workers—will disappear. Therefore, surely the registrant body’s costs will decrease. We want to hear how that will benefit health professionals.
This is a tax on professionals. Will the Minister consider funding that regulation fee through the NHS? It does not make sense for nurses, physio and speech therapists, for example, to pay a different amount. That is a tax on professionals who have put in the training and the hours, and go over and above the hours. Why can the Government not pay the amount for each health professional? More than a gesture, it is a responsibility of the NHS to ensure that its registrants, including part-time workers, have that support. I completely concur with the suggestion made by my hon. Friend the Member for Heywood and Middleton that there should be a part-time rate.

Dr Drew: Forgive me if I am being simple, but do we know where the extra money is going and what the HCPC is doing with it? Can it explain that? Are the Government holding it accountable? Can my hon. Friend throw some light on that?

Rachael Maskell: My hon. Friend makes such a good point. I wish I could explain that, but to me it seems to be more money and less work. I am as baffled as he is about why health sector workers have to pay into this institution to do less work. I worked as a part-timer when I was head of health at Unite. Although I worked at weekends, I had to pay the full fee, so I certainly understand the frustration. Of course, that mainly affects women, who are more likely to work part time.

Finally, I ask that an expansion of the number of registered health professionals should be considered—after all, this is about keeping the public safe. We should know that the title under which the professional acts is secure and represents them. Certainly psychological services, such as psychotherapists, have requested to be registered, as have community nursery nurses. It is perplexing that the registration of nursing associates on a register—not this one—has been accelerated, but the registration of community nursery nurses, who have long asked for that, has not happened.

I would go further and say that, as we are looking at the future of the social care workforce across the country, we should also look at individuals who are single-handedly going into people’s homes but who do not have the protection of being on a professional register. Ultimately, that is about keeping the public and our health professionals safe and secure. What steps is the Minister taking to ensure that a greater number of professionals are protected under the existing regulatory regimes?

3.40 pm

Liz Twist (Blydon) (Lab): It is a pleasure to serve under your chairmanship, Mr McCabe. I thank my hon. Friend for Coventry South (Mr Cunningham) for securing this important debate, which I am glad to have the opportunity to speak in. For many years, it was my privilege to work with many healthcare professionals, so I take a keen interest in this subject. I was happy to add my signature to the letter to the HCPC to oppose the, at the time, 18% proposed increase in fees.

It is right that healthcare professions should be regulated and that those bodies should be independent of the Government, which means that fees must be attached to the registration. Having set fees, however, those bodies must have a view to the people and the professions that they regulate. Many people covered by the Health and Care Professions Council are not big earners, despite playing an incredibly important part in our healthcare system, and they are often missed out when we talk about healthcare workers.

We talk about doctors and nurses, but we rarely talk about all the other NHS staff who are integral to our healthcare system. I have worked with paramedics, occupational therapists, dieticians and many others, who are an important part of that healthcare team. In the last 18 months, I have had personal experience in my family of the great work they do—on stroke rehabilitation, for example. It is important work, but the pay is not great. Typically, people are paid at band 5, which starts at £23,000 a year, so we are not talking big bucks.

Mary Glindon (North Tyneside) (Lab): My hon. Friend is making a good argument about the different levels of pay. Does she agree that one of the most unfair arguments for raising the fees is that they are lower than for other professional bodies? Dentists and doctors get paid much more money, so there is no fairness in that comparison.

Liz Twist: I agree with my hon. Friend and I will come on to that point later.

Although we in this House talk about how valuable healthcare workers are in all kinds of debates, the fact is that their pay has not kept in line with the real cost of living, so an 18% increase in registration fees is huge and out of all proportion with the pay increases that they have had in recent years. Most of them do not have a choice about whether to register; they must be registered to be able to work. The increase will bring the total increase in registration fees to 40% since 2014, which is incredible.

As hon. Members know, one issue that the NHS is facing is staff shortages in certain areas. It cannot be ignored that something such as this increase can only be a disincentive to staff looking to do those important jobs. As other hon. Members have said, another key issue is the impact of social workers. They are currently covered by the HCPC, but they are about to go off to their own regulatory body. The significance of that should not be lost. While it will mean a reduction in income, of course, it will also mean a significant decrease in the number of fitness-to-practise cases, which are inevitably expensive to prepare. Currently, 25% of HCPC registrants are social workers, but more than 50% of fitness-to-practise cases are in the social work field. That significant factor should be taken into account when the HCPC considers its fees.

On fitness-to-practise cases, I well remember from representing people how devastating it is for any health professional to face a complaint or a fitness-to-practise case, but many people are being held in limbo waiting for their case to be heard, or even awaiting a decision that the case should not be pursued. A 2018 report by the Professional Standards Authority for Health and Social Care was critical of the HCPC and suggested that cases were being referred to the fitness-to-practise panel by its investigation committee too readily. The report stated:

“In our review of its performance this year, we set out our concerns about how the HCPC approaches the discontinuance of cases. Our view was that the approval of discontinuance decisions by the HCPC (with no additional information or evidence being
presented since the decision of the Investigation Committee to refer the case) may indicate that the Investigation Committee is failing to identify when there is no case to answer.”

Clearly, that has a significant impact on the professional under investigation and on the operation of the HCPC, and is a factor in costs.

As other hon. Members have mentioned, the proposed 18% increase will have a disproportionate impact on part-time workers, who are predominantly women and mostly in the NHS, because it is a flat-rate fee. That does not seem reasonable.

We hope that the Health and Care Professions Council will listen to the comments made in the debate. Unison has also made some suggestions that the HCPC should consider. First, there should be a pause in implementing the decision to increase fees until the impact of social workers moving away can be assessed. It will clearly be a significant factor in the future, so it seems appropriate that the full impact should be known before an important decision to increase by 18% is made. Secondly, I am told that the Health and Care Professions Council has £18 million of cash reserves, which should be used to allow the impact of the move of social workers to be considered before fees are raised. Thirdly, there should be a more stringent look at other means of raising revenue, rather than just increasing fees.

The Health and Care Professions Council carried out a consultation on the fee increase. By its own admission there were 2,398 responses, many of which opposed the proposed increase. The HCPC has written to explain its position to those of us who signed the letter that we wrote before it made the decision. In that letter, it compared its fees with those of other healthcare regulators. Frankly, that comparison is not valid, as my hon. Friend the Member for North Tyneside (Mary Glindon) has already said. A comparison with the fees paid by dentists, which are £890 a year, or doctors, which are £390 a year, is completely misleading. Typically, HCPC registrants will be paid vastly smaller salaries, so it is not just apples and pears, but apples and strawberries.

There is a real mismatch and disparity in the comparisons being made, so they are not valid.

As other hon. Members have, I call on the Health and Care Professions Council to reconsider its position and to agree to Unison’s suggestions as a way to avoid the 18% increase in fees.

3.49 pm

Brendan O’Hara (Argyll and Bute) (SNP): It is a pleasure to serve under your chairmanship, Mr McCabe. I, too, congratulate the hon. Member for Coventry South (Mr Cunningham) on securing this important debate and highlighting the issue. If it were not for him and one or two other hon. Members, the change might have gone largely unnoticed, except by those adversely affected by it. I sincerely hope that it now gets the attention that it so deserves.

As hon. Members will know, the overwhelming majority of health and care matters involving Scotland are devolved to the Scottish Parliament. However, most of the system of regulation of health and care professionals still operates to the Scottish Parliament. However, most of the system of health and care matters involving Scotland are devolved.

The one exception to that was, of course, social work; Scotland, Wales and Northern Ireland had their own professional bodies in place alongside the Health and Care Professionals Council, which represented social workers in England. Together, those bodies worked on a four-council basis across the UK, and had a memorandum of understanding that set out a framework for close working.

As I understand it, part of the problem is that the HCPC is about to lose around 90,000 social workers in England to a new professional body—an issue to which I will return shortly.

Professional registration fees for social workers is a devolved matter; it was devolved in 2003, and the fees remained static until 2016. It goes without saying that the Scottish Government would welcome further devolution of such powers to Scotland, so that we can ensure that any planned changes to that regime are better tailored to the needs of health and care practitioners in Scotland.

As for the issue before us, the Scottish Government are on record as saying that they are more than a little surprised and confused as to why an 18% hike in fees was deemed necessary or appropriate. They seek clarification from the HCPC on how such a substantial jump, which is so out of line with inflation, could possibly be justified. In addition, they are seeking reassurances from the HCPC that it is not simply attempting to make up any projected loss in revenue as a result of the departure of social workers in England by hiking up membership registration fees.

As the hon. Member for Coventry South said, being a member of the HCPC is not an optional extra; people cannot opt out of it and still practise their profession. As the HCPC has a captive market, any price increase must be seen as fair and proportionate, and the practitioners who pay that increased fee must know why they are being forced to pay it, and what benefits it will bring to them and to the profession as a whole. As I understand it, the Scottish Government have contacted, or will contact, the HCPC to get a clearer understanding of its motivation, both in the short and the long term.

As has been pointed out by just about every speaker, this 18% rise in fees hugely outstrips inflation. Given the real-terms cuts that many health and care staff have experienced in recent years, that is another financial blow that they could do without.

In addition, as the HCPC insists on charging a flat rate, if the rise in fees goes ahead as planned, it will of course have a disproportionate effect on part-time workers, who are mainly women, and those workers who are considering reducing, or want to reduce, their working hours. I repeat the Scottish Government’s call for all workers to be paid the real living wage, which better reflects the cost of living and inflation. I am proud that Scotland has the highest proportion of employees earning the real living wage of any nation of the UK.

The contributions to this excellent debate have had a common theme. Regarding the hon. Member for Strangford (Jim Shannon), it beggars belief that anyone in his constituency could be unaware of how hard he works. I
I call on the HCPC to pause before implementing this decision to increase fees. It should seriously consider why its members are so implacably opposed to it. Can it seriously justify asking its remaining members to pick up the slack resulting from the loss of social workers in England to a new professional body? I do not think it can. During that pause, perhaps it could examine further ways of increasing its revenue, rather than continuing on the road that it is on.

I finish by once again thanking the hon. Member for Coventry South for bringing this matter to our attention, and for securing this ever so important debate.

3.59 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to serve under your chairmanship, Mr McCabe.

As have many other hon. Members, I congratulate my hon. Friend the Member for Coventry South (Mr Cunningham) on securing this important debate, and on the way in which he has led the campaign. As he rightly pointed out, 114 Members have signed an early-day motion on this topic, which shows the level of concern about the proposals across the House.

My hon. Friend set out the five main reasons why the HCPC argues that the increase is justified. However, as he correctly pointed out, it cannot be justified, particularly in the context of what he referred to as excessive redundancy packages and refurbishment costs within the organisation. He was right that it is irresponsible of the Government to hide behind the HCPC. Recent events may give us cause to believe that the Government are completely powerless in everything and unable to govern, but surely there is something they can do about this; it is a question of political will.

As always, it was a pleasure to hear from the hon. Member for Strangford (Jim Shannon). He put it aptly when he described the increases as having no sense of fairness or balance, and he is right that increases in the cost of everyday items make it difficult to find any justification for these fee increases.

My hon. Friend the Member for Heywood and Middleton (Liz McInnes) brought her experience to the debate, as she often does. I am sorry to hear that she has called time on her NHS career, but the NHS’s loss is no doubt her constituents’ gain. She was right to remark on the correlation between public sector pay restraint and increased fees, and she highlighted what I would characterise as the opaque way in which the HCPC operates. It does not recognise trade unions, we do not know what its pay rates are and, as she said, many registrants do not see any value in what it does. I join my hon. Friend in paying tribute to the healthcare scientists and allied health professionals who work in the NHS, and agree with her that they provide a vital part of the service.

We heard from another former NHS professional, my hon. Friend the Member for York Central (Rachel Maskell). She brought her own frontline experience to the debate and highlighted the importance of maintaining the integrity of the register, to protect both the professions and the public. She rightly pointed out that the number of those whose professional standards are brought into question is minuscule, and made the pertinent point
that the risk for professionals is probably greater now than in the past, due to the continual challenges with workforce numbers.

We also heard from my hon. Friend the Member for Blaydon (Liz Twist), who made the point—as did many others—that although the staff we are concerned with today are not the typical NHS staff we spend a lot of our time talking about, they are just as important as every other member of the NHS family. She was right that this fee increase is out of proportion, and that such fees can only be seen by staff as a disincentive to stay in the professions. She also made the perfectly reasonable point that cash reserves could be used to prevent a fee increase this year and to make time for a more open and detailed examination of how such eye-watering increases can be avoided in future.

Professional regulation plays a vital role in setting and enforcing the standards of professional behaviour, competence and ethics that underpin the day-to-day interactions between patients and health and social care services in the UK. There are nine regulators in the UK, which regulate 32 professions and are independent of Government under the law. Their roles, functions and powers vary, but all set standards of competence, conduct and ethics that professionals must abide by. Professionals must register with them to practise. They monitor the quality of all education and training courses, maintain a public register of professionals, investigate complaints, and make decisions about whether registered professionals should be allowed to continue to practise. In short, they play a vital role in upholding public trust and confidence in the professions.

The HCPC currently regulates 15 health and care professions across the UK, as well as social workers in England, although as we have heard, social workers are due to move to a new regulator later this year. At the moment, that represents 366,000 health and social care professionals, including paramedics, occupational therapists, biomedicoo scientists, chiropractors, dieticians, physiotherapists, radiographers, prosthetists, orthotists, speech therapists and social workers—Members will be glad that they were not the only ones to struggle with some of those names. All those professionals are vital to the day-to-day running of the national health service. Registrants have to pay a fee to join the register and must then pay a yearly retention fee to remain on it and be able to practise.

A massive 18% increase in the registration fee is due to take effect from October 2019, taking the fee to £106, although that increase is subject to parliamentary approval. It comes on the back of above-inflation increases in 2014 and 2015, the second of which occurred despite the HCPC reassuring registrants that their fees would not be reviewed again for a period of two years. If the proposed increase is imposed, HCPC fees will have increased by 40% since 2014, which not only outstrips inflation—which, according to the Office for National Statistics, has averaged about 2.5% over the past few years—but is well above the pay rises that our hard-working NHS staff have received over that period. Let us not forget that the modest pay award that those staff recently secured came only after many years of campaigning, during which time their wages consistently fell behind the cost of living.

I can understand why, in that context, an 18% increase seems disproportionately high. Would the Minister care to comment on whether, in the context of the years of pay restraint that we have talked about, such an unprecedented increase in fees is indeed indefensible, and whether it is right that pay rises will not keep up with the increases in fees?

I appreciate the concern expressed by some Members that there is no real mechanism to stop the HCPC imposing fees at whatever level it sees fit. As my hon. Friend the Member for Heywood and Middleton has said, and as we all regularly hear from staff-side union members, modest pay rises are being eroded by a series of other costs, including increased pension contributions, student loan repayments and increasing car parking charges. Another increase, at a time when pay is not keeping up with the cost of living, will only reduce the disposable income of those staff. The Government must acknowledge the crisis in recruitment and retention, and that all those factors are conspiring against any improvement in the serious staff shortages the NHS faces.

The need to retain staff has never been greater; we should be doing all we can to attract new people, and to encourage those who already work in the NHS to stay. As we have heard, that is a particular concern for part-time staff. Over the years, the HCPC has declined to consider introducing a pro rata structure. Unison has expressed concern that some registrants might be pushed to move into non-regulated posts, work in posts where there is no requirement to renew their registration or decide not to continue to practise, even on reduced hours. Again, that might have a negative effect. Will the Minister comment on that disparity between part-time and full-time staff, and make representations to the HCPC about it? Does he agree that it creates a disincentive for people who might not want to work full time, but could still play a valuable role in the NHS?

Some 90% of respondents to the consultation argued against the fee rise, but the HCPC is going to press ahead with it. When Unison carried out a survey of its registered members at the end of last year, 99% did not support an increase in registration fees. Those large fee increases raise concerns about whether the HCPC is operating as efficiently as it could be, so when he responds, will the Minister comment on whether the HCPC represents value for money?

The HCPC has given a number of reasons for the proposed increase, including improving capacity and service in the area of fitness to practise, keeping pace with inflation, and costs associated with the impending transfer of the rule of social workers to Social Work England this year. The HCPC became the regulator for social workers in 2012, and has had to invest in additional staff and accommodation to fulfil that role. The reasons why, four years later, the Government announced that they would be transferring the rule of social workers to a new regulator are not clear to me, but it is unacceptable that HCPC registrants should effectively be paying the price for a political decision. Several Members mentioned that 73% of HCPC resources are spent on fitness-to-practise cases, and social worker cases account for 59% of that amount, so it seems reasonable to conclude that costs ought to decrease this
year. In that context, it is incumbent on the Minister to see whether any justification can be put forward for the fee increase.

As my hon. Friend the Member for York Central mentioned, the Law Commission made recommendations back in 2012 that would have enabled regulators to become more agile, to modernise and to reduce the costs associated with fitness to practise. I recall the Conservative party signalling its intention to reform in its 2017 general election manifesto. As we know, the Queen’s Speech following that election did not include any reference to that legislation. Will the Minister indicate whether that reform will now see the light of day?

Does the Minister agree that the Government should accept responsibility for the lack of action on reforming healthcare regulation and for their decisions on social work regulation, which have had a negative impact on the HCPC? Will he do what he can to ensure that registrants do not pay the price for that failure? Our dedicated and hard-working NHS staff deserve better than that.

4.10 pm

The Minister for Health (Stephen Hammond): It is a pleasure to serve under your chairmanship, Mr McCabe. Like everyone else, I congratulate the hon. Member for Coventry South (Mr Cunningham) on securing this debate. He made an impassioned speech that aired his concerns with style and impact. The Health and Care Professions Council is one of nine UK-wide regulators. It performs an important role in the health and care sectors across all four countries of the UK, acting in patients’ and service users’ interest to ensure the professional standards we need to guarantee safety and quality.

Right at the start of my speech, I pay tribute to all the dedicated professionals who work in the professions governed by the HCPC. It is also right to respond to the Opposition spokesman, the hon. Member for Ellesmere Port and Neston (Justin Madders). He said, if I heard him correctly, that it was irresponsible of the Government not to intervene. There is an important point of principle here: the HCPC is independent of the Government. It is funded by registrants’ fees on a cost-recovery basis. It is therefore not the Government’s role to tell the HCPC what its fees should be. It is not a question of hiding or a lack of political will; it is a matter of law. As the hon. Gentleman knows, there is a mechanism for oversight of the HCPC, which is the Professional Standards Authority. It oversees the HCPC and its setting of fees.

It has been an excellent debate with lots of useful and informed contributions. I have been in a number of debates with the hon. Member for Strangford (Jim Shannon), and he spoke with his usual passion not only on behalf of the people of Strangford, but in the wider context as well. I want to pick up on what the hon. Member for Heywood and Middleton (Liz McInnes) said; I was listening carefully to her contribution. She is right that the vast majority of registrants have very little contact with the regulator between renewals of their registration. That may be a frustration and not seen as value for money, but from the other point of view, the HCPC’s largest expenditure is on delivering the fitness-to-practise function. It is therefore inevitable that it concentrates on the very small number of registrants whose performance or conduct has fallen below the expected level.

The key thing is the need for regulatory reform, which the hon. Member for Ellesmere Port and Neston was challenging me on a moment ago. We have recognised that regulators have inherited a complex and restrictive registration practice that is often bureaucratic and administratively burdensome. As he rightly pointed out, the four UK Governments consulted on proposals for reforming the legislative structure of professional regulation. That consultation finished last year.

The reforms that we are looking to make, and are still committed to, will shift the balance in professional regulation, freeing up the regulators to concentrate more on prevention and to work directly with registrants, rather than just on fitness to practise. I assure the hon. Gentleman that it is not our intention to hide that. We intend to bring it forward, and we will do so in the near future.

I was listening carefully to the hon. Member for York Central (Rachael Maskell). She made a point about the need for registration and also for the system to be updated. The Government are committed to that. I also listened carefully to the hon. Member for Blaydon (Liz Twist). She spoke with knowledge and mentioned a number of the fitness-to-practise cases she has been involved with. She was right to point out that the vast majority of those have been social care cases over a number of years. That brings me to a key point. A number of Members raised the issue of the HCPC’s costs potentially going down as a result of social workers moving out of that regulatory process. I have not looked at that in great depth, but it is highly likely that variable costs will decline for the HCPC. As a number of Members have pointed out, social workers make up the vast majority of the professions that are regulated—more than 25%—so there is an element of fixed costs. They are being helped by the establishment of Social Care England, and the costs are being met by the Government.

The HCPC currently regulates 16 professions. The hon. Members for Coventry South and for Ellesmere Port and Neston read out the list of professions, so I will not rehearse them all over again, but I reiterate my point: these valued professionals are performing crucial roles across the NHS and the wider health and care system. It is important that the public have assurance that those professionals are regulated. If they are regulated by the HCPC, the public knows that they are appropriately trained and hold the relevant qualifications, and that they meet the expected standards of conduct, performance and ethics. Where a professional falls below these standards, it is important that the HCPC is able to protect the interests of patients.

I take the point made by a number of hon. Members that the HCPC currently has the lowest registration fees of any UK-wide regulator in the health and care professions. It is clearly not right to look at that in comparison with some of the more highly paid professions, but it is true that the current annual registration is lower than that for a number of others, such as nurses and midwives. I also take the point that the proposal is for a large, one-off increase, but there has not been an increase for two years, and the registration fees are tax-deductible, so the increase will amount to about £1 a month.
A number of Members mentioned the disparity between the fees that are payable by part-time and full-time staff. I have listened carefully to that argument, and I will write to the HCPC to ask it to look at that more carefully. That seems to me to be a fair point.

A number of Members raised points about the consultation. The legislation that founded the HCPC required it to consult on any fee increase. Accordingly, it ran a public consultation, to which it received 2,396 responses. Some 95% of those responses were from professionals whom it regulates. It also engaged extensively with professional bodies, trade unions and other bodies ahead of and during its consultation. The draft response to the fees consultation was published with the HCPC’s council papers of 14 February. It is right that 90% of the respondents did not support a proposed fee rise.

However, it is fair to note that the majority of respondents also wanted HCPC to invest more in prevention and improved services, in increasing capacity, and in improving the quality and timeliness of the fitness-to-practise services that it delivers. Everybody accepts that no fee rise is popular, but the HCPC has been clear that the principal reason for this one is to allow it to deliver the services identified by registrants in the consultation.

Dr Drew: The Minister will have heard my earlier intervention. Will he assure us that he will ask for complete transparency and accountability, so that we know what the additional costs will go towards?

Stephen Hammond: I listened to the hon. Gentleman, and I will make a promise to him. As I pointed out at the beginning of my speech, it is not the Government’s role to tell the regulator how to set its fees or what to set them for. However, I see no reason why the Professional Standards Authority should not ask the HCPC to give that reassurance and to publish that information. I will write to the hon. Gentleman when I have spoken to the PSA to ensure that it can do that within its remit. Given that it has oversight, I am sure that that will be possible.

Liz McInnes: It is my understanding that the changes to the HCPC rules will be subject to parliamentary approval. The Minister says that the Government will not be able to have any influence, so by what mechanism will the rule change be approved by Parliament?

Stephen Hammond: On oversight of the fee change, there is effectively accountability to Parliament through an order of the Privy Council. The Government will need to introduce an order of the Privy Council, which will be subject to the negative resolution procedure. The financial oversight is done by the PSA. The Government have to lay the order, but the oversight is done via the Privy Council.

As I said, there has rightly been much discussion this afternoon about the reason for the proposed fee rise. The HCPC makes the point that it has not raised its fees since 2015. It also rightly makes the point that the vast bulk of the fee rise is for the services that its registrants want. I promised to write to the hon. Member for Stroud (Dr Drew) about that.

I thank the hon. Member for Coventry South for raising this issue. The debate has highlighted his campaign. I have no doubt that the HCPC and the PSA will have listened, and will take regard of this afternoon’s debate. I hope that my remarks, the promise I made to the hon. Member for Stroud, and my commitment to write to the HCPC will help the campaign of the hon. Member for Coventry South. I am clear that registrants should continue to benefit from a regulator that provides value for money and services to its registrants; I know that the PSA will ensure that they do so.
Westminster Hall

Monday 18 March 2019

Mr George Howarth in the Chair

ISIS Members Returning to the UK

4.30 pm

Luke Hall (Thornbury and Yate) (Con): I beg to move,

That this House has considered E-petition 231521 relating to ISIS members returning to the UK.

It is a pleasure to serve under your chairmanship, Mr Howarth. The petition has been signed by more than 580,000 people—more than any other petition that the Petitions Committee has received in this Parliament. It calls on foreign fighters who travel to Iraq and Syria in order to join the terrorist organisation Daesh—also referred to as ISIS—to have their citizenship revoked. It has gained extreme momentum in recent weeks following the publicity surrounding the case of Shamima Begum, her efforts to return to the UK and the subsequent saddening news of the death of her infant child. Despite the actions of the baby’s mother, Jarrah was a British citizen guilty of no crime. I mourn his death. The case of Shamima Begum is complex and highly emotive, and it is still ongoing. The Minister will have access to realtime details of it, so I will make no further mention of it. Rather, I will discuss the petition text in the broad context in which it was originally started.

The terrorist threat facing the United Kingdom and other western nations comes not just from one front. Even as we debate this matter here today, details of a shooting on a tram in Utrecht are still coming through. I am sure that the thoughts of the whole House will be with everybody affected in the hours ahead. The horrendous atrocities in Christchurch on Friday serve as a reminder that terrorists claim to operate in the name of many different races and religions, on behalf of many groups and ideologies, and in different regions across the world. That is a timely reminder that a single, catch-all approach may not be the most suitable means of dealing with all terrorists. I will therefore use this opportunity to consider the petition text—the proposal that restricting the return to the UK of anybody who has decided to join a terrorist group, and removing their citizenship and passports, would help keep the UK safe from terrorists and their actions.

The Home Secretary recently stated that as many as 900 people who have been deemed to be a concern to our national security have travelled to Syria and Iraq to join terrorist organisations. About 20% of those 900 have been killed on the battlefield, 40% remain in the region and 40% have returned to the UK. That means that about 360 people who are deemed to be a security concern have travelled to Iraq and Syria and since returned. Of those 900 people, more than 100 have been deprived of their British citizenship.

Andrea Jenkyns (Morley and Outwood) (Con): More than 11,000 of my constituents have signed the petition. I believe that enemies of our country should not be allowed back into it. Does my hon. Friend agree that British citizenship should not be taken for granted, and that the decision not to allow ISIS members back into the country will act as a deterrent to others who are thinking about betraying our country?

Luke Hall: My hon. Friend gets to the heart of the matter. The fact that so many of her constituents signed the petition demonstrates the strength of feeling in many communities. Later, I will look in a bit more detail at whether and when it is right to remove citizenship. I thank her for that intervention.

The petition text states that a ban on all foreign fighters returning to the UK would send a message to others that membership of terrorist organisations is not tolerated. That is representative of a concern raised by many people that, in recent years, our democracies have taken too lax an attitude in dealing with extremism, allowing people the freedom to act in unacceptable ways that contravene traditional British values. Many people who have contacted me since this debate was scheduled worry that a precedent is being set, and that people are allowed to act as they please with no fear of consequence, resulting in an environment in which people feel able to join terrorist groups without any retribution.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): Is the hon. Gentleman aware that it is illegal under international law to strip away someone’s nationality if thereby they are left completely stateless?

Luke Hall: I thank the right hon. Lady for making that point. At the moment, I am trying to articulate the concerns of the people who signed the petition. In a minute, I will talk about my own thoughts on the petition text. I am very aware of the point she makes, and I thank her for doing so, but that cannot cloud the fact that a lot of people feel this, which has resulted in the huge support for the petition. Those who have contacted me feel strongly that these are reasons for change alone.

A number of people who signed the petition think that, when foreign fighters realise that the area they have travelled to is not the utopia they anticipated, they feel able freely to return to their old lives in Britain without being prosecuted, and that taking a stronger line in denying those people the right to return to the UK would remove a substantial burden from our police force, which is required to spend time and resources in responding to terrorism-related incidents. The police’s time could be better used on other issues to maintain security and keep people safe on our streets.

A third argument that has been put forward is that the Government could do more to ensure that people who travel to countries such as Iraq and Syria to aid and abet terrorism can be reliably prosecuted for their actions on return to the UK. At present, every person returning to the UK is questioned and investigated. The Government have made it clear that, wherever possible, prosecutions are brought. However, statistics show that, of the 360 people who have returned to the UK, only 40 have been successfully prosecuted. It is of course incredibly difficult to gather evidence from regions such as the territories held by Daesh. Most people recognise and understand the difficulties that are likely to arise in trying to build a case against foreign fighters in order to level a charge against them that can be successfully prosecuted when they are in those regions.
People support the new public offence of entering or remaining in a designated area, which will enable prosecutions to be brought against people travelling to regions that the Government have designated as a terror risk. Therefore, although deprivation of citizenship may be suitable in certain unique situations, there are advantages to establishing that broader approach while retaining the ability to strip citizenship if the circumstances dictate that that would be the best course of action to keep our country safe.

John Woodcock (Barrow and Furness) (Ind): The hon. Gentleman is setting out well the concerns raised and are escaping prosecution at the moment.

Luke Hall: The hon. Gentleman raises an extremely important issue. If that was something that our police and security services felt would aid them in their work, I would support it. We should consider our responsibility as a country for dealing with British nationals who have become radicalised by domestic terrorists. We should have faith in our British court system. If someone is born, raised and radicalised in Britain, it ought to be the British Government’s responsibility to hold them to account for their actions. They should be tried in front of a British jury by British judges, and held accountable to the standards required of our great legal system.

The precedent that blanket deprivation of citizenship, in contravention of international law, would set for other nations around the world should also be considered. Consider this scenario: a person from another country becomes radicalised by a terrorist group and has their citizenship from their country of birth revoked on the grounds of their eligibility for British citizenship. Were that individual’s country of birth to take the view that it wished to disown them, would it be right for the UK to be required to be responsible for the detention, rehabilitation and guarding of the future welfare of that individual?

Were such policies to be pursued by countries around the world, the extent of the problems created would be untold. For example, suspected terrorists would end up latched across the globe, with no state prepared to take them, own them and prosecute them for their crimes. Some countries could choose to go further and cancel citizenship for someone who has committed a crime at any point while they are away from their country, which would render them the responsibility of whichever state they happen to be in at that particular time.

Part of the solution to the question can be found in the Counter-Terrorism and Security Act 2015, which introduced temporary exclusion orders enabling the Secretary of State to render invalid a foreign fighter’s British passport and require that individual to apply for a permit to return to the United Kingdom—that was clearly a positive step. In some cases, the severe penalties for failing to comply, including lengthy prison sentences, go some way to providing a deterrent—my hon. Friend the Member for Morley and Outwood (Andrea Jenkyns) mentioned this—to people considering making the journey to join terrorists groups.

We should acknowledge that the circumstances are different in every case, so the approach that we adopt must allow Ministers, informed by this country’s security services, to evaluate every instance based on its own circumstances. A framework that allows that to happen effectively is required. We must be able to demonstrate that membership of terrorist organisations is never tolerated under any circumstances, and provide a greater deterrent to people considering becoming a foreign fighter. That can be effective only as part of a wide-ranging Government framework for tackling the problem head-on and confronting it at an earlier stage.

The measures that the UK’s counter-terrorism strategy takes to prevent people from becoming radicalised in the first place are vital to ensure that risk is minimised. I support the Government’s Prevent strategy and the Counter-Terrorism and Border Security Act 2019, which updates offences relating to the obtaining and sharing of terrorism-related materials. I was pleased to sit on the Public Bill Committee for that Bill as it was steered through the Commons. The new legislation ensures, for example, that material that is only viewed or streamed—rather than downloaded to form a permanent record—is also now considered an offence. There is room for the Government to go further. A July 2018 report, co-authored by the Chair of the Select Committee on Foreign Affairs, considered the possibility of designating reason as a new offence.

The matter of how the UK ought to deal with returning foreign fighters is clearly complex. Although a number of arguments support proposals to remove the citizenship of anybody who decides to travel to Syria or Iraq to join Daesh or any other terrorist organisation, evidence shows that adopting a catch-all solution is not always so simple. With the Government’s Prevent and Contest strategies, along with the new Counter-Terrorism and Border Security Act 2019, I feel confident that we are taking positive steps, but more can be done.

What steps is the Minister’s Department taking to build a case for prosecuting people who have travelled to regions such as Iraq and Syria? What assurances can she give that the legislative framework is now in place to prosecute effectively any returning foreign fighters? What more are the Government doing to improve the prosecution rates of people who we know have been in the region and are a threat to our national security when they return to the UK? Finally, what consultation has she had with our security services and police forces to get a better understanding of what further powers they would like us to legislate for?

I conclude by sending my condolences to everybody affected by the attacks in Utrecht and in Christchurch. A tough and balanced approach from the Government will allow us to uphold our principles of access to justice while continuing to be one of the safest countries in the world, with security services that are the envy of the world.

4.44 pm

John Woodcock (Barrow and Furness) (Ind): It is good to see you in the Chair, Mr Howarth, and it is a pleasure to follow that very measured and balanced opening contribution from the hon. Member for Thornbury and Yate (Luke Hall). It is unfortunate that the debate clashes directly with an urgent question in the main
Chamber about far-right violence and online extremism in the wake of the Christchurch terrorist atrocity. That means that a number of us have had to choose between one or the other, which we did not originally think would be the case.

I will set out why I do not agree with the central proposition of the petition. The Government could be far more effective in tackling the menace of foreign fighters returning to the UK. Their current measures probably alienate people on most sides of the debate, and not for the first time.

It is abhorrent for anyone who claims to be British, who was born here and who has benefited from the manifest advantages that our country and society offer our citizens, to declare themselves effectively in opposition to everything that the UK stands for, to go as far as to travel to another country to take up arms—or to aid those taking up arms—fundamentally against the British state, and to aid actions that could result in members of the British armed forces being killed on the battlefield. Why, then, although I sympathise with its aims, do I think that the petition is wrong? There are two reasons.

The first is on the grounds of effectiveness. If we pronounced that no British citizen who went abroad as a foreign fighter would be allowed to return to the UK, we would essentially be tearing up long-standing international agreements on the exchange of citizens. That would make this country less, not more, safe, which is the opposite of the petition's intention.

In the wake of the focus on the Shamima Begum case, I asked the Home Office to list the number of foreign citizens whom it has attempted to deport from the country, both for terrorist-related reasons and for other reasons. The officials who drafted the parliamentary answer on behalf of Ministers said that that information was not available. That sounds absurd; of course the Government know how many foreign nationals they have deported over recent years. The Government should be open about figures, particularly when that information probably stands to strengthen their overall position, which is to adhere to international rules on deporting citizens who are guilty of sufficiently serious offences.

I would be surprised if the figures, once we have them, do not show that, overall, the UK has deported more foreign extremists from our territory over the past five, 10 or 20 years than it is looking to accept back via deportation. Therefore, if we were to declare unilaterally that we will no longer accept British people back from foreign countries, not only would we be in breach of international rules, but why then would any other country accept back one of its nationals who has been found guilty, or is even suspected—people can be deported on the basis of less than a full conviction by a British court—of committing a terror offence. That approach could spectacularly backfire.

The second reason is a moral one, and I believe this strongly. When British society has created the problem—Shamima Begum was born in Britain, she is a British person and she was radicalised in Britain—she is our problem to sort out. How is it acceptable for the Government to deport the problem to another country through whatever strangulated means they used and without fully explaining them? In such circumstances, surely we need to be careful about the message we are sending as lawmakers. I am afraid that statements such as, “These people aren’t really British”, often have an undercurrent of meaning that such a person does not look right, that they do not have the same skin colour as a British person or dress in the same way or follow the same religion as a British person. That is fundamentally wrong. We are an open society. We welcome people in and, once someone has been born here or has been accepted as British, that is it. We need to make our society work and to be far better at rooting out extremism in our country and in our communities, but the Government are not doing that sufficiently well enough.

We should pay attention not to stopping those Brits who have gone over and committed atrocities coming back, but to finding a way properly to prosecute them for any evil acts they might have done. That would be the deterrent effect to stop future generations going over.

Ms Abbott: Does my hon. Friend agree that telling first-generation British citizens of Bangladeshi origin that their citizenship can be stripped from them at will is potentially counterproductive, and that Shamima Begum should have been brought home, interrogated, and put on trial if that was the right thing to do?

John Woodcock: I thank the right hon. Lady for that intervention. Yes, I believe strongly that Shamima Begum should be brought home and put on trial. The possibility that there is insufficient evidence to try her is deeply alarming, however, and I will come on to how the system ought to be strengthened. Anyone who looks at the case, apart from those from a narrow and legalistic background, will see a woman who travelled over to the so-called caliphate of Islamic State with the express intention of supporting it. She admitted that openly to the journalists who found her and who interviewed her subsequently. She admitted to supporting the caliphate as part of a community. How on earth can she not be prosecuted for terrorist offences? If the legal position is that proof is needed of the active aiding and abetting of violent acts, or of carrying out such acts directly, clearly the legislation is far too lax.

That is the first point on which I want the Minister to come back to me on, although I understand that she is standing in for her colleague, the Security Minister. By the way—if this is not too much of a detour, Mr Howarth—I commend the Minister, probably on behalf of everyone present and of much of the House, on what she apparently said on the margins of a vote to the former Foreign Secretary, the right hon. Member for Uxbridge and South Ruislip (Boris Johnson), about the issue of historical child abuse. I will say no more than that and I do not expect her to comment on it for Hansard.

We should ensure that the terrorism laws are fit for purpose. If people go over there and admit to being part of and in general support of that organisation, in whatever way, that means that they are guilty of a terrorism offence, and they should be prosecuted for it. Some of my colleagues and I have long pushed for an Australian-style declared areas offence in British law—to be fair to the Security Minister, he was also on that track. That is finally being done, although it is being weakened in a way that I am concerned about, but let us see. It is good for it to be on the statute book. The Iraq and Syria conflicts will not be the only such conflicts so, in future, with such an offence, a case could be made against someone simply for going to an area that has been prohibited.
As I mentioned in my intervention on the hon. Member for Thornbury and Yate, a potentially severe threat to national security is posed by the hundreds of returnees whom it is apparently not possible to prosecute—or the enforcement agencies are not willing to prosecute them—so, in these serious times, we should make that law retroactive to cover people who went out to the area during the conflict with Daesh, to make it possible to prosecute them. If they had good reason to be there—they were genuinely part of an aid mission or were there with journalists, for example—they will be able to prove that.

What is palpably obvious, however, is that the majority of those returnees went over to support the caliphate. The failure to prosecute, or the apparent unwillingness to countenance such radical measures to hold them to account, leads people to lose faith in our judicial system and to favour the kind of measures set out in today’s petition. If the Minister cannot give an answer, I would very much appreciate one from her colleague.

The Government have announced a review of the Prevent programme. It is important for Members in all parts of the House—unfortunately, in particular, those in the Opposition—not to undermine and damage the purposes of the Prevent programme by, in essence, mimicking the criticism pushed forward and pumped into our communities by Islamists determined to delegitimise the intervention of the British state. Too many times in recent years, we have seen good people in effect taken in by the idea that the British Government should in some way not get involved at all in such issues. That is a deliberate strategy—it is exactly what Islamists of different shades, from the apparently non-violent to those committed to violent jihad, have intended to do, and it is very dangerous.

I hope that the Government will reflect on the culture of secrecy that they still maintain on this issue. We recognise that there are difficulties and that it can be awkward to talk about the lack of success, but the Government are doing themselves no favours by making it difficult to drag out information about their measures to tackle extremism. It took months for me to prise out of the Security Minister the figure of 40 successful prosecutions, and the Government still refuse to give any details of the nature of those prosecutions, despite repeated requests from journalists. In a recent meeting of the Home Affairs Committee, the Home Secretary, with the permanent secretary sitting next to him, agreed to my request to look at that issue. I would like a response soon.

It is a total fallacy to suggest that the British state’s inefficiency in prosecuting people can be kept secret. The Government may be worried that a message is going out to communities that people can get away with extremism, but there are hundreds of people who are living examples of that message. Government secrecy will not prevent potentially vulnerable people from finding out. With respect, I suggest it is solely a measure to cover the Government’s embarrassment. If they want co-operation across the House to find more effective ways to prevent extremism, they need to begin with more transparency.

Like the hon. Member for Thornbury and Yate, I hope that the Government are looking realistically at modernising treason laws. We should not simply stick that on a press release to sound more draconian and in touch with the 19th century; in these difficult times, we ought to examine that closely. I would welcome an update from the Government: what steps are they taking to look at how the law could be modernised to apply to the current situation?

Toughening up our data-sharing laws could be an important part of stopping foreign fighters before they make the journey abroad. There was debate in the main Chamber about the proposed data-sharing agreement with the United States, which I do not propose to rehearse. In recent days, following the appalling tragedies in Christchurch, social media companies have been unwilling to acknowledge their responsibility and the impact they can have. I have not tried to look for the video, shared far too readily on social media, of deeply distressing images of peaceful Muslims being gunned down as they went to pray. It is shocking that social media companies refused to pull the plug on their platforms while the vile video was being shared, which clearly could incite further acts of terror.

There is something deeply wrong in the relationship between community, Government and the social media giants. An effective way to address that could be to take down the platforms in international emergency situations. A palpable contribution to fighting the extremism that leads people to go to foreign lands could be to require companies to share with Government the IP addresses and log-in details of every user who hosts extremist content that companies take down.

Social media companies are getting better, although far slower than we would like, and are upping their game at taking down extremist materials. But there is a weird situation because, although far more is being taken down than just a year ago, the vast majority disappears into the ether. Every time that extremist material is shared online, spotted and taken down is an opportunity for Government to spot someone who has been or is being radicalised. That is better than waiting until it is too late, when they have committed a terrorist act on British soil—God forbid—or have become foreign fighters or supporters of foreign fighters abroad. The Government can do so much more. In this debate and in the weeks ahead I hope they will step up their fight.

5.6 pm

Gavin Newlands (Paisley and Renfrewshire North) (SNP): It is a pleasure to serve under your chairmanship, Mr Howarth. I thank the hon. Member for Thornbury and Yate (Luke Hall)—something I have not said before—for setting out the petition so well. It can be quite difficult to do that in a balanced way on such a sensitive issue, but he handled it very well. He spoke of the declared area offence, which is intended to make it easier to convict those who travel to conflict areas. We tried to put appropriate safeguards in place, and we welcome the measure, provided that those safeguards are in place. I join him in sending our condolences to those involved in the atrocities in Utrecht and Christchurch—an urgent question is being asked about that in the Chamber. It is important to remember the victims of extremists and terrorists.

The hon. Member for Barrow and Furness (John Woodcock) mentioned the clash between this debate and the urgent question in the Chamber. I am curious
about why we are often quick to label far-right violence and extremism as that, rather than as terrorism. We are quick to describe members of Daesh and al-Qaeda as terrorists, but we seem to talk about the far right in stages; we call it extremism and violence, and only after a certain amount of time do we call it terrorism. I am a little uncomfortable with that, to be honest.

I jokingly said before the debate that I do not think the hon. Member for Barrow and Furness and I have ever knowingly agreed on anything since my election in May 2015. However, halfway through his speech I found myself agreeing with almost everything he was saying—I even said, “Hear, hear” at one point. That was a shock to both of us. We did diverge at one point, where we have subtle differences of opinion, but I welcome much of what he said. He made a good point about the impact on international relations in an incredibly sensitive area if we were to disallow the return of Daesh terrorists to the UK. His point about social media companies is incredibly important. I think we would all accept that there has been an improvement in those companies’ reactions with regard to taking down content and so on, but too often their reaction is still far too slow. There is still a long way to go with regard to social media platforms doing their bit.

There is no doubting the gravity and importance of this issue and of the petition. We must all recognise that there is a deep sense of anger in the country. That is evidenced by the nearly 600,000 signatures on the petition, 582 of which came from my constituency. Regardless of our opinions on the petition or anything else, we are all deeply concerned about the threat from Daesh, al-Qaeda and other terrorist organisations and ideologies. I very much feel the anger—I hear it in surgeries, and I get emails the same as everybody else—of those who signed the petition. However, I do not agree with the solution they call for.

The petition asserts that removing citizenship from Daesh members would keep the UK safe from terrorism, but that is fundamentally flawed and, as we heard, flies in the face of international law. The UK must meet its international obligations, allow the return of its citizens and ensure that they face the full consequences of their actions. If we do not take responsibility for that, on whose shoulders should it fall? Stripping extremists and terrorists of their citizenship would leave a line of angry, radicalised and violent people in post-conflict regions and give them, through their extremist lens, further reason to wish violence upon the people of our countries.

Alex Younger, the chief of MI6, insisted that although he is “very concerned”—as we all are—about the individuals making their way back from Syria and elsewhere in the region, British nationals have a right to come to the UK. The Times also reported that MI5 sees individuals who have joined Daesh as potentially valuable intelligence assets in continuing the fight against Daesh and its murderous ideology at home and in the region.

However, no one who has fought for or assisted a terrorist group will ever face a warm welcome on their return to the UK. Many of these fighters have committed unimaginable acts of terror and violence against innocent people, with whom I have no sympathy, and I am absolutely of the view that there can be no doubt. It is vital that we recognise that if a UK citizen becomes isolated from society and susceptible to radicalisation, it is we—our society and our Government—who failed to prevent that. As has been said already, if the UK allows radicalisation to happen, it is our responsibility to make amends and bring the UK national in question to justice.

Having been the SNP’s Front-Bench spokesman on the Counter-Terrorism and Border Security Bill—I am sure that I took interventions from the hon. Member for Barrow and Furness—I very much look forward to the review of the Prevent strategy that the Opposition secured during the Bill’s passage. We will seek to ensure that the review is independent and that its scope is wide enough for it to be truly effective. The point was made earlier that that is not about watering down our approach to Prevent; I say in response that it is about ensuring that it is effective, which I think we all want.

Between 2014 and 2017 there was a dramatic rise in the number of UK citizens who lost their citizenship, so will the Minister carry out a full review of the powers available to the Home Office to strip an individual of their citizenship? Statistics show that citizenship deprivation was used only a handful of times a year, but its use rocketed from 14 times as recently as 2016 to 104 times in 2017. Under the Immigration Act 2014, the UK Government are required to carry out a review of the Home Secretary’s power to revoke citizenship. The first such review was conducted in 2016 by the eminent QC David Anderson—he is now Lord Anderson—in his capacity as the independent reviewer of terrorism legislation, but no subsequent review has been published, and the position of independent reviewer is currently vacant. The next review would need to cover the period from July 2015 to July 2018.

On that note, it is worth considering these comments by Duncan Lewis Solicitors:

“The power to deprive UK citizens of their citizenship can only be used against the children of immigrant parents—meaning that the position of independent reviewer is currently vacant. That aspect of the current powers must surely be dealt with in the next review to address fully the obvious concerns about the policy.

The Home Secretary also has powers to ensure that foreign fighters can return to the UK to face justice, and powers that would enable him to manage the return of foreign fighters. Provided he reasonably suspected that an individual had been involved in “terrorism-related activity” and posed a threat to security in the UK, he could impose a temporary exclusion order, which have been mentioned, under the Counter-Terrorism and Security Act 2015. That would permit return only on strict licence conditions. If an individual was still considered a threat to national security, further restrictions could be imposed on his or her liberty through a terrorism prevention and investigation measure, or TPIM. It may be possible to prosecute under the Terrorism Act 2000, which includes offences of being a member of, or aiding and abetting, a proscribed terrorist organisation.

I shudder to think what state we would find our world in if all countries abdicated responsibility for the terrorists born in their country. The UK has been described as being in the “vanguard of citizenship deprivation”, with an approach starting with that of other European countries, such as France and the Netherlands, which have returned their citizens from Iraq and Syria to face justice at home. In a recent
similar case, Ireland most likely will not revoke the citizenship of a Daesh fighter returning there. Even Donald Trump tweeted that the UK should “take back” Daesh fighters captured in Syria and “put them on trial.” Surely that shows just how out of step with the rest of the world we have become.

I have not mentioned her by name thus far, although she has been brought up, but the reason this issue has gained so much attention of late is of course the case of Shamima Begum, who had her citizenship revoked by the Government—a move I wholeheartedly disagree with. Surely she must come to the UK to face justice. What has not gained the same attention is the death of her son, Jarrah, an innocent newborn baby and a British citizen who died in a refugee camp in Syria—a child who, if he had returned, may eventually have gone on to live a normal life in the UK. I hope that the Government reflect on their actions, or lack thereof, in that case.

Our position is clear: the UK bears responsibility for all its citizens, and the actions of the Home Secretary are to be condemned. It is time for Daesh members to come back to the UK and face justice.

5.17 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): In the light of the terrorist atrocity in Canterbury, New Zealand, this debate about a petition that quite correctly expresses horror and condemnation of terrorism, whatever its source, is extremely timely. The petition expresses a deep sense of anger about terrorism, but it also poses the very important policy question, “What are we going to do about returning foreign fighters?”

Government Members said that British citizenship should not be taken lightly. You do not have to tell the daughter of West Indian migrants that British citizenship is a pearl beyond price. I do not take it lightly, my parents did not take it lightly and I do not believe the parents of some of these foreign fighters take it lightly. I do not think the contention that, because someone’s parents or grandparents migrated from somewhere, they do not take the notion of being a British citizen very seriously, stands up.

A lot of this debate revolves around the particular case of Shamima Begum. I have said before in the House—I will repeat it, for the avoidance of doubt—that Shamima Begum made some very bad, very stupid and quite possibly illegal choices. She has also made some terrible statements in the media. I do not, and Labour does not, sympathise with or excuse her views or her actions. What we on the Opposition Front Bench are concerned about is what should be done genuinely to make this country safer.

On the question of Shamima Begum, we have to recognise that she was just 15 when she left this country to join ISIS. She had clearly been groomed in her bedroom by the disgusting agents of ISIS. There has been talk from Members who seemed to imply that she is wholly responsible for her fate; I thought that since the Rotherham child sex abuse cases the House had moved beyond blaming 15-year-olds who had been groomed entirely for their fate.

We have recently discussed cases of British people being deprived of their citizenship, including Shamima Begum. We now learn that other British women were made stateless under the previous Home Secretary, but in secret. At least the current Home Secretary has disclosed, with a little prompting, that he has made someone stateless, which is an improvement on his predecessor. However, he seems unable to tell us if he has received any advice from M15 or M16, and what they have said about his decision to strip Shamima Begum of her citizenship. He is unable to clarify what other legal advice he may have received.

It is not clear what steps, if any, the Home Office took to ensure the safe return of Shamima Begum’s son, Jarrah, who was a British citizen and who was born before the Home Secretary’s decision. That son now lies dead. Shamima Begum has buried three babies in Syrian soil in less than a year. Will the Minister tell us whether there will be coroner’s inquest for Jarrah and whether the Home Office is willing to facilitate contact between Shamima Begum and her legal representatives?

When we debated this issue, the Home Secretary repeatedly hid behind the words that he cannot talk about individual cases. He appears to be pretending that Shamima Begum’s case is somehow sub judice and therefore cannot be safely discussed. I put this as kindly as I can: that is nonsense, as everyone knows—the Speaker had to point this out. The Home Secretary had no compunction about naming Shamima Begum directly, for the benefit of 400,000 readers of The Times in an article he wrote on 17 February. That article was headed:

“If you run away to join Isis, like Shamima Begum, I will use all my power to stop you coming back”.

He clearly had no problem discussing an individual case then. Can Ministers not see that that defence will not do?

The House can only speculate what line of defence Ministers will take when the almost inevitable legal challenge to their decision comes, if not in this case then in other cases. I remind Ministers that they have lost twice in court when attempting to strip British citizens of Bangladeshi descent of their nationality. As Ministers like to remind us, the duty of the Government is to ensure the safety and security of all our citizens. I contend that it is not for Ministers to pick and choose who enjoys those rights; it is a matter of law. One is almost obliged to ask Ministers if they regard it as their duty to uphold the law and to defend British citizens, such as the defenceless baby, Jarrah.

Let me remind the House of article 15 of the universal declaration of human rights, which says:

“Everyone has the right to a nationality…No one shall be arbitrarily deprived of his nationality”.

Could the legal position be any clearer? The idea that Ministers can unilaterally deprive British citizens of their nationality and render them stateless is clearly contrary to international law. Hopefully, the Minister will explain how she proposes to get away with that. Shamima Begum had only one nationality; now she has none. The same applied to her children. The Home Office decision, which I contend was clearly against international law, has deprived them all of their citizenship.

Citizenship entails obligations as well as rights. The basic obligations include not breaking the law of the land. If Shamima Begum and others in similar circumstances have broken the law, they should be allowed to return, but they should be investigated, interrogated and, if appropriate, prosecuted. They are
the responsibility of the British Government. We are talking about British citizens. If Shamima Begum or anyone else is identified as representing a threat, our judicial system is there to deal with it. We are a country of laws, and it should be clear that dealing with a threat is preferable to not dealing with it, and dumping it on foreign countries.

Ministers like to say that they are acting in defence of us all from the terrorist menace. We see from Christchurch, New Zealand, that the terrorist menace, whether Islamic or far right, is real, but does anyone seriously claim that Shamima Begum was more dangerous than the upwards of 400 foreign fighters who have returned from conflict zones, having fought for ISIS, al-Qaeda or their disgusting offshoots or splinter copycat organisations? It is reported just 40 of those fighters have faced any charges, and that the others remain at liberty. We need a more systematic approach and a proper programme for returning foreign fighters—perhaps an extension or an enhancement of the Prevent programme—but the idea that one 19-year-old girl with a two-week-old baby was somehow more dangerous than the 400 foreign fighters who have already returned seems to me to be a difficult position to defend.

No less a person than the President of the United States, Donald Trump, has said that European countries ought to be prepared to take their foreign fighters back from Syria and related territories, and put them on trial, where necessary. It is not often that I find myself agreeing with the President of the United States, but on this point he is correct. How can we expect other countries and jurisdictions to deal with British citizens who have broken British law?

Returning foreign fighters are a real threat to our security. That is a genuine terrorist threat, and I contend that the Government have yet to respond to it adequately. We cannot ignore the fact that there are many hundreds of British foreign fighters in Syria and associated areas. We need a proper programme to deal with them. Arbitrarily stripping people of their citizenship, contrary to international law, is not the answer, not least because it can be challenged in court.

Instead of seeking cheap headlines and grandstanding against Shamima Begum, Ministers’ time would be better spent—and our security enhanced—by addressing the real risks and threats posed by foreign fighters, and understanding that if they are British they are Britain’s responsibility and should be subject to the British criminal justice system. As the security services have said in the past, we need a genuinely tailored programme to deal with the threat. It cannot be a case of knee-jerk reactions to newspaper headlines. Some 400 foreign fighters have returned to this country; we need a more systematic approach to keeping this country safe.

5.29 pm

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): It is a pleasure to serve under your chairmanship, Mr Howarth. May I join colleagues from across the House in reflecting on the fact that the debate follows upon the weekend’s terrible events in New Zealand and Surrey and, today, Utrecht. As has been said before, we will reflect on the fact that terrorism takes many forms but the purpose of terrorist acts is to undermine the rule of law, to frighten, and to put a stop to the values that we hold dear in western society. It is sickening that people choose to undermine our societies by killing the most innocent of people—people going about their daily lives, whether at a place of worship or in a car park as they go about their day-to-day business in a working day.

Many colleagues are in the main Chamber, focusing on the issue of far-right violence and online extremism, and bearing that in mind I thank my hon. Friend the Member for Thornbury and Yate (Luke Hall) for the measured and balanced way in which he opened the debate. It is quite something that the petition has secured some 570,000 signatures which, as my hon. Friend told us, makes it the most heavily endorsed petition to have come before the House. It is with those great expectations of the public weighing heavily on our shoulders that I hope to answer some of the points raised today.

Ms Abbott: Can the Minister provide the House with figures about the number of far-right terrorists we are engaged with, or who are perhaps currently going through the Prevent programme?

Victoria Atkins: I am sorry; I was talking about the people who signed the petition. I do not understand the link. Perhaps the right hon. Lady could clarify.

Ms Abbott: I apologise to the Minister. I was referring to her earlier remarks about far-right terrorist responsibility for the atrocity in New Zealand. I wanted to understand whether she has figures available for the number of far-right terrorists whom Government agencies are currently engaged with, and who are passing through the Prevent programme. If she does not have the figures to hand I will quite understand, but perhaps she can write and furnish me with those figures.

Victoria Atkins: I am happy to provide that information. As the right hon. Lady knows, the Prevent programme, which I shall talk about later, focuses on the threats and risks posed by individuals regardless of the ideology under which they claim to be acting or which people who are worried about them, and who have referred them to the Channel programme under Prevent, are worried they are operating under. The Government have been clear that people of far-right tendencies are part of the programme and are being helped through it. We are clear that it is a matter of threat and risk. The efforts to stop radicalisation apply regardless of the false ideologies that people appear to subscribe to when they are put through the programme.

I thank other Members—including the hon. Member for Barrow and Furness (John Woodcock), who has paid particular attention to this subject during his parliamentary career—for their contributions and thoughtful comments on such matters as the passage of the most recent counter-terrorism Act, the Counter-Terrorism and Border Security Act 2019.

The Government’s priority is the safety and security of the United Kingdom and the people who live here. That includes managing the risk posed by those who have gone to fight in Syria or Iraq or to support terrorist organisations such as Daesh or al-Qaeda. We have a range of powers and tools available to us to protect the UK from the national security risk posed by returning Daesh members. Members have referred to
specific cases in their speeches, but I cannot as the Minister discuss individual cases in response, for many reasons including the possibility of related or future investigations or legal proceedings. Of course the Government never comment on the operational capabilities and methodologies of the security services, for obvious reasons.

All decisions that we make must be rooted firmly in British values and must be made in accordance with the law. That means that we cannot make people stateless, and UK nationals have the legal right to return to this country. However, anyone who returns from taking part in the conflict in Syria or Iraq can expect to be investigated by the police and prosecuted, where there is evidence that they have committed criminal offences that meet the requirements in the code for Crown prosecutors. About 900 people have travelled from the UK to engage with the conflict in Syria and Iraq, against the advice of the Foreign Office. Of those, approximately 20% have been killed in the conflict and about 40% have returned to the UK. They have all been investigated and the majority have been assessed to pose no or a low security risk. The hon. Member for Barrow and Furness asked about the number of foreign nationals who have been deported and I am afraid I do not have that information at hand, but I will ask the Security Minister to write to him with it.

We know that those who remain in the conflict zone include some of the most dangerous, who choose to stay to fight, to raise families or otherwise to support Daesh. They turned their back on this country to support a group that butchered and beheaded innocent civilians, including British citizens. Those individuals pose a greater threat to the UK than those who returned earlier in the conflict. They will have become desensitised to violence and may have received combat training and intense indoctrination. They will have had the opportunity to expand their terrorist network. Where they pose any threat to this country we will do everything in our power to prevent their return. The Foreign and Commonwealth Office advises against all travel to Syria and since 2011 there has been no consular support available to British nationals there. We are resolving that we will not put British officials' lives at risk to assist those who have left the UK to join a proscribed terrorist organisation, and therefore we cannot and will not actively provide assistance to any individuals who have travelled to the region.

The Home Secretary can exclude non-British nationals from the UK, and under the British Nationality Act 1981 has the power to deprive any British national of citizenship status. Deprivation of citizenship is used in extreme cases where it is conducive to the public good and where it would not leave the individual stateless, which would be unlawful. Deprivation is a powerful tool that can be used to keep the most dangerous individuals out of this country. Each case will be considered based on the information that is available, regardless of gender, age or family status. Since 2010, the power has been used about 150 times for people linked to terrorism or serious crimes. I know that that is a matter of concern to colleagues, so I emphasise that Parliament has clearly set out the legislative basis for the exercise of the power, and that it is a decision to be taken by the Home Secretary. Removing an individual's British citizenship is a weighty decision and, for that reason, it is a matter reserved to the Home Secretary. He takes those decisions in the light of carefully considered advice prepared by officials and lawyers. However, a statutory right of appeal is attached to each deprivation decision, and individuals can and do exercise that right, so that the courts can review the appropriateness of a decision independently.

Several colleagues have raised the issue of bringing to justice people who return to this country. My hon. Friend the Member for Thornbury and Yate did so on behalf of the petitioners, and the hon. Member for Barrow and Furness emphasised its importance. Those who have fought for or supported Daesh, whatever their nationality, should wherever possible face justice for their crimes in the most appropriate jurisdiction. Sometimes that is in the region where their offences have been committed.

Individuals who return will be investigated and, where there is evidence that crimes have been committed overseas, they should expect to face prosecution in the UK. There have been about 40 convictions of individuals prosecuted following their return from Syria for a range of offences, either connected with their activities overseas or as a result of subsequent CT investigations. That includes a 10-year custodial sentence for Mohammed Abdallah, a British national convicted in December 2017 of Daesh membership after leaked documents from a defector revealed his role as a specialist sniper, and a minimum of 40 years imposed on Khalid Ali, who was sentenced in 2018 for planning a terrorist attack in Westminster. I will, however, remind the Security Minister of the specific request by the hon. Member for Barrow and Furness.

In answer to questions posed by my hon. Friend the Member for Thornbury and Yate regarding new offences, or offences available for law enforcement and the Crown Prosecution Service to prosecute, our courts could try cases involving overseas terrorism offences relevant to foreign fighters even before the recent extensions of extraterritorial jurisdiction in the Counter-Terrorism and Border Security Act 2019. Those offences include preparation of terrorism, for which the maximum sentence is life imprisonment; encouragement of terrorism, the maximum sentence for which has been extended from seven to 15 years by the 2019 Act; training for terrorism, which also has a maximum sentence of life imprisonment; and membership of a proscribed organisation, which has a maximum sentence of 10 years.

Hon. Members also asked whether the Government are considering a new law of treason. That is a matter for debate and the Government have not yet reached a settled position, but our concern is that to prosecute terrorists for treason risks giving their actions a political status or a glamour that they do not deserve, rather than treating them merely as criminals. That is why we recently passed the 2019 Act, which updates terrorism offences and introduces new powers to reflect the threat we face today from foreign terrorist fighters, thus providing the police and intelligence services with the powers they need to protect the public. At this point, we do not believe there are grounds for introducing an offence of treason, but of course the Government keep all these matters under review.

It is of course for the police and the Crown Prosecution Service to decide whether individuals should be prosecuted, in accordance with the code for Crown prosecutors. As
has already been acknowledged, for crimes committed in a conflict zone where there is no national infrastructure and no police force taking section 9 witness statements or linking cases about who saw or did what, obtaining evidence admissible in a UK court is extremely difficult. That is the problem we have to face.

That is why, where prosecution is not possible, we have a range of powers available to protect national security and to monitor and manage the risk posed by terrorism suspects in the UK, including terrorism prevention and investigation measures and temporary exclusion orders to place conditions on individuals’ return, including regular reporting to a police station and mandatory attendance on our de-radicalisation programme. The best way to reduce the risk posed by these individuals will be judged on a case-by-case basis. Those decisions are based on advice and intelligence from the security services, counter-terrorism police where relevant, and specialist security and legal officials in the Home Office.

We publish statistics on the total number of TEOs in place in the annual “Disruptive and investigatory powers: transparency report”. Last week the Home Secretary asked officials to expedite the publication of the next transparency report, which will include the most up-to-date annual figures on disruptive and investigative powers, including TEOs and deprivation orders, because we recognise that it is a matter of great concern to the House.

The Counter-Terrorism and Border Security Act updated our terrorism laws for the digital age and modern patterns of radicalisation, closing gaps in some existing offences and adding new ones, such as recklessly expressing support for a proscribed organisation, or publishing its flag or logo online. The Act also creates a new power to ban British citizens from entering designated terrorist hotspots without legitimate reason. The designated area offence, along with most of the Act’s provisions, will come into force automatically in April, two months after Royal Assent. Decisions to designate an area will be based on careful assessment of all relevant information, including sensitive intelligence as well as open-source information, while applying the tests of necessity and proportionality.

The hon. Member for Barrow and Furness raised the question of retrospectivity—an understandable point to make. This is where balance is required; our priority to protect the security of the United Kingdom must be within the confines of the rule of law. In line with normal judicial principles, the power will not be retrospective and it will not be possible to prosecute for travel to an area before it is designated, but it will be an offence to remain in an area after it has been designated, even if the person has been there for some time. Individuals will have one month to leave the area, following which they will face prosecution if they remain. I hope that goes some way towards answering his concerns.

These powers and tools send a clear message to individuals that membership of or support for terrorist organisations will not be tolerated. Of course, as has already been discussed, this is against the backdrop of the Prevent strategy, which seeks to help those who may be at risk of radicalisation and extremism and to put them on to another path of lawfulness, away from criminality and potentially terrorist offences, by ensuring that they are able to obtain help locally from Prevent officers and others to steer them on to that better path.

The UK is doing all it can to help innocent people caught up in this conflict. We have committed £2.8 billion to Syria since 2012—our largest ever response to a single humanitarian crisis—and we are on track to resettle 20,000 vulnerable refugees who have fled the country, with our national resettlement programmes resettling more than any other EU state in 2017. We do not have a consular presence within Syria from which to provide assistance. Our position therefore applies as much to children as it does to adults. However, if British children were able to seek consular assistance outside Syria, then we would work with local and UK authorities to facilitate their return.

Children returning from Syria are likely to have been exposed to the conflict and to have experienced trauma. In some circumstances they may also pose national security concerns that must be carefully managed. A range of specialised support, some of which is funded directly by the Home Office, is offered to address many concerns ranging from safeguarding to national security. Our support will be tailored to the needs of each individual child. Local authorities and the police can use existing safeguarding powers to protect returning children, support their welfare and reintegration back into UK society, and minimise any threat that they could pose within schools and to their local community.

Ms Abbott: On the question of children, which the Minister addressed a few sentences ago, we have seen that journalists, aid workers and United Nations officials can go in and out of Syrian refugee camps. Why is it so impossible to make arrangements to protect British children?

Victoria Atkins: As the right hon. Lady knows, and as I have said twice already, we do not have a consular presence in Syria. The firm advice of the Foreign and Commonwealth Office is that it is not safe to travel there. I know that journalists and aid workers travel there against that advice, and they must take that decision very carefully and seriously. However, we are clear that we do not wish to put British officials at risk in a part of the world that we have designated as so dangerous that we have withdrawn consular support from it.

Ms Abbott: I am well aware that the Government advise people that it is not safe to travel to Syria. However, the Minister will be aware that children, particularly those who may only be a few months old, are not in a position to abide by that advice. I ask her again: would it not be possible, working with NGOs, to get these very young—often weeks or months old—British children out to the nearest British consular presence, which may be on the border with Turkey?

Victoria Atkins: First and foremost, we do not want babies to be born in war zones, so the longer-term answer is that we do not want people traveling to Syria in the first place. It is not good for them and it is against clear FCO advice; we have clearly advised people for some years not to travel to the area. As I have already set out, if children are in a camp, it may well be that aid workers and others seek access. That is against our advice. I am afraid we cannot put officials at risk in that way.
This is very difficult—I do not think that anyone pretends otherwise—but Syria is in a part of the world from which we have withdrawn consular support, and anyone going there does so against Foreign Office advice. Given the situation in the region, everyone who returns from Syria or certain parts of Iraq, including some children, must expect to be investigated by the police, to determine whether they have committed criminal offences, to assess any safeguarding concerns and to ensure that they do not pose a threat to our national security.

Before I bring my remarks to a close, I note the completely reasonable comments that have been made about the role of social media and tech companies in this regard. Colleagues will know that the Home Office and others are working with tech companies to ensure that they clean up their own backyards. We have seen some progress by some of the major technology companies, including the development of technology that can automatically detect and take down terrorist content. However, such material continues to remain accessible. More needs to be done.

As part of our efforts to prevent the dissemination of terrorist content online, the Government are not only preparing a White Paper on online harms, but working with those in the advertising industry to make them more aware of the types of content that is appearing online, and to highlight that their advertisements may unknowingly appear next to that harmful content. I must say that the industry response has been very positive, and I hope that we will see some real change over the coming months. However, as this weekend has shown, there is a great challenge to the tech companies to ensure that, when invidious material is placed on their platforms, they remove it as quickly as possible, so that it cannot be forwarded or embedded in the web.

I conclude by thanking the 570,000 people who felt moved to sign the petition, causing us to debate this important issue again in the House. The Government’s priority is to ensure the safety and security of the United Kingdom and the vast majority of our citizens who continue to uphold our shared values. We will not allow anything to jeopardise that.

Question put and agreed to.

Resolved,

That this House has considered E-petition 231521 relating to ISIS members returning to the UK.

5.54 pm

Sitting adjourned.
Westminster Hall

Tuesday 19 March 2019

[Mr Peter Bone in the Chair]

Leaving the EU: Health and Social Care

9.30 am

Brendan O’Hara (Argyll and Bute) (SNP): I beg to move,

That this House has considered the effect of leaving the European Union on the UK’s health and social care sector.

It is a pleasure to serve under your chairmanship, Mr Bone. I thank the Backbench Business Committee for agreeing to the debate, and all hon. Members who have come along to take part in it. I put on the record my sincere thanks to Robert McGeachy of Campfield Scotland, to Craig Wilson and Gareth Jones from the Scottish Council for Voluntary Organisations, and to Andrew Strong of Alliance Scotland, for all their help and support in preparing for the debate.

The debate’s origins are in my private Member’s Bill, which I tabled in November 2018. It sought from the UK Government provision for an independent evaluation of the effects on the health and social care sector of the United Kingdom’s withdrawal from the European Union. Like many others, my Bill will almost certainly fall this Friday, without ever seeing the light of day or being debated. I was always prepared for the likelihood that the Bill would fall because of a lack of time, so that does not surprise me. What did surprise me, however, was my Bill’s impact on the organisations that deliver vital health and social care to so many vulnerable and needy people day-in, day-out right across the United Kingdom.

Currently, no fewer than 102 different third sector organisations, trade unions and charities have publicly supported the measures in the Bill. Not a single one of those organisations believes that Brexit will be good for the health of the people of these nations. Moreover, they all support the idea that an independent evaluation of the effects of Brexit on the health and social care sector should be carried out, and that it should examine the sustainability of public funding, the challenges faced by the workforce, and the efficiencies and effectiveness of the sector.

I will not test everyone’s patience by naming all 102 organisations that have lent their support, but I can assure hon. Members that they cover every part of the United Kingdom. They include the Western Isles Carers, Users and Supporters Network, which is based in Stornoway, the Northern Ireland Council for Voluntary Action, Disability Wales, and the London-based Mentor UK, which does great work with young people on alcohol and drug misuse. Those organisations share my concerns, and I want to put on the record my sincere thanks to each and every one of them for contacting and supporting me.

In the light of the extremely high levels of concern among those delivering services at the sharp end, I did not want this hugely important issue simply to disappear from the radar on Friday, when my private Member’s Bill will almost certainly fall because of a lack of time. I felt that I owed something, not just to those organisations, but to the most vulnerable in our society: those with disabilities; children and young people; older people; unpaid carers; those living with long-term health conditions; and those who rely on the vital contributions made by the highly valued EU citizens who provide for our health and social care needs right across these islands. Their voices are not being heard, or their views properly considered. I felt that I owed it to those people to ensure that the very serious issues that the health and social care sector will face post Brexit are examined and discussed in this place so that, 18 months from now, no one can claim not to have known what the sector or the service users were saying.

Every one of us knows that there is already a crisis in social care across the United Kingdom, with a seemingly relentless pressure on funding. Our population is ageing and has increasingly complex care needs, and we face major challenges in the retention and recruitment of the workforce required to meet those needs. One would have thought that, in the immediate aftermath of the EU referendum in June 2016, the Government would at the very least have made a top priority of safeguarding the health and care of their citizens. Guaranteeing a secure supply of the vital medicines that are manufactured in the EU, or that have to be transited through it, would have been a good starting point, particularly as the Department of Health and Social Care’s own estimate states that two thirds of the medicines that we use in the UK come from or via the European Union.

One would have thought that securing access to the essential pool of labour that we require now, and will increasingly need in future, would have been at the top of the to-do list, or thereabouts. Yet in March 2019, just 10 days from possibly crashing out chaotically, we are still discussing the dangers that the weakest and most vulnerable in our society will face as a result of Brexit, and particularly the type of Brexit that the UK Government have chosen to pursue. It is one in which their ideologically driven, self-imposed red lines will deliberately sever the essential link between the health and social care sector and the pool of labour on which it depends. Exactly two years ago, Professor Ian Cumming, the chief executive of Health Education England, said:

“Our biggest risk in the short term, as a result of Brexit, may be in the non-professionally qualified workforce across health and social care”.

Without exception, every single organisation that offered me support for this debate or prepared a briefing ahead of it highlighted the enormous damage that Brexit, and particularly the end of freedom of movement, would do to their ability to deliver care and undertake essential medical research—every single one. They include Cancer Research, CLIC Sargent, the Local Government Association, the Northern Ireland Council for Voluntary Action, researchers from the University of Birmingham, Macmillan Cancer Support, the British Medical Association and Age UK, to name but a few. They have all said that the health and social care sector values and wants to retain its EU staff, and wants nothing to stop it recruiting more of those hugely valued and important staff members in future.

Mr Jim Cunningham (Coventry South) (Lab): It is timely that the hon. Gentleman is bringing this issue to the forefront once again. On healthcare, one of the
things that certainly worries my constituents and me is the potential for the national health service to be open to predators post Brexit. As I am sure he knows, on one hand, the care side of the NHS is vastly underfunded, while on the other hand, people cannot afford care to look after their families, including elderly parents and others. Research and development in medicine and collaboration with Europe are also important, and two universities in Coventry that engage in a lot of that have voiced concerns to me about it. Does he agree with those concerns?

Brendan O’Hara: The hon. Gentleman is absolutely right. The fear in the sector and among care users is palpable. A recent article in The Lancet, which backs up his points, states:

“All forms of Brexit involve negative consequences for the UK’s leadership and governance of health, in both Europe and globally”.

For me, that sums up the hon. Gentleman’s point exactly. I hope that he agrees.

We cannot get ourselves into a situation in which there is a barrier between the health and social care sector and that pool of labour. Age UK recently said that “our care workforce is in no position to withstand the loss of good...care workers, wherever they come from.”

The King’s Fund said:

“Widespread and growing nursing shortages now risk becoming a national emergency and are symptomatic of a long-term failure in workforce planning, which has been exacerbated by the impact of Brexit and short-sighted immigration policies.”

The message from the sector to the Government is therefore clear and unambiguous: we simply cannot afford to cut ourselves off from the labour markets on which we have become so reliant and on which we will depend more and more in future. One look at the frontline of the health and social care sector and its delivery, and it is easy to see how heavily it depends on workers from outside the United Kingdom. Without access to those workers, the UK home market will be required to fill the gaps, but people are not queuing up to fill the vacancies that exist now, so do the Government believe that somehow post Brexit people will suddenly become available for work in the care sector?

David Simpson (Upper Bann) (DUP): I congratulate the hon. Gentleman on securing the debate. He talks about the workforce, but is it not natural that as the economies of other countries get stronger, the workers who would have come here will be lost to natural erosion as they no longer want to come to the UK? The emphasis needs to be placed on training our own young people and making it advantageous for them to join the health service.

Brendan O’Hara: The hon. Gentleman makes a valid point, but we have to compete for workers and to have an attractive package for people to come here to work, but if we take ourselves out of the game, we are no longer in the competition—we will have cut ourselves off. There are issues relating to retraining and getting people into the sector, but unfortunately the demographics are incredibly skewed against that happening, certainly in the short and medium term. I will come on to some of the statistics.

At the end of June 2018, NHS England had more than 100,000 unfilled posts. The NHS regulator has stated that such vacancies will become even more commonplace during the remainder of 2018-19. Both the Care Inspectorate and the Scottish Social Services Council have found that 40% of social care organisations report unfilled staff vacancies. There is no professional analysis out there that does not estimate that the demand for care will only increase in future. The King’s Fund, the Health Foundation and the Nuffield Trust have predicted that NHS England staff shortages could rise from 100,000 to almost a quarter of a million by 2030. That is more than one in six of service posts. At the end of last year, Care England estimated that by 2035 an additional 650,000 care jobs will be required just to keep pace with the demands of our ageing population.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate the hon. Gentleman on securing the debate. On the statistics, did he establish whether it was also estimated what the level of vacancies was likely to be were we to remain in the EU over that 10-year period, given that there are 100,000 vacancies now, despite the UK being a member for 40 years?

Brendan O’Hara: I realise that many things have been blamed on the European Union, but the demographics and the population outcome of the UK cannot be blamed on it. What one can say about the present situation, however, is that we can predict that it will not get any better in the short or medium term. I think that Skills for Care has calculated that a quarter of the health and social care workforce are aged 55 and over. They will be due to retire sometime in the next 10 years, which will mean another 320,000 vacancies that need to be filled.

Let us not kid ourselves: we are facing a looming crisis. Equally, it is a crisis of the UK Government’s making, because they chose to go down this road of hard Brexit. They want to take us out of the single market and the customs union; they chose to end the freedom of movement that has done so much to enhance the social, economic and cultural wellbeing of the UK over the past 40 years; and they did so knowing the consequences that such actions would have.

I therefore look forward to the Minister explaining exactly why the Government allowed that to happen and what their long-term plan is to fill those hundreds of thousands of vacancies facing health and social care in the coming years. If that plan includes yesterday’s launch by NHS England of the campaign to encourage GPs to come out of retirement, then heaven help us.

The primary purpose of this debate is to focus on the enormous challenges that will face our biggest asset, the people, whether they work in or rely on the sector, but as important as recruitment, retention and the level of care we provide is the issue of medicines and access to treatment, particularly if we have a chaotic crashing out of the European Union. Who would have believed that in 2019 we would have a UK Government advising people to stockpile medicines? Those medicines might be life-saving, but we all took it for granted that they would be there if and when necessary. Now people are stockpiling, in 2019—it beggars belief.
The Minister for Health (Stephen Hammond): The hon. Gentleman ought to be absolutely clear: we are not advising people to stockpile medicines. That is alarmist, and he should not be saying it. That is not what the Government are doing.

Brendan O’Hara: I will rephrase that. The Government are advising the stockpiling of medicines—perhaps not by individuals, but the Minister and the Government have advised the stockpiling of medicines.

David Linden (Glasgow East) (SNP): Through my hon. Friend, I ask the Minister this: if the Government are not stockpiling, why on earth are they ordering all those extra fridges?

Brendan O’Hara: Perhaps the Minister will answer that when he gets to his feet to respond.

How in the name of the wee man did the United Kingdom ever end up in this appalling, self-inflicted mess, in which the sick, the elderly and the vulnerable do not know who will be there to look after them, while healthcare professionals are unable to provide the comfort to their patients that everything will be all right? Only last week, Professor Andrew Goddard, president of the Royal College of Physicians, said that “the public rightly expects candour from health professionals, and we have ultimately been unable to reassure our patients that their care won’t be negatively impacted by the UK exit from the EU.”

When the BMA wrote to the Prime Minister on 27 February, it left her in no doubt as to its thoughts, stating that “there is no clearer immediate threat to the nation’s health than the impact of Brexit.”

Patricia Gibson (North Ayrshire and Arran) (SNP): Does my hon. Friend agree that part of the reason why members of the public and our constituents are so concerned is that we have no guarantee against predatory procurement in the NHS or against an interrupted supply of medicines, so how can people be reassured?

Brendan O’Hara: I could not have put it better myself. I thank my hon. Friend for that intervention.

Much more could be said on this topic, but I am keen for other Members to have their say. I will conclude with a number of questions, in addition to my earlier one, for the Minister to address when he gets to his feet. What assurances will he offer to each of the 102 organisations that supported my private Member’s Bill that the health and social care sector will not be adversely impacted by the UK leaving the European Union? What plans are being put in place to guarantee that the sector will be able to recruit the workforce it needs post Brexit? Will he support moves to amend the £30,000 minimum income threshold proposed for the immigration Bill, which will be so devastating for those seeking to work in the sector? Will he confirm once and for all that there will be no detrimental impact on the supply of medicines or devices if the UK proceeds to leave the European Union in a catastrophic crashing out? Finally, will he support my call for an urgent, full and independent evaluation of the effects of leaving the European Union on the UK’s health and social care sector?

John Howell (Henley) (Con): It is a pleasure to serve under your chairmanship, Mr Bone, and to follow the hon. Member for Argyll and Bute (Brendan O’Hara). Above all, this debate allows a reasonable discussion of the issue, which I hope we can have, but I was struck by the similarity between it and last night’s debate in the main Chamber. Like the hon. Gentleman, I am aware of constituents who have expressed their great problems in getting drugs for two conditions, in particular: insulin for diabetes and the drugs required for cystic fibrosis. Cystic fibrosis is a particularly horrible disease that requires a continuous supply of drugs, so I can understand the concerns.

Throughout all the discussions on this matter, I have been conscious of the lack of objectivity from anyone, including the medical profession. The hon. Gentleman seems to think that those in the profession can stand aside and take an independent line, but I do not believe that is true or that what they say is necessarily helpful. Allow me to pick up where the Minister left off: the guidance published by the Government for pharmacists and members of the public is not to stockpile medicines. As part of the Brexit contingency measures, the Department of Health and Social Care has asked drug manufacturers to ensure they have a six-week buffer stock, on top of the three months already in place, but the public do not need to stockpile medicines.

Mr Gregory Campbell: During a recent episode of “Question Time”, the new presenter Fiona Bruce asked the audience how many of them were stockpiling. Almost nobody put their hand up, much to the embarrassment of the BBC.

John Howell: The hon. Gentleman has much more leisure time than me, as he can still watch the BBC. I cannot remember when I last watched it, but I am pleased to join him in condemning its attitude. He makes a strong point. During the Brexit campaign, the health sector was dominated by the promise on the side of the famous bus, but equally, the remain campaign has lied through its teeth in saying many things. I have no real confidence that, if we were to have a second referendum, we would at any stage be able to have a debate free of exaggeration.

A constituent contacted me to say that he had been to a local hospital and was astonished to see that as a result of Brexit—although it has not happened yet—the ward was closing and had lost a large number of staff. I decided I would not let that go, but would find out the facts. I spoke to the matron who ran the ward in question. She said to me, “That is absolute rubbish. We have a full ward; this is a normal cycle of people’s leave and it has nothing at all to do with Brexit.” If we make Brexit arguments we need to ensure we have a rational and objective discussion, which so far we have not been able to have.

Brendan O’Hara: To have a rational and objective discussion, we have to rely on experts and take evidence from the people in the field. The contributors are objective: Macmillan Cancer Support, the British Medical Association, Cancer Research UK and CLIC Sargent. They have come to us to say there is a major problem. I presume the hon. Gentleman would not say that they are partisan players.
John Howell: I am not sure that I agree with the hon. Gentleman. As politicians, we have the principal duty to explore the situation. There will be times when we need expert opinions, but I am complaining about the debate and discussion in this country where people on both sides use the issue as a football and produce exaggerated claims.

I have a great deal of sympathy regarding mental health, an issue on which I have done an enormous amount of campaigning. Outside the EU, there is another organisation with responsibility for mental health, the Council of Europe, on which I serve as a member of the Parliamentary Assembly. The Council of Europe has an expert committee on mental health, which is nothing to do with the EU. That means that if we leave the EU, there is a body of evidence and recommendations already in place to take forward mental health issues. That expert committee has produced a reference tool to determine the essential basket of potential rights that an individual should have, to consider whether the human rights of a patient suffering from mental disorders can be maintained with a great deal of dignity. That is an important element that we seem to ignore; we pretend it does not exist, yet many of us spend a huge amount of time at the Council of Europe trying to push forward those sorts of rights, not to take the place of the EU—it works the other way around—but to provide a safety net for people who are suffering from mental disorders.

I want to end on the issue of care. In Henley, the Government have spent about £12 million rebuilding a new hospital that is a model of how to integrate care and medical provision. The hospital was built without any beds; the beds are in the care home at the side of it. That has changed the way that doctors look at the provision of care. They do not immediately think that they should simply send patients to a bed when they can be treated better at home. I have taken various Ministers along to look at that hospital. I do not think it will be affected by Brexit in the slightest. The model set up there is one we can all take as a better way for the system to work in future. I extend an invitation to the Minister to come and see that hospital and how it operates. I hope he will enjoy the experience and see the lack of impact that Brexit will have on the provision of service.

9.59 am

Patricia Gibson (North Ayrshire and Arran) (SNP): I thank my hon. Friend the Member for Argyll and Bute (Brendan O’Hara), whose constituency is almost as picturesque and beautiful as mine, for securing this debate.

The debate is extremely important, since we have had no evaluation, independent or otherwise, of the effect of leaving the EU on the UK’s health and social care sector. I heard what the hon. Member for Henley (John Howell) said, but the Royal College of Nursing pointed out that the Brexit process is presenting new and exacerbating existing “challenges around workforce sustainability, recruitment and retention of the existing and future nursing community”.

That should be of concern to everyone in Parliament.

We know the health and social care sector already faces a recruitment and retention crisis, for a whole host of reasons, including poor pay, the lack of recognition of the important work and professional commitment of those in the sector, and the statutory and voluntary demands of a growing elderly population. We face similar challenges across the UK, but social care in England faces a critical situation, for a variety of reasons. I am therefore extremely concerned that so few Labour and Conservative Members are present.

The context of this debate is important. The sector relies heavily on workers from the EU, but we have no plan for filling the gaps that are increasingly being left. I have been told in previous debates that no EU workers will necessarily be forced to leave the UK post Brexit if they have been here for a certain number of years and fulfilled certain conditions, but the Minister must recognise that the environment that has been created around Brexit means we will lose many of those workers, in the health and social care sector and beyond. Why should any worker stay in the UK when they can take their skillset and professionalism anywhere they wish in the EU, where they will be welcomed and appreciated? Sadly, that is something they do not feel very often in the current UK environment.

It is deeply concerning, because it is expected that by 2035 we will need 650,000 social care workers in the UK simply to keep pace with rising demand. That is in a sector that, as we heard from my hon. Friend the Member for Argyll and Bute, already faces a range of challenges. The challenges in England are well documented, but in Scotland are not immune to them. The Care Inspectorate and the Scottish Social Services Council found that more than 38% of social care services report unfilled staff vacancies, even before Brexit has happened. Around 104,000 of the current health and social care workforce are EU nationals, and at any one time around 110,000 positions are unfilled. In addition, about 320,000 of those working in the sector are 55 or older, so they will retire in the next 10 years or so.

The situation is alarming, and the strains are affecting not just our social care sector but our entire national health service across the UK—our nurses, our doctors and our GPs. The situation could throw rural care in particular into real danger. For example, one in five of our rural GPs in Scotland is an EU national, and it seems likely that EU-qualified clinicians are already located disproportionately in hard-to-fill specialties and shortage occupations such as radiology.

Medical isotopes are used to diagnose and treat cancers. In 2016-17, the NHS used radioactive materials in nearly 600,000 procedures. Those medical radioisotopes have a short half-life and cannot be stockpiled, even if one was minded to do so. The Royal College of Radiologists is preparing for difficulties in accessing radioactive materials by planning a lighter workload for the week following the date of our exit from the EU. However, that will hit patients who need and deserve treatment for their cancer. I mentioned that very point in a debate in the main Chamber two years ago and I was jeered and accused of scaremongering, despite the fact that I was simply quoting the Royal College of Radiologists. The jeering has stopped, but the challenges posed by Brexit are in no way receding; they are growing.

I do not have the relaxed attitude to these challenges that the hon. Member for Henley seems to have. I throw into the mix the UK Government’s inability to guarantee uninterrupted supplies of medicine. I fear the future looks grim indeed. That inevitably will affect our ability to look after the vulnerable and ill people in our communities in every constituency—the people who need care and
the people who need support. Of course, that is in the wider context of NHS services across the UK being open to predatory procurement, which the UK Government refuse to guarantee will not happen.

No evaluation has been undertaken of the effect of leaving the EU on the UK’s health and social care sector. That is an absolute disgrace. The Government of the day have a duty to serve and protect those they seek to represent. Too little attention has been given to the calamitous situation that awaits us unless this Brexit madness, which has been characterised by confusion, incompetence, a complete breakdown of Cabinet responsibility and not a little arrogance, ends. Those who will bear the brunt and pay the price have not featured prominently enough in this unfolding tragedy. Today, their voices and concerns are being set out clearly. The Government should—they simply must—listen and do all they can to protect our health and social care sector, on which we all at some point will rely.

10.6 am

Jim Shannon (Strangford) (DUP): It is always a pleasure to speak about this issue. I congratulate the hon. Member for Argyll and Bute (Brendan O’Hara) on setting the scene, and I support his request for the Minister and the Government to look at this issue. When I look at my constituency and at Northern Ireland more widely, I understand the criticality of this issue. So many Brexit issues need attention and urgent answers, but over and above Brexit, the NHS requires immediate attention.

I am pleased to see the Minister in his place; he seems to have been a fairly regular presence in Westminster Hall this last while in debates about issues that are of responsibility. It is also nice to see the shadow Minister, the hon. Member for Burnley (Julie Cooper), in her place. I look forward to her contribution, too.

My heart sank when an NHS staff member said to me, “Jim, being in the A&E is like living and serving in a war zone.” That shocked me and underlined the fact that we need urgent changes and more support for our NHS, not simply with respect to Brexit but to ensure the survival of that incredible system, which is overloaded, overworked and underfunded.

I am gravely concerned about the mental health of our NHS staff on the frontline, because of the sheer volume of stress they face. The hon. Member for Henley (John Howell) referred to mental health issues, in which I have a deep interest, as do other Members present. We should consider the mental health not only of patients but of staff. There is a lot of stress in Westminster at the moment because of Brexit, but stress among staff on the frontline of the NHS is at an all-time high.

Nurses are working on their off days; they feel so guilty that colleagues are working on understaffed wards and they are so interested in the job—it is a vocation for them—that they stay on, sometimes without the remuneration they deserve. That may be admirable in the short term, but in the long term it means we have exhausted staff, who work too many hours without enough rest. Their home lives and their family lives suffer as a result. The long-term mental health implications for those who are so focused on helping others that they neglect themselves must be addressed.

To address that, we need better working conditions, less reliance on the bank, and simply more staff working on the floor in wards and taking appointments. We need more GPs, so people can see a doctor when they need to instead of going to A&E because the next doctor’s appointment is not for three weeks. We must ensure that all NHS staff are able to stay in place, or that scenario will worsen. I welcome the Government’s recent NHS long-term plan, which confirmed that the workforce implementation plan expected in April will set out arrangements to help overseas recruitment. The Government have acknowledged the issue and are seeking to act in a positive way. When he responds to the debate, perhaps the Minister will provide some idea of where that is going.

EU nationals make up a sizeable proportion of the health and social care workforce and represent 10% of doctors, 8% of social care staff and 6% of nurses in the UK. They are an integral part of the NHS workforce. It is therefore recommended that the Government take steps to understand any potential impact of ending freedom of movement on the health and social care workforce. There are many options for how best to shape that workforce after the UK leaves the EU, but given our historical reliance on the recruitment of EU workers, it is important that the impact of ending freedom of movement is understood, and we must start a conversation immediately about how best to future-proof the sector. This debate provides us with an opportunity to highlight those issues, and it allows the Minister to respond with, I hope, the answers we seek.

The hon. Member for Argyll and Bute referred to many organisations—there are a large number of such organisations, and it would probably have taken him five or 10 minutes to name them all if he had tried. Specifically, however, Macmillan Cancer Support highlighted that improvements in the diagnosis and treatment of cancer mean that more people are surviving it or living for longer. Some 2.5 million people across the UK live with cancer, and that number is expected to rise to 4 million by 2030. Such figures are great news because they show that there have been significant advances in cancer research, cancer drugs and care, and that our NHS and healthcare system can do lots of good things and help people.

Given the need to support our growing population, we need an immigration system that complements the NHS’s long-term ambitions to improve cancer care across the United Kingdom of Great Britain and Northern Ireland. Across the wider workforce, primary and acute medical and social care staff shortages are impacting on people’s access to cancer care in hospitals and the community. There is a significant variation in vacancy rates, which in many places can be as high as 15% for chemotherapy nurses. In some areas, those shortages in cancer nursing staff are exacerbated by the fact that there is an ageing workforce—the hon. Members for North Ayrshire and Arran (Patricia Gibson) and for Argyll and Bute referred to the fact that the workforce is ageing, and we must prepare for that as well.

In many cancer services, more than 40% of professionals are due to retire in the next 15 years. That issue poses a significant challenge for our current workforce so we should focus specifically on those services, and on those who will be retiring and those who will replace them. That is why this debate is so important. There is a clear need to recruit and train younger staff in specialist and chemotherapy nursing, and that would go some way to countering that shortfall. Will the Minister consider
that issue? Will he also consider writing off the student debts of those who serve in local GP clinics for five years? Similarly, the nursing bursary should be reviewed and uplifted, and perhaps we should also consider perks to encourage occupational health therapists to stay in their positions.

I think we have to consider something new when addressing these issues. This is not just about ensuring that immigration fills some of the gaps in our workforce, because we must also address the needs of local people and provide opportunities. Given the nature of our society and jobs, perks can be a methodology for doing that—it is not wrong to offer such measures, because if they bring in the right calibre of staff and help people to stay in their posts, that must be good news. In conclusion, all the issues that I have raised must be priority considerations for the NHS, especially in the light of us leaving the EU, and I seek clarification from the Minister about how they will be addressed.

10.14 am

David Linden (Glasgow East) (SNP): It is always a pleasure to see a fellow member of the Procedure Committee in the Chair, Mr Bone. I pay tribute to my hon. Friend the Member for Argyll and Bute (Brendan O’Hara) for securing this debate and for the immense amount of work that he has put into his excellent European Union Withdrawal (Evaluation of Effects on Health and Social Care Sectors) Bill, which I wholeheartedly support.

I had not intended to mention stockpiling today but, like my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson), I was taken aback by how relaxed the hon. Member for Henley (John Howell) was about the issue. My wife has type 1 diabetes and relies on insulin to stay alive, so we in the Linden household are not quite as relaxed about the possibility of insulin shortages. I will leave that point with the Minister.

Despite what some might say, there is no good Brexit, and no deal is as good as the one we have now as members of a 28-strong bloc—I am pretty sure the Minister agrees with that. My hon. Friend the Member for Argyll and Bute said, our withdrawal from the European Union will have profound effects on the health and social care sectors. This morning I will focus my remarks solely on the impact of limiting free movement of people, and the disastrous consequences that that will have on the health and social care sector.

As Members of Parliament and leaders in our communities, we have a responsibility to be up front and enthusiastic about the benefits of immigration. If we are not, major challenges will come down the track, not just for our economy and public services, but especially for social care. For example, we know that the number of people with dementia is expected to increase by about 40% over the next 12 years, which could mean more people with dementia is expected to increase by about 40% over the next 12 years, which could mean more people living in care homes. Who will provide that care?

It may be a harsh reality, but the vast majority of people with whom I went to school do not generally like the idea of working in care homes. Quite simply—I would have put this point to the hon. Member for Upper Bann (David Simpson), but he is no longer in his place—for many people of my generation, the idea of personal care, serving meals or feeding people is, sadly, not attractive. I wish to change that perception, but given the current economic climate, we must understand that young people are not moving towards caring as a career choice. The Government should work to tackle that, but it is a reality we must face. If we do not confront the reality of our ageing population, we will have serious difficulties with workforce planning and meeting the demographic challenges in the years to come.

I also wish to mention some concerns raised by charities that I am proud to work alongside, particularly Children’s Hospices Across Scotland, which does amazing work for children who have life-shortening or life-limiting conditions. Hon. Members will also be aware of the sterling campaign by CLIC Sargent on child cancer costs. We know that leaving the EU without a deal could lead to significant disruption to the economy in the short and medium term. CLIC Sargent has raised legitimate concerns that the impact of Brexit on the economy, and any associated increase in food, travel and energy costs, will lead to increased costs for young cancer patients and their families. When he responds to the debate, will the Minister outline what assessment has been made of the financial impact of leaving the European Union on young cancer patients, and what measures are being implemented to mitigate that?

I am concerned that Brexit will undermine our efforts to meet those profound social care challenges, which is why it is vital that the Bill sponsored by my hon. Friend the Member for Argyll and Bute receives Government support and is expedited through the House. He is right to say that the shambles of the private Members’ Bill process makes it likely that the Bill will die at the end of the week, but if the UK Government are serious about Brexit meaning Brexit, and about us making a success of it, they should support the Bill and ensure that we confront these challenges. If we ignore them, people will look back on us and say, “That was the Parliament that abdicated responsibility.” By taking part in this debate, I wish to place firmly on the record that I did my bit to make sure that we face up to those challenges.

10.19 am

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): It is an absolute pleasure and a privilege to serve under your chairmanship, Mr Bone. I thank my hon. Friend the Member for Argyll and Bute (Brendan O’Hara) for his thorough and passionate account of why a clear focus on the health and social care system is so important. That will be true beyond Brexit, but Brexit is our immediate concern, which is why we must give it serious attention.

The NHS does fantastic work. I had the privilege of working for four years in Argyll and Bute, covering the hospital there as a forensic psychologist. Rural hospitals in Argyll and Bute are excellent and innovative in their practice. Even 10 to 15 years ago, when I was working there, we were grappling with the internet and how to engage in therapy on timescales that would best suit patients. The use of technology in those rural areas was innovative, and I commend the NHS staff. I worked with, many of whom still work there, for their work to provide fantastic patient care.

Two weeks ago there was an extraordinary meeting when seven all-party parliamentary groups came together to look at health and social care. I am fortunate enough to have been the chair of the all-party parliamentary group on disability since the 2015 general election. The
chairs of the all-party groups were there and we brought in carers and service users to speak about their concerns. There is growing concern in Parliament about the NHS, and about the implications of a no-deal Brexit, particularly on medicines regulation and our ability to staff hospitals and provide excellent care, as we always have. It was an important and informative meeting and I suggest to the Government that a further meeting might come out of it, with the all-party group chairs, to hear the views of the service users and carers who attended, and to take forward some of their recommendations. They are on the frontline and know what happens day to day in our services. I am sure that they will be extremely informative and constructive if they have an opportunity to meet the Minister.

When I was a member of the Health and Social Care Committee, we conducted an inquiry into Brexit, medicines, medical devices and substances of human origin. A particular concern was raised about our ability to lead on research trials, and about patients’ ability to participate in trials, particularly on diseases that are perhaps less common but where there is a need to pull in subjects or participants from a huge area such as the EU. Currently, patients here can participate in such trials, and we can also lead on some of them. That has brought some of the best scientists and researchers to the United Kingdom. I would be interested to hear from the Minister how we will ensure that continues. Also, how will our constituents continue to have access to such important trials, rather than having to wait until some way down the line to get new and innovative medications?

During that inquiry, the Select Committee urged the Government particularly to look at regulatory alignment and the implications of no deal. We raised concerns about the lack of references to Brexit in the Department’s single departmental plan. It would be useful to have an update from the Minister on that work, which I am sure is ongoing. There was also some concern about protecting the UK’s position globally in relation to pharmaceuticals. On the matter of full membership of the International Council for Harmonisation of Technical Requirements for Pharmaceuticals for Human Use, reassurance was sought that that matter would be taken up at the earliest opportunity. It would be extremely helpful if the Minister gave an update on that.

The Select Committee recommended negotiating a close relationship with the EU, including associate membership of the European Medicines Agency, and supported the Government’s intention in that respect. Our report stated:

“Failure to achieve an ongoing collaboration would signal the triumph of political ideology over patient care.”

I say firmly to everyone involved, from all parties in Parliament, that patient care must be placed firmly on the agenda and talked about diabetes and cystic fibrosis. Many constituents go to their Member of Parliament seeking reassurance about the implications of Brexit for their medicinal needs. The hon. Gentleman also spoke about mental health, which we cannot speak about enough in Parliament, because for many years it was never broached. I am the Scottish National party’s spokesperson on mental health, so I thank him for raising it, because I consider it important for it to be mentioned in as many debates as possible. It has an impact in every part of our lives, and if we are to provide holistic care it must have parity with physical health in all we do.

My hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson) spoke about medicinal isotopes. There is a huge pharmaceutical industry presence in my constituency, and I have been in touch with those businesses in the past month. There continue to be grave concerns about alignment and regulation for the industry. I think it is the continuing uncertainty that puts such a burden on businesses.

My hon. Friend the Member for North Ayrshire and Arran also said that one in five GPs are EU nationals and talked about our heavy reliance on workers from the EU, who do a fantastic job in the NHS. A number of witnesses to the Health and Social Care Committee told us just the same. We of course do not wish to lose their valuable skills and expertise. They have built bonds with patients—or, if they work in the social care sector, with the people they care for—over a long period of time, and that cannot be overestimated. We must never undervalue their contribution. They need their place to be secure. Many of those workers do not earn over the £30,000 threshold, so we need a specialist case to ensure that the expertise stays in the country to support those vulnerable constituents of ours who need it.

Something that was repeatedly raised with the Select Committee—the hon. Member for Strangford (Jim Shannon) also mentioned this—is the fact that we have come to rely on high levels of staffing from the EU and elsewhere. It has been mooted that if we cannot attract staff from the EU, we could attract them from India or perhaps Africa. Those places in particular need their trained staff, and something must be done about training for young people in this country who want to go into health and social care settings.

Alison Thewliss (Glasgow Central) (SNP): My hon. Friend makes a good point, but she will be aware that many people who have qualifications are currently not allowed to work by the Home Office. Two of my constituents worked in a care home and it would have loved to have them back, but the Home Office says no. Does she share my frustration that the Government say one thing on the one hand, and then something else on the other?

Dr Cameron: My hon. Friend makes an excellent point. Things have to be joined up exactly so that we can provide the continuity of care that patients need so much. There are thousands of excellent, high-achieving students who particularly want to study medicine, as well as psychology, occupational therapy and other occupations that are badly needed to support our NHS and our community health services. We must invest in
these young people as we go forward. That point was made strongly by the hon. Member for Strangford, who is always an extremely good advocate for his constituency.

I look forward to the Minister’s response on social care, on medicines regulation and on the other issues we have spoken about. My hon. Friend the Member for Glasgow East (David Linden) also expressed concern about social care and those working in care homes. We must make that a more attractive occupation for people coming from school. I did it for a few years before going into clinical psychology; it is a rewarding occupation where carers build a real bond with those they care for. I ask the Minister to meet the APPGs, and I say to him very sincerely that we want to collaborate in a constructive way.

10.31 am

Julie Cooper (Burnley) (Lab): It is a pleasure to serve under your chairmanship, Mr Bone. I am grateful to the hon. Member for Argyll and Bute (Brendan O’Hara) for bringing this time-sensitive subject to the Chamber for debate. It is my pleasure to speak on what must be the most important subject of the day.

It is true that in June 2016, the majority of people in the UK voted to leave the EU. However, they did not vote for a worsening of health and social care provision, for reduced access to medicines or for fewer nurses, doctors and care workers. They did not vote to damage medical research or to leave vulnerable people without social care. It is therefore important that we turn to some of the specifics and seek reassurance on behalf of the British people.

The question of medicines has been much talked about, not least this week in this place. Coming from a pharmaceutical background, I am extremely worried about the Government’s complacency. This is not about scaremongering; it is about listening to the real concerns of patients, patient groups and medical professions. Contrary to the comments made by the hon. Member for Henley (John Howell), it is not only helpful but vital for those groups to raise their serious concerns. I agree with the Minister that not only is it not Government advice to stockpile medication, but it is dangerous for patients to do so. One can understand why they might be driven to do so, however; it is an indication of the Government’s failure to provide reassurance on that point.

Medication forms an important part of NHS care. Each year, 1 billion prescriptions are dispensed by community pharmacies. For patients with long-term conditions, such as diabetes, asthma, epilepsy and many more, daily medication is an essential part of staying well. Whether we are talking about medication to treat cancer or heart disease, medication for the management of high blood pressure or the occasional prescription for antibiotics, we take it for granted that the medication we need will be available when we need it.

The pharmaceutical industry is, by definition, an international business. Key ingredients are often manufactured in India and the far east, and transported to specialist manufacturing plants. Many of the plants that supply the UK are located elsewhere in Europe, and the finished products have to be imported into the UK and distributed to hospitals and pharmacies for use with patients. The entire process has to be carefully managed to ensure that everything happens in a timely way. That is particularly true for medicines with short...
exaggeration of the Brexit campaign—was irresponsibly promoted. However, the reality is that in the light of the Government’s own predictions of low economic growth, there will be less funding for the NHS after we leave the EU. The Government are also very clear that if we leave the EU next week with no deal, the economic cost to our nation will be even greater.

It is our duty to respect the result of the referendum, but as public servants it is our highest duty to ensure that our constituents’ standards of health and wellbeing are protected. The NHS is regularly cited by the British public as one of the greatest achievements of— I have to say—a Labour Government. Brexit was sold as a way to protect the NHS, and no matter how misguided that promise was, as servants of the people we must deliver on it. Protecting the NHS is also the will of people, as they have shown in many elections.

To protect the NHS and to respect the will of the people, can the Minister provide assurances on the specific points that have been raised today? Can he confirm that the Government will rule out no deal and minimise the potential for negative impact on the NHS and social care sectors? Can he demonstrate that he is not ignoring the legitimate concerns raised today and out there in the community, from Members of this place, from patients and their representatives and from healthcare professionals? Can he demonstrate that the Government are listening and have sensible provisions in place, and that they will take every step to avoid a no-deal Brexit next week?

10.44 am

The Minister for Health (Stephen Hammond): It is a pleasure to see you in the Chair this morning, Mr Bone. I will start by addressing the remark by the hon. Member for Burnley (Julie Cooper). She should know that the whole of the Department of Health and Social Care, and indeed the whole of the Government, are absolutely committed to ensuring that there are in place detailed plans, which I hope I will be able to outline and reassure hon. Members about, to ensure that in any post-Brexit scenario the health and social care of our country’s citizens is our top priority.

I thank the hon. Member for Argyll and Bute (Brendan O’Hara) for securing the debate and commend him for his private Member’s Bill. He will know that the Government do not support his Bill—although we support the spirit of it—in part because, as the contribution from the SNP Front Bench showed, it is unnecessary. He is arguing for an independent evaluation and careful analysis of Brexit, but I thought the contribution from the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), frequently citing the Health and Social Care Committee, proved that there is a huge amount of independent evaluation, accountability and scrutiny of the plans.

The hon. Member for Argyll and Bute raised a number of questions. I have with me a prepared speech, but I am not sure I will get on to it, because I want to address as fully as I can of the concerns that hon. Members have raised. He raised a number of concerns about the social care sector, and he is right to do so. Brexit or no Brexit, it is a fragile sector and one that needs proper care provision. That is why, in the light of Brexit, we are working with the sector and local authorities to ensure that we have contingency plans in place.
I will speak more, if I have time, about what we have done regarding EU nationals in the short term, but I want to stress, as the hon. Member for Burnley did, my thanks to all EU nationals who work in either the healthcare system or the social care system. They play a crucial role in delivering high-quality health and social care, and we all recognise that. It is a fact, of course, that the number of EU nationals in adult social care has increased each year, from about 5% in 2012-13 to 8% in 2017-18, but that is no reason to be complacent. That is why we have put in mitigations regarding the EU settlement scheme and are implementing long-term policies to deliver the workforce and address the supply-demand gap that exists.

The hon. Member for Argyll and Bute will of course have noticed the recent recruitment plan, Every Day is Different, which started only last month. As he challenged me directly on this, I can say that we are currently in discussions with the Home Office about the salary threshold for social care.

My hon. Friend the Member for Henley (John Howell) spoke eloquently, as he always does—I have heard him speak in several of these debates—about Henley and other matters. He challenged me to visit Henley, which I would be delighted to do—perhaps on a Friday in July, when other events are on as well.

The hon. Member for North Ayrshire and Arran (Patricia Gibson) asked a number of questions. I made this clear at the start of my speech, and I will make it clear again directly to her: we value all the professionals who work in the national health service and the social care sector. We are putting plans in place, both short term and long term, to ensure that our words are followed by actions and there is practical support, and to ensure that people know how much they are valued. I will follow by actions and there is practical support, and to ensure that our words are followed by actions and there is practical support, and to ensure that people know how much they are valued. I would be delighted to do—perhaps on a Friday in July, when other events are on as well.

The hon. Member for Strangford (Jim Shannon) asked important questions about insulin and the financial impact of leaving the EU on cancer patients. My officials spoke this morning to insulin suppliers, who have increased their buffer stocks so that they will hold 16 weeks of additional stocks over and above their normal supply. [Interruption.] Yes, it is stockpiling, but it is stockpiling that we have asked the whole pharmaceutical industry to undertake. As the hon. Member for Burnley rightly pointed out, there should be no stockpiling by individuals or pharmacists. I will explain the whole stockpiling issue and why we are rightly putting in place buffer stocks to ensure continuity of supply. The hon. Gentleman asked me whether buffer stocks of insulin are in place, and I can confirm that they are.

The hon. Gentleman also asked me what assessment has been made of the financial impact of EU exit on cancer patients, and what measures are in place to protect services. He will know that the long-term plan contains clear proposals for improving cancer diagnoses. That plan is fully costed. As I just said in response to the hon. Member for Strangford, the workforce implementation plan is putting in place the cancer workforce.

I also listened carefully to the hon. Member for East Kilbride, Strathaven and Lesmahagow, who asked whether my door was open to chairs of all-party parliamentary groups. The answer is yes, of course. If she wishes to contact me, I would be delighted to engage with her, and with chairs of other all-party parliamentary groups.

It is also worth putting on the record the relationship that we are likely to have with the European Medicines Agency post Brexit. The Government are clearly striving for a deal, and in the light of the withdrawal agreement being signed, the political declaration sets out that it is the UK’s intention to explore the possibility of EMA co-operation during negotiations on the future framework. In the event of no deal, we would clearly no longer be any part of the EMA, and the Medicines and Healthcare products Regulatory Agency is ready to carry out EMA functions as a sovereign regulator.

To ensure the continuity of supply, the UK will continue to accept batch testing of human medicines carried out in countries named on a list by the MHRA, including EU, European economic area and European Free Trade Agreement countries, and most third countries with which the EU already has in place a mutual recognition agreement.

Patricia Gibson: I thank the Minister for giving way; I know there is a lot that he wants to say. As he is talking about ensuring the supply of medicines, can he reassure the House that includes medical isotopes?

Stephen Hammond: I reassure the hon. Lady. That we have been working since last August to ensure that companies understand the routes available to maintain continuity of supply, including air freight routes. We will ensure the potential use of those alternative shipping or air freight routes because, as she rightly points out, there are short-life products. The worst-case scenario—no deal—has been looked at, and routes will be available to ensure that medical isotopes can continue to come into this country.
The hon. Lady referred in her speech to the operationalisation of those plans, which is relevant. Normally, if sea routes are used, it can be ensured that medical isotopes or short-life products are at hospitals by 9 am. She referred to the likelihood that, if air freight routes are used, those products would not arrive until midday, which the NHS advises us would mean that some clinics would be likely to be rescheduled to later in the day. People’s opportunities to undergo treatment will not be interrupted.

Julie Cooper: Will the Minister very quickly give way on that point?

Stephen Hammond: Very quickly.

Julie Cooper: I hear what the Minister says about making his best efforts to ensure that there is no interruption of supply. However, does he accept that, as of yesterday, health professionals who deal with this were not reassured? We could be in a no-deal situation in just over a week’s time. Will these arrangements hold good in a no-deal situation? Will he assure us that those vital isotopes will be in the places where they need to be?

Stephen Hammond: Had the hon. Lady joined me in walking through the Lobby to vote for the withdrawal agreement—so that Brexit would happen on 29 March and leaving without a deal would be impossible—she would know that all the arrangements currently in place would pertain. We are talking about arrangements for a no-deal situation, which I and the Government certainly hope will not happen. These arrangements are specifically designed to ensure that arrangements are in place for no deal.

In the short time I have left, I will stress the continuity of supply. It is essential that any responsible Government, even if they wish for a different outcome, should prepare for the outcome that they do not want, which in this case is no deal.

Brendan O’Hara: Will the Minister give way on that very quickly?

Stephen Hammond: Very quickly.

Brendan O’Hara: I want to give the Minister the opportunity to answer the question I asked about the long-term plan to fill those hundreds of thousands of vacancies now and in future, and to reassure supporters of my Bill that health and social care will not be adversely affected by the UK leaving the EU. I would be hugely grateful if he did so in the next three minutes.

Stephen Hammond: There are so many issues that I could tackle in the next three minutes. However, as the hon. Gentleman will have seen, the long-term plan has ambitions to ensure that there are new routes into nursing and that there are extra doctor training places. I said in response to the hon. Member for Strangford that we have commissioned Baroness Harding to start a workforce implementation plan. I assure the hon. Member for Argyll and Bute that driving down the number of vacancies is a priority for the Government. However, he will recognise that several of those vacancies are not necessarily unfilled posts, because they are usually filled by staff from the temporary staff bank. We need to be clear about what we are talking about. Recruitment into our national health service and our social care system is absolutely a key priority.

My Department has overall responsibility, on behalf of the devolved Administrations, for ensuring the continuity of supply of medicines and medical products. All supply arrangements take into account the whole of the United Kingdom. We have had significant support from, have given reassurance to and are constantly working with the pharmaceutical industry, the whole of the medical supply industry, clinicians and patients, and I am delighted to say that last week we held a roundtable with the devolved Administrations, so that their concerns could be listened to and directly addressed.

Several Members commented on stockpiling. We recognise that if we leave the EU without a deal, the medical supply chain will come under a lot of pressure. Around three quarters of the medicines and more than half the clinical consumables that we use come from the EU. Since last August we have been working with the industry to ensure that, before 29 March, there is at least an additional six weeks of stock over and above the usual buffer stocks in the UK.

We have also advised companies that if they are likely to face difficulties in their supply routes, there are ways of bringing in supplies outside the normal short straits route, either by using existing services or by making use of the additional capacity that the Government have procured. We are reliant on transport and freight being re-routed, but I am confident that, if everyone—including suppliers, freight companies, the health and care system and international partners, all of whom we have worked with since last August—does what they need to do and have committed to doing, the supply of medicines and other medical products will be uninterrupted.

I had intended to deliver a rather longer speech this morning, but I thought it was important to try to answer directly the questions put to me by hon. Members. There is no doubt that many areas of the health and care system will be directly affected by EU exit. We do not have time to address those today. However, it is important that the country knows that the Government are committed to ensuring that, whether we leave with or without a deal, we have in place the contingency plans needed to meet those challenges.

10.59 am

Brendan O’Hara: I thank everyone who has taken part in the debate. The shadow Minister said that this is the most important issue of the day, and she is right, so where are her colleagues? Every constituency in the country will be badly affected by this issue.

Mr Peter Bone (in the Chair): Order. I apologise to right hon. and hon. Members, but time has beaten us. I place on the record my particular thanks to the Minister for not reading a prepared speech and for dealing with the questions that Members asked.

Motion lapsed (Standing Order No. 10(6)).
Flooding in Cumbria

11 am

Tim Farron (Westmorland and Lonsdale) (LD): I beg to move.

That this House has considered flooding in Cumbria.

It is a huge pleasure to serve under your chairmanship, Mr Bone. I wish to speak about the situation with regard to flooding in Cumbria. In the days following Storm Desmond in December 2015, in response to our collective call for action, I was promised by David Cameron that funding would be provided to protect those towns and villages along the River Kent and its tributaries. I thank the Minister for her support in holding to that; it is genuinely appreciated.

This week, the Kendal flood defence scheme will come to the council’s planning committee. MPs are generally advised to stay neutral on planning issues, but I have chosen to intervene on this occasion because, having won the funds to deliver that flood protection, I am determined to do everything I can to give families and businesses the protection and peace of mind that they so desperately need. Having waited more than three years even to get to the planning stage and having been through many iterations during the consultation, those who still live with the trauma of Storm Desmond should not be made to wait any longer, so I place on the record my concern that the proposal should not be dragged out further by an unnecessary public inquiry.

Storm Desmond’s impact on communities in Cumbria was unprecedented and long-lasting: 7,465 properties were flooded, affecting an estimated 14,694 people, the largest number of whom were in South Lakeland. Some people were out of their homes for three years, and 3,000 children were unable to return to school until the new year of 2016. They missed a vital part of their education; for some, this was in the run-up to very important January exams. In addition, 1,029 businesses were flooded, causing huge economic damage to our communities. Jobs were lost and some businesses went to the wall. Flooding caused poverty as well as heartbreak.

The long-term toll on the tourism industry is also unquestionable. In terms of popularity, the Lake district as a destination is second only to London. UNESCO recognised that in 2017 by granting world heritage site status. The Cumbria visitor economy contributes £3 billion a year and employs more than 60,000 people. However, Storm Desmond saw a 76% decrease in tourism business profits and a drop-off in visitor numbers of about the same proportion; 57% of Cumbria’s tourism businesses also reported reduced numbers of international visitors. In addition, 1,029 businesses were flooded, causing huge economic damage to our communities. Jobs were lost and some businesses went to the wall. Flooding caused poverty as well as heartbreak.

The Minister is aware of our concerns, and I thank her for taking the time to listen to us on this matter, but recent alerts have led to more concerns about mental health problems among my constituents. Does the hon. Gentleman agree that we need a serious and thorough review of the current spending formula in order that all our constituents can be properly protected, as well as those in other rural areas that fall foul of the current system?

Tim Farron: I thoroughly agree with all that the hon. Lady has said. The funding formula for Cumbria works massively against us in terms of both resilience and response to crises. I will talk later about the impact on mental health. The hon. Lady makes an extremely good point in that respect. The lasting consequences of flooding are very often huge when it comes to people’s wellbeing and their fear of what might come next.

We welcome the funding that we have got, but it is insufficient. Many areas, such as those that the hon. Lady has referred to in her own constituency, have not received that support. In my own community, we look at the failure to come forward with funding and support for places outside Kendal in particular. Windermere Road in Grange has flooded for many years, and only now has the Environment Agency been given approval to do a 12-month appraisal. We were expecting spades in the ground by now, not more chin stroking. I would appreciate the Minister’s intervention to ensure that the residents of Grange are not kept waiting for the flood protection that they desperately need. People will be reassured by tangible, visible construction and action, not by meetings and promises. The funding has been allocated for the scheme and plans have been made; we now need to move forward with actual delivery.

Flooding in the village of Holme, along Stainton Beck, in Burton and on the Strands at Milnthorpe remains unaddressed. Those places are on a list of flooding hotspots where action remains to be taken. The same is true of many other places throughout Cumbria. The Burnsides and Middleton Hall bridges have been closed for more than three years, dividing and damaging communities. In the year and a half for which the Staveley bridge was closed, the community found itself cut off and isolated, without any financial support from the Government. Kendal’s bridges, including the Victoria bridge, were closed following Storm Desmond because of safety concerns. However, when Cumbria local enterprise partnership put in a bid for £25 million to make the county’s bridges and infrastructure more flood-resilient, it was rejected by the Government.

Meanwhile, the Government have failed to come forward with any plans for protections for the communities around Windermere: Bowness, Waterhead at Ambleside and Backbarrow in particular. Those communities have should invest significantly in preventing a repeat of the devastation. The current plans for flood defences in my constituency provide protection for residents and businesses in Kendal, Burneside and Staveley and are welcome, but many badly affected communities are being offered nothing by the Government.

Sue Hayman (Workington) (Lab): The Derwent river catchment, which is in my constituency, has no significant flood alleviation projects in the pipeline, despite being flooded multiple times during the past 10 years, and does not qualify, under the current funding formula rules, for significant funding. The Minister is aware of our concerns, and I thank her for taking the time to listen to us on this matter, but recent alerts have led to more concerns about mental health problems among my constituents. Does the hon. Gentleman agree that we need a serious and thorough review of the current spending formula in order that all our constituents can be properly protected, as well as those in other rural areas that fall foul of the current system?

Tim Farron: I thoroughly agree with all that the hon. Lady has said. The funding formula for Cumbria works massively against us in terms of both resilience and response to crises. I will talk later about the impact on mental health. The hon. Lady makes an extremely good point in that respect. The lasting consequences of flooding are very often huge when it comes to people’s wellbeing and their fear of what might come next.

We welcome the funding that we have got, but it is insufficient. Many areas, such as those that the hon. Lady has referred to in her own constituency, have not received that support. In my own community, we look at the failure to come forward with funding and support for places outside Kendal in particular. Windermere Road in Grange has flooded for many years, and only now has the Environment Agency been given approval to do a 12-month appraisal. We were expecting spades in the ground by now, not more chin stroking. I would appreciate the Minister’s intervention to ensure that the residents of Grange are not kept waiting for the flood protection that they desperately need. People will be reassured by tangible, visible construction and action, not by meetings and promises. The funding has been allocated for the scheme and plans have been made; we now need to move forward with actual delivery.

Flooding in the village of Holme, along Stainton Beck, in Burton and on the Strands at Milnthorpe remains unaddressed. Those places are on a list of flooding hotspots where action remains to be taken. The same is true of many other places throughout Cumbria. The Burnsides and Middleton Hall bridges have been closed for more than three years, dividing and damaging communities. In the year and a half for which the Staveley bridge was closed, the community found itself cut off and isolated, without any financial support from the Government. Kendal’s bridges, including the Victoria bridge, were closed following Storm Desmond because of safety concerns. However, when Cumbria local enterprise partnership put in a bid for £25 million to make the county’s bridges and infrastructure more flood-resilient, it was rejected by the Government.

Meanwhile, the Government have failed to come forward with any plans for protections for the communities around Windermere: Bowness, Waterhead at Ambleside and Backbarrow in particular. Those communities have
been completely ignored in the Government’s plans. They remain exposed and vulnerable, subject to whatever the weather throws at them next. Of all the businesses in Cumbria closed by Storm Desmond, more than one tenth were around Windermere lake.

John Woodcock  (Barrow and Furness) (Ind): I congratulate the hon. Gentleman on securing the debate and on the powerful case that he is making. It is extraordinary that when the Government can, at the stroke of a pen, assign £4 billion to a no-deal Brexit that it is in their unilateral power to stop, these relatively minor sums are not being spent even though they could alleviate the misery felt by thousands of our constituents. Does the hon. Gentleman agree with me and local businesses that the Government, in allocating money for alleviation schemes, should take more account of the impact on businesses?

Tim Farron: I agree with all that the hon. Gentleman has said. He makes an important point, which is very significant to his constituents, but also to mine around Windermere lake. Residences are affected, but so are dozens and dozens of businesses, all of which are the backbone of our local economy and have a massive impact on the wellbeing of local people. The Government must now take responsibility for the failure to invest in protecting those businesses. We cannot get away from the impact on families and businesses, which cannot plan for the future because they feel that they might get hit again. Even a modest downpour can trigger real panic in people of all ages, especially children. Flood prevention is about protecting not just properties, but the wellbeing and mental health of the people who live in them.

I was hugely affected by what I saw and experienced on the morning after Storm Desmond, as we helped stricken people to empty their homes. I saw the forlorn Christmas decorations and sodden Christmas trees left out on the front garden or yard. I stood with people who had been made destitute. Barely able to afford to feed their children or pay the rent in the first place, they had forgone insurance because, frankly, they could not afford it, and they were left facing utter ruin. We cannot guarantee people that there will not be floods again, but we can massively reduce the risk. We can help people to give themselves permission to have confidence in the future and reassure their children, so that they can sleep easier at night.

A survey carried out by the Cumbria community recovery group reported that in the areas hit by the floods, a sense of vulnerability and loss of control was created, which re-emerged following further heavy rainfall of any kind. People reported anxiety and symptoms of post-traumatic stress disorder, which worsened further for those facing the loss of their employment, as well as their home.

For those flooded communities that have not received help—such as Grange, Windermere and Backbarrow—I ask the Minister to change the Government’s position and agree to intervene. There are deliverable schemes that will protect all those communities around England’s largest lake, as well as the community in Grange-over-Sands. I ask that she agrees to fund those as a priority.

The failure to hold water companies to account is a further area of concern. Despite the Kendal flood defences being built to withstand a one-in-100-year event, the water companies—in our case United Utilities—are only required to meet the standards for a one-in-30-year storm event. That is ludicrous. Millions of pounds are being spent on flood defences for our community, but the area will be just as vulnerable from surface water flooding. Surface water is one of the biggest factors to cause homes to be flooded in Cumbria over the last 10 years. On Steeles Row in Burneside, poor drainage means that residents have to deal with raw sewage overflowing into their homes and on to the street every time there is even a moderate downpour. I challenge the Minister to hold water companies, such as United Utilities, to account—to a one-in-100-year standard—so that homes receive the protection that they need.

Let us be clear that we are talking about not simply flood protection, but the mitigation of a human-created disaster—the consequences of climate change, which is more properly described as a climate catastrophe. The Government have moved away from renewable energy. They have changed feed-in tariffs, so that it is harder for businesses to invest in solar energy, while giving licences for fracking. The Guardian recently outed the Government as providing some of the heaviest bursaries for gas and oil companies. The cancellation of the Swansea tidal lagoon proves that the Government have stopped even pretending to care about climate change. Britain has the second-largest tidal range in the world, and yet we fail to use that natural, renewable resource to cut carbon and create jobs.

I want us to mitigate the consequences of our failure to tackle climate change in time to protect my communities from flooding, but I am also determined that the Government take the big strategic decisions to fight climate change. That requires a revolution in renewables and a push for energy self-sufficiency, which would protect our environment, boost our economy and give us vital energy security. I see no sign of any appetite for that from this Government. I was with students in Kendal last week, protesting against inaction on climate change. That was a reminder that the coming generation will not let us get away with it, and they are absolutely right not to.

Sue Hayman: I was in Cockermouth on Saturday with students from Cockermouth School and other primary schools, and they take the issue very seriously. In my constituency we also have to deal with coastal erosion and coastal flooding, which are greatly impacted by climate change. Does the hon. Gentleman agree that we need to build coastal protection into the broader funding formula for flooding protection?

Tim Farron: Yes, I agree, and I will come on to the need to treat Cumbria as a special case when it comes to flood funding allocation. We have a very long coast with many tidal estuaries, which could be a source of energy but are also a source of flood risk. The hon. Lady makes a very good point.

Flooding is a problem in my patch, as well as for my constituency neighbours, the hon. Lady and the hon. Member for Barrow and Furness (John Woodcock), but it is a problem that only stands to get worse. The extreme weather events that we face are becoming more frequent. According to the Met Office website, Westmorland has the highest average annual rainfall of any place in England. The most beautiful place in the country turns out to be the wettest—who would have thought it? We have a lot of lakes to keep topped up.
I ask the Minister to re-evaluate the funding criteria, to ensure that Cumbria is treated as a special case with recurring support for flood resilience, because for us it is not a question of whether it will flood, but when and how severely. I want the Minister to intervene with emergency funding to protect the communities around Windermere, such as Grange and Backbarrow, which currently face the future with no protection. We need more than just one-off lumps of money to deal with crises; we need a fundamental change in the funding formula.

The current partnership funding mechanism focuses on the value of assets protected. That obviously favours wealthier communities and parts of the country where house prices are higher and homes more densely built. It dilutes any consideration of how likely an area is to flood. The system of classification is, frankly, not fit for purpose. Many communities flooded in 2005, 2009 and 2015; that is three floods in 10 years, each of them at least a one-in-100-year event, meaning that flood frequency estimations are now wildly inaccurate for Cumbria. Properties should now be placed in the higher risk category; based on the reality of the past 10 to 20 years. The current figures are based on statistics that are so far out of date that they have basically become fantasy.

In short, the steps that the Government need to take are clear and threefold. First, we need urgent investment now. We need to build capacity to take water out of Windermere at times of high rainfall in order to protect the communities on its banks. I have presented the Minister with a case for such a scheme made by one of my constituents, and I look forward to hearing her response. Secondly, we need the Government to hold the water companies to account, so that communities are given the long-term protection they need. Thirdly, it is clear that the Government need fundamentally to shift their thinking when it comes to the allocation of funding for flood defences, so that we in Cumbria—England’s wettest county—get the recurring funding we need to make ourselves resilient, and to keep our families and businesses safe.

I am massively proud of our people and communities in Cumbria. In the face of devastation, they pulled together to support one another at great personal cost. For example, the Kendal Cares initiative sprang up literally overnight after Storm Desmond, to meet the needs of those who had lost so much. Today, I want the Minister to commit to supporting our communities in an enduring way, so that we can prevent a repeat of the devastation that occurred in December 2015. Cumbria surely deserves that protection, and I hope that the Minister will provide it.

11.17 am

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 Bone. I congratulate the hon. Member for Westmorland and Lonsdale (Tim Farron) on securing the debate. We have spoken previously on this topic, one to one as well as in the wider group of Cumbrian MPs, two of whom are present—the hon. Member for Workington (Sue Hayman) and for Barrow and Furness (John Woodcock). I commend them for the representations that they have made on behalf of their constituents. They are rightly passionate about trying to secure more flood funding for important projects in their constituencies.

Flood and coastal risk management is a high priority for the Government, and I am acutely aware of the impact that flooding can have on lives and livelihoods, which was the case in my constituency following the 2013 surge. People face ongoing challenges and have ongoing concerns, whether those are to do with aspects of weather or surges and high tides combining. Compelling evidence suggests that climate change may lead to increases in heavy rainfall and increased risks from fluvial and surface water flooding by the middle of this century. Both present significant risks, so we are putting in place robust, long-term national strategies to protect our communities. I am sure that hon. Members will recognise the £2.6 billion Government investment made in flood defences over six years.

There has been no major flooding since I have been the Minister responsible for flood risk management—perhaps that is why I have been in post for nearly three years—but I take a keen interest in the latest developments in Cumbria, which is an area particularly prone to the devastating impacts of flooding. That is why I think I have visited Cumbria on more occasions than any other county during my time in office, to hear the community’s experiences at first hand.

I am very aware of the extreme flooding events that have been suffered and the damage that has been caused, and I recognise the impacts, including on mental health, experienced by people and communities. I pay tribute to the responders and volunteers from across the county, and indeed the country, who worked around the clock in challenging circumstances during Storm Desmond, and for their ongoing work in flood action groups.

I also praise the ongoing work of the risk management authorities and the local community groups that contribute their time and vast local knowledge to protect their local communities. They are also involved in discussions about different projects, and they recently produced a report on how to improve funding in Cumbria, as well as a practical guide to natural flood management measures. Together with the expertise of the Environment Agency and local councils, those actions are leading to strong local decisions.

The Government have committed to spend £68 million in Cumbria as part of our current programme, which began in 2015 and will complete in 2021. Hon. Members may be aware that £10 million was initially allocated under today’s funding formula, but I am conscious that my hon. Friend the Member for Penrith and The Border (Rory Stewart), when he was the Minister responsible, allocated an extra £58 million to tackle the issues resulting from Storm Desmond. The Environment Agency continues to maintain its flood risk management assets in the county and has spent £1.4 million on maintenance since 2015.

To better improve the flood resilience of properties, a grant of £5,000 per property was made available to homeowners and businesses that were flooded in December 2015 for additional resilience or resistance measures. I understand that 4,307 properties have received that money, which equates to more than £15 million of grant.

The important 2016 Cumbria flood action plan continues to be a living document. Of the 100 actions agreed in it, 74 are now complete, with 96% of short-term actions also complete. The remaining actions are being reviewed to determine whether they are still valid. Recently, the Rivers Authorities and Land Drainage Bill successfully completed its stages in this House and is now going to
the House of Lords for consideration. If the Lords do not amend it and it becomes an Act of Parliament, I hope that it will provide a welcome opportunity to meet three objectives in the plan that aim to develop water level management boards in the Eden, Derwent and Kent Leven catchments.

Several schemes to reduce the flood risk in Cumbria are progressing. As the hon. Member for Westmorland and Lonsdale pointed out, some will go out for planning consultation shortly. He referred to the preferred option for a £45 million scheme in Kendal, which is expected to reduce the risk of flooding to more than 2,500 local homes and businesses. As he points out, the determination date for planning permission is Thursday. In line with Government guidance, multi-criteria analysis has been used to assess the merits of each option against economic, technical, social and environmental criteria. That is why the Environment Agency has considered the feedback on the options to shape the scheme.

In Carlisle, following public engagement in January, a planning application was submitted for a scheme last month. The completed scheme will cost approximately £25 million and is expected to reduce the risk of flooding to more than 1,000 homes. The flood defence scheme in Egremont received £1.6 million of additional funding from a £40 million national fund to support economic growth and regeneration in 2018. The scheme will cost approximately £6.2 million and is predicted to reduce the risk of flooding to 221 homes and commercial properties. I hope that will get planning consent in May.

A further 44 properties will be protected by the installation of property-level protection. In Rickerby, the flood alleviation scheme has received planning approval and, subject to the approval of the final business case, work is expected to start in the next few months.

To respond to national emergencies, the Environment Agency has 25 miles of temporary barriers, which it deployed in Braithwaite, near Keswick, when there were concerns. We continue to work hard on natural flood management to gather evidence on how best it can, or whether it can, be a key part of how we reduce the impacts of flooding. Overall, 11 communities in Cumbria are involved in the pilot project, into which we have put £2.5 million out of a total investment of £15 million. Of that, £800,000 was allocated to the River Kent catchment across eight projects.

The hon. Gentleman also referred to some specific bridges. I went to the Middleton Hall bridge—on a political visit, rather than a ministerial visit—and I know that the county council are working hard to repair the Ford and Middleton bridges that were damaged in Storm Desmond. My understanding is that it expects to complete the works this year. I am conscious that, particularly in Middleton, cars can get over the temporary bridge but emergency services and small buses cannot, which is a real source of disruption to the everyday lives of people in the area.

John Woodcock: Will the Minister and her Department keep in mind that, notwithstanding the terrible damage that Storm Desmond did, they should not let that displace the suffering of other residents, such as my constituents, who are still feeling the effects of storm damage from previous years?

Dr Coffey: Of course, the storms of 2005 and 2009 have had a long impact, which I recognise.

On the funding policy, our current investment programme is due to protect more than 300,000 more homes, although I am conscious that not all of that will be in Cumbria by any means. I am sure that the hon. Members, while fighting for their constituents’ needs, also recognise that the Government have to consider projects across the country. In the current programme, it is not possible to deliver every scheme that would reduce flood risk, but I assure hon. Members present that I am fully alive to the issues raised about Cumbria.

The hon. Member for Westmorland and Lonsdale referred to wealthy communities and the funding formula, but the funding formula specifically gives a boost to parts of the country that are not as prosperous, so that is taken into account. Our main impact and focus has been on people, rather than businesses, but I am looking at the funding arrangements ahead of a review of funding needs beyond 2021. We are working closely with the Environment Agency and the Treasury to consider future investment needs and the Government’s role in supporting the resilience of communities. My Department launched a consultation in January, which began the discussion on enabling more local funding to be raised for flood management. While considering the requirements for future programmes, I am looking carefully at the impact on Cumbria.

I am aware of the £58 million, which I have explained to hon. Members, and I am keen to build on that work and continually improve overall flood resistance in Cumbria. I reject the comments of the hon. Member for Westmorland and Lonsdale that the Government have given up on surface water flooding. That is different from the one-in-100-year river flood event experienced in Kendal, so it was deemed poor value for money. I think I am right in saying that a prominent non-governmental organisation also challenged the scheme because of its impact on tidal habitats and birds. We have to take a balanced approach.

As the only Member with the word “coastal” in their constituency name, I am conscious of the issue of coastal erosion, which my constituency also suffers from, and I recognise that extreme weather events cause people worry. I do not want to reject what the hon. Member for Barrow and Furness said but, dare I say it, the Government have to be responsible in preparing for a no-deal Brexit. I repeat the mantra that if hon. Members do not want no deal, they have to vote for a deal. The £2.6 billion investment has been put to good effect, however, and I will push for more to be done in the next spending review, if we can.

I have corresponded with the hon. Member for Westmorland and Lonsdale about water companies before. We have a different perspective. Some of the challenges of surface level flooding will be due to the county council not managing to drain the gullies or whatever—it will be a variety of things. Sewers are expected to have only one-in-30-year event design standard, based on the rainfall return period, which is surface water flooding. That is different from the one-in-100-year river flood event experienced in Kendal, so it is not necessarily the case that we should compare them and make them identical.

Regarding the other aspects of the scheme that the hon. Gentleman specifically mentioned, he knows that we have considered it and that we are waiting for an Environment Agency report. He will also be aware that there is a big gap between the grant in aid for which it is
eligible and the cost of the scheme. That is why I continue to encourage businesses to take advantage of the tax relief that they can get if they make capital contributions. I know that it will be an ongoing challenge for many people around the country, but I hope that we have considered it today.

Motion lapsed (Standing Order No. 10(6)).

11.30 am
Sitting suspended.

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Gambling-Related Harm

Motion lapsed (Standing Order No. 10(6)).

11.30 am
Sitting suspended.

[Dr Thérèse Coffey]

When we think of harm caused by drugs, alcohol or tobacco, we have a very specific idea of what it looks like. When it comes to gambling, the harm may not be so obvious but it is there. The Responsible Gambling Strategy Board proposed that the following definition of gambling-related harm should be used in British policy and practice:

“Gambling-related harms are the adverse impacts from gambling on the health and wellbeing of individuals, families, communities and society. These harms are diverse, affecting resources, relationships and health, and may reflect an interplay between individual, family and community processes. The harmful effects from gambling may be short-lived but can persist, having longer-term and enduring consequences that can exacerbate existing inequalities.”

From that definition, it is clear that the harm is not restricted to individuals, and that it can have a detrimental effect on entire communities and those living in them.

Debt incurred by gambling creates instability and insecurity, and can lead to bankruptcy. In the extreme, it results in criminal activities. Relationships can be disrupted, which often leads to emotional and social isolation. This can lead to mistrust and it erodes cohesive relationships. The consequences can include psychological distress, such as feelings of shame, stigma and guilt. Anxiety levels increase, and depression and even suicide can be the final outcome.

The Office for National Statistics has published data showing that between 2001 and 2016 there were 21 suicides “where the death certificate mentioned ‘gambling’ or ‘gamble’.”

Furthermore, the ONS stated that “the data is not considered completely reliable, because a coroner will not always record detailed information regarding the deceased’s history.”

According to Gambling With Lives, 4% to 11% of suicides are related to gambling, which is the equivalent of 450 to 620 deaths per year in the UK. These figures are based on research carried out by Paul Wong that appeared in the Journal of Affective Disorders in 2010 and research from Louis Appleby at the University of Manchester in 2017.

John Howell (Henley) (Con): The hon. Gentleman is making a very strong case. I wonder whether the starting point in all this should be in schools, and in trying to provide children with the necessary education to prevent them from starting to gamble.

Ronnie Cowan: I agree with that point and I hope to cover it later on, when I will look at the educational support for kids and the possible grooming of children, normalising gambling as part of their lives.
On my last point, will the Minister consider ways whereby coroners can ensure that data around suicide can be captured, so that accurate figures can be maintained?

Jack Ritchie was 24 and from Sheffield. He was a history graduate who taught English in Kenya and Vietnam. He began gambling at 17 and would visit betting shops during his school lunch break. By 18, he admitted that he had a gambling problem and that he had lost thousands of pounds, including £5,000 given to him by his grandmother. After another gambling loss, he committed suicide in 2017, while he was in Vietnam. Jack’s mother, Liz Ritchie, compared gambling addiction to heroin dependency. The harm is real and it is growing, while the research and support is massively underfunded.

I commend the work undertaken by Henrietta Bowden-Jones at her clinic in Fulham. There are plans to open a similar clinic in Leeds, and hopefully more in Scotland and Wales. That must happen, but the funding model requires scrutiny. Currently, the industry pays a voluntary levy that raises £10 million to £14 million a year. That money is used to fund support for problematic gamblers, and campaigns to educate people and hopefully reduce harm.

That voluntary contribution of £14 million must be measured against the gambling companies’ profits. In November 2018, William Hill issued a profit warning, saying that it expected yearly profits to be in the range of £225 million to £245 million—in 2017, company profits were £291 million—whereas 888 Holdings reported pre-tax profits of £83 million on revenue of £541 million in March 2019. Paddy Power Betfair reported pre-tax profits of £219 million in 2018 on revenue of £1.87 billion, and bet365 posted an operating profit of £660 million on revenue of £2.86 billion.

The total gross gambling yield for Great Britain between April 2017 and March 2018 was £14.4 billion, which was a 4.5% increase from the previous year. The annual sum that gambling firms win from their customers has risen by 65% since the Gambling Act 2005. It is against those figures that we have to consider the voluntary levy of £10 million to £14 million. A statutory levy of 1% would guarantee £140 million a year and that sort of money, in the right hands, could do some serious good.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): I congratulate my hon. Friend on securing this debate. He is making many points that I agree with entirely. On the point about how we can better control some of the excesses of the gambling industry, does he agree that we need to consider how the advertising strategies of the gambling industry are conducted, and in particular how they use social media and advanced techniques to target people who are already known to gamble, encouraging them to gamble further?

Ronnie Cowan: The hon. Gentleman is absolutely correct. We could have an entire debate about advertising in the gambling industry. It is such a deep concept, because of the methodology that can now be used by gambling and media companies to get access to people and their information and then specifically target them in a way in which they know will manipulate that information. It is a whole big data, fake news almost, subject.

We know that loot boxes can be closed down, because they have been in Belgium—they have even managed to do it in the Isle of Man—so will the Minister take action to ban loot boxes from the United Kingdom?

Where to start when it comes to advertising? Live televised sports events are swamped with betting adverts and inducements to bet. The impression is given that a sporting event is not sufficient entertainment in its own right unless we take a punt on the outcome. Gambling has become normalised through such extensive advertising and in popular discourse. Football punditry now increasingly refers to bookies’ odds, and many more sports teams are sponsored by operators. As the latter qualifies as sponsorship rather than advertising, the same regulations do not apply. With punters being
encouraged at every turn, the ease with which gamblers can sign up to an online operator is of great concern. Punters can gamble 24 hours a day, seven days a week, all year. There is now no cooling-off period.

The style of games is carefully crafted to draw users in, with frequent offers of free spins and other techniques that are used to start habitual gambling behaviour. Money is readily available through credit cards, PayPal accounts and phone accounts—they are all accepted as means of payment.

Finally, to be perfectly blunt, the gambling companies have stacked the odds against the punters and the damage that is being done needs to be redressed. However, it can be done only if the money is raised and put in the right hands to support gambling addiction, advertising is curtailed and the behaviour of bookmakers, particularly regarding online betting, is monitored and adjusted accordingly.

Several hon. Members rose—

Steve McCabe (in the Chair): Order. Before I call anyone, I want to say that we have, I think, seven people down to speak. We can get everyone in without a time limit if people confine themselves to six minutes or less.

2.42 pm

Sir Hugo Swire (East Devon) (Con): I pay tribute to the hon. Member for Inverclyde (Ronnie Cowan) for securing the debate. I would like to feel that I played some part in making his speech happen because, had I not lost Greenock and Inverclyde, which I fought valiantly in the 1997 general election, he might not be here with us—that election in itself was something of a gamble.

I was just reviewing some of the things I spoke about when I was shadow Secretary of State for Culture, Media and Sport between 2005 and 2007, opposite the late Dame Tessa Jowell, whose memorial service I was pleased to attend. Tessa, I think, was slightly conflicted during that time. The Labour party of the day was absolutely obsessed with the idea, which it had imported from America, of inner-city super-casinos as the panacea to all the problems of inner-city regeneration. We debated that back and forth across the House and many people on both sides thought it a terrible idea. In the end, it did not really happen. At the same time, however, the issue of online gambling was beginning to emerge. Although Tessa admitted in 2006 that she had presided over an explosion of online gambling, she was concerned about the regulatory side, particularly about trying to regulate offshore gambling, which remains a problem. The Government of the day, and Governments since, have always been one step behind.

It is the Opposition’s job to be critical of the Government, and I remember being critical of the international summit on remote gambling that Tessa put on in October 2006, rather appositely at Royal Ascot—the home of racing. The conference prioritised crime, competition and safeguards for children and vulnerable people, but had little to say about how to prevent, given the growing online arena, gambling-related harm or its associated social costs.

Reviewing what I said, the questions I laid down and the debates we had in that period, it is salutary to think that we have not moved on that much. The latest Gambling Commission figures show that 48% of adults participate in some form of gambling, and for online gambling the figure is 18%. I should think, but I do not know and the Minister will be able to correct me, that that figure is more likely to increase than decrease.

Problem gambling is defined as behaviour related to gambling that causes harm to the gambler and those around them. The figures look small at face value: problem gambling is confined to 0.5% of adults, with 1.1% at moderate risk and 3.3% at low risk, according to one of the most robust estimates, the problem gambling severity index. Problem gambling is thus defined in that rather tight category, but it is more difficult to estimate gambling-related harms to society, because the term itself does not have a strict definition. The Responsible Gambling Strategy Board, the body that provides independent advice to the Gambling Commission, lists among the social costs of gambling-related harm loss of employment, health-related problems, homelessness and suicide.

Dr Poulter: My right hon. Friend makes a very good point. Although according to the headline figure only a small percentage of the general population appears to be affected by problem gambling, the reality is that the harms that manifest in that group are widespread and cause both considerable economic damage to those people and their families and damage to wider society. As my right hon. Friend rightly said, to look at just those headline figures would be misleading.

Sir Hugo Swire: I hope that we will shortly hear from my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith), who has done much work in this area, not least on fixed odds betting terminals, which are described as the “crack cocaine of gambling”. He will be better able than me to inform the debate.

I do not want to take up too much more time, other than to say that we have been debating the matter for many, many years and I do not believe that we have it right. It remains a huge problem that is difficult, but not impossible, to regulate. We want to hear from the Government how much more robust they can be.

I have just five quick points to put to the Minister. Will the Government treat gambling as a public health issue, as we do mental health? Will the Minister consider introducing tougher verification checks, which could ensure that young gamblers were not drawn online? Has she considered limiting gambling adverts during sports match breaks to one per break per company? We heard from the hon. Member for Inverclyde how online gambling organisations and organised sport are almost one and the same now. Will the Minister agree to conduct a full review of the social costs of gambling? For example, the Government have never estimated the cost to the NHS of gambling-related harm. Will the Minister ensure that gambling-related harm is included when health education is made compulsory in all state-funded schools, as part of teaching about mental wellbeing? My hon. Friend the Member for Henley (John Howell) has already mentioned schools.

Almost daily, we hear and read about problems to do with mental health, and I am glad that we now talk about mental health in a way that we perhaps never have—it is one of society’s hidden problems. However, I suggest that mental health issues in some cases—not all—can be, and are identified as being, exacerbated by
dependency on drugs, alcohol and, yes, gambling. Gambling can be a hidden form of dependency, because if you are online you can do it on your computer in your own room. It is not the gambling that people think about of 50 or 60 years ago, which was a social occasion, be it at the bingo or in a casino; it is a hidden form of playing with money and, often, with people’s lives.

2.49 pm

Carolyn Harris (Swansea East) (Lab): It is a pleasure to serve under your chairmanship, Mr McCabe, and I, too, congratulate the hon. Member for Inverclyde (Ronnie Cowan) on securing this important debate. Many hon. Friends present have campaigned vigorously for the stake on fixed odds betting terminals to be cut to £2. The blight of FOBTs was eventually acknowledged by the Government, and that stake will be reduced in April this year.

However, the harm caused by gambling goes far wider than FOBTs, as has become apparent to me and others over the months and years that we have been campaigning. For that reason, we have established a new all-party parliamentary group on gambling-related harm, which will be looking broadly at the many harms caused by gambling. It is important to say that we are not against gambling; we acknowledge that, for many people, gambling is a benign, fun activity. However, there are also many instances in which gambling becomes harmful, and it is important to ensure that the right protections and regulations are in place to protect the vulnerable and prevent harm.

Jessica Morden (Newport East) (Lab): I congratulate my hon. Friend on the work she has done on this issue. A constituent approached me recently whose mother had dementia and had gambled away about £50,000, even though the family kept going back into the betting shops to point out that she had this condition. Given what my hon. Friend is saying, does she agree that we should do more to protect vulnerable people, such as those with dementia, and that the industry should look closer at the legislation?

Carolyn Harris: I certainly do. It appears that we are able to protect the vulnerable only when we let the press know of such stories, because the industry refuses to take responsibility for its actions.

The first priority of our APPG will be to look at the harms caused by the growth of online gambling. According to recent reports on British gambling behaviour, the prevalence of problem gambling among those who gamble online—at the casino, the slots and the bingo-style games—is very similar to its prevalence among those who play FOBTs. Currently, there are close to 3 million problem and at-risk gamblers in the UK, and 10% of them play online casino, slots and bingo.

The size, scale and structure of the industry are driving the harms that are being caused. The APPG has heard that the remote gambling sector is being run in a way that is totally unsustainable; in some cases, online companies are actively seeking to drive harmful gambling behaviour and large-scale bets to ensure their own profitability. A recent PricewaterhouseCoopers report for the Gambling Commission found that 59% of the profits of remote gambling companies come from people with gambling addictions or problematic gambling behaviour. Those companies’ models are based not on building long-term relationships with loyal customers, but on extracting as much money as possible from people, particularly those who exhibit more risky behaviour and place large bets until they effectively run out of money. The companies then move on to find other customers, and they seek to incentivise their staff to do so. Their constant drive for profit and new customers means that they have no incentive to seek a reduction in problematic behaviour. Problem gambling and high-stakes play are entirely in their interests.

Those companies’ frantic search for new customers and greater levels of spending has, in turn, led to a huge increase in gambling advertising. We have heard about cases of vulnerable gamblers being offered VIP status to encourage them to gamble and rack up huge losses. Equally, we have heard rumours about some operators not paying out to those who have rightly won money; they are happy to encourage those who regularly lose to gamble more, while restricting bets from more successful players. The message is clear: people should not go into online gambling with the expectation that they will win. The only customers that those companies want are those who lose.

There are now more diverse gambling products and experiences on offer than ever before, including live sports betting, in-play gaming and, more recently, mobile gaming. Those are relatively new products that differ from traditional bookmaking, and concerns have understandably been raised about player safety and protection, particularly for the vulnerable. Furthermore, the ease of deposit, the electronic nature of money spent, the slowness of withdrawals, the ability to reverse withdrawals, and the targeting of gamblers who win with offers to encourage further play all have the potential to create a harmful gambling environment.

Hannah Bardell (Livingston) (SNP): The hon. Lady is making an excellent speech, and I commend her for the incredible work that she has done on problem gambling to date. Does she agree that the technology underlying a lot of these online games and gambling products is completely opaque? We have no idea how it is targeting people or how it works, and until we get to the bottom of that issue, much of this problem is going to be difficult to tackle.

Carolyn Harris: It has long been acknowledged that technology has left legislation way behind—in the dark ages, in some cases. Whereas there are clear limits on the maximum stakes, prizes and spin speed of gambling machines in betting shops and casinos, and big cash deposits are subject to fraud and money laundering checks, online gambling lacks similar limits. The APPG has met many times with Liz and Charles Ritchie, the incredibly courageous parents of Jack, who tragically took his own life in 2017 following an addiction that began on FOBTs. Jo Holloway’s son, Daniel, also took his own life in 2017 following an addiction that began on FOBTs. Jo Holloway’s son, Daniel, also took his own life following an addiction that began on FOBTs. Those are terrible tragedies, but they are just the tip of the iceberg. Every day, approximately 70 to 80 people contact me—as I am sure they contact colleagues present—to tell me how desperate a situation they and their families are in.

What should we do to improve things? The APPG is undertaking its inquiry and will make a series of recommendations—I am sure Members would be disappointed if it did not. We will be looking at the need
for new legislation, as the current legislation is unable to address adequately the loopholes created by this relatively new part of the gaming industry, and we will be taking detailed evidence from key stakeholders. Our initial view, however, is that there should be far more stringent affordability checks by gambling companies. Banks also have a role to play in carrying out those checks; a number of challenger banks and traditional banks have already put such measures in place, but it is important that all banks and financial institutions follow suit and implement that feature.

Online gambling companies should commit to funding blocking software, and offer it for free to customers who self-exclude from their sites. The sector needs to adopt a more responsible approach to advertising during sports programmes, especially to protect children and the vulnerable. I welcome the whistle-to-whistle television ban, but in order for the advertising ban to be truly effective, those companies need to go further and include shirt and league sponsorship, as well as digital advertising around pitches. Otherwise, children and vulnerable adults will continue to be bombarded with gambling adverts throughout those events.

It is also worth bearing in mind that it is the broadcasters who have been most resistant to the clampdown on advertising. The TV companies have to take an important role and admit that this issue needs to be tackled. Serious consideration must be given to a statutory levy to fund harm prevention projects, support for those who have been harmed by gambling, and research into gambling and suicide. We must also stop the use of credit cards to gamble online; it is inconceivable that somebody should be able to rack up debt in order to gamble.

Above all, the industry needs to take responsibility for itself. We noted gambling is a growing industry, and it must learn the lessons of fixed odds betting terminals. It cannot be that time after time the Government must step in to prevent large and financially powerful industries from disregarding the harm they are doing to the vulnerable in society. The scourge of online gambling is becoming a matter of national urgency. We cannot sit back and let those problems continue, and I will not do so.

2.58 pm

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): It is a privilege to serve under your chairmanship, Mr McCabe, and I congratulate my friend the hon. Member for Inverclyde (Ronnie Cowan) on securing the debate—he is a fellow member of the all-party parliamentary group on gambling-related harm, and thus my honourable friend in this context. It is in order for me to follow the hon. Member for Swansea East (Carolyn Harris), which is pretty much what I do all the time when it comes to this subject—I would not change that for the world.

This is a vital debate. All those years ago, the then Labour Government—this is not a party political point; I am simply making the point that they were in government at the time—were seduced by the idea that, by releasing gambling from the pretty much all restrictions on it, we could somehow recreate and help communities. I remember that one of the great arguments was, “This will be a fantastic load of investment into communities, because gambling will create jobs and produce a happier place.” I opposed it at the time. I set up the Centre for Social Justice, which looked into the matter. I said that an innate level of harm came from gambling and that deregulating it would be like saying, “We must increase drinking”, or, “It would be far better if we had more shops selling more drugs.”

The same idea applies with gambling, which ultimately is a harmful activity. I accept that is not the case for everyone, but it is harmful for some people, and “some people” is quite a large number. The latest figures I saw—I think they are understated, to be frank—show that 3 million people are what are called “problem gamblers”. I hate that phrase, because in every other area where there are such problems, we call them addicts. These are addicts. They are addicted to a course of action that in their right minds they would not pursue in the way they do.

Of course, the industry is smart. It has invested a lot of the extra money it has got—all those billions—into figuring out how people go about gambling. As the hon. Member for Swansea East said, we had this whole debate about fixed odds betting terminals, which were a problem. I am astonished that, given all the evidence, it took us so long to finally get movement, first from the Gambling Commission and finally from the Government. The onslaught from the gambling industry was a sight to behold. There was an onslaught of misrepresented figures and everything else. I will not go into the details, because I am sure that stands in history and testimony.

The issue is that a lot of money is at stake. That is what we are dealing with, but I prefer to look at the other side, which is that a lot of human beings are at stake, and they can little afford what is happening to them. Our single most important purpose as elected Members of Parliament, ultimately, is to fight for those who cannot fight for themselves. In this case, it is those who have found themselves trapped in a devastating downwards spiral of addiction.

Conor McGinn (St Helens North) (Lab): The right hon. Gentleman is making a characteristically powerful and passionate speech. He made an important point. This debate is about addiction. Millions of people across the country enjoy a flutter on the horses, for example. It is a pursuit that contributes to our economy and human enjoyment. The debate is about those who suffer from gambling addiction. The problem is not gambling per se, but addiction, and he is very correct to make that point.

Mr Duncan Smith: I am grateful for that intervention. I fully understand that gambling is enjoyed by numbers of people who enjoy it every now and again and do not get caught up in that spiral. They might go to the races or bet on the odd football match or something like that. I am a genuine believer in free choice—people make those decisions themselves—but we have to look at whether the way the industry goes about its purposes perverts that process so that individuals end up caught in that spiral. That was a helpful intervention, because I want to talk about the industry and what it is up to.

We had some fascinating work done to look at some of the behaviour, and I was astonished by what is going on. First and foremost, anyone watching the plethora of adverts that flood every sporting event on television will
see that they are all aimed at one particular type of person: young men. The adverts say, "You have to be smart, savvy, intelligent and clever. You are that kind of person because you beat the odds every time. You know what is going on. We give you special opportunities to do it, but you are so smart, you have to do it." If someone is not gambling, the corollary is that they are not very smart and therefore incapable of doing it. The whole pattern of advertising is to drive people to gambling.

We then discovered that the way this works behind the scenes is quite scandalous. For example, bet365 has recently revealed that players who rack up huge losses are rewarded with weekly cash returns of up to 10% so that they can carry on playing. In training sessions for new staff, a bet365 worker gave an example to a reporter. They said:

“If they’ve lost, say, £15,000 in that week, then we’ll give them a weekly rebate, normally on a Tuesday, and we’ll give them maybe 10% of that back.”

That is quite sinister. We can see exactly what they are after: those who habitually gamble and lose. They are not really interested in those who win. In fact, they do not like it very much—I can understand the reason—if people actually win, so they do everything they can to discourage people who ever manage to win.

There are all sorts of delayed payments and other mechanisms. Sometimes people will not even be allowed to gamble again with a particular organisation. We are taking evidence on that in the all-party parliamentary group. It is clear that the gambling companies quickly pull away those who habitually gamble. They gamble almost by impulse, and thus they become incredibly profitable for the companies. They are induced to gamble even more, because they have this habit. The idea of targeting someone who has the habit is key.

The work done by the Centre for Social Justice, which I set up, shows that such targeting not only destroys the lives of those locked into the downward spiral of misery, but drags whole families into despair. We have already heard examples of people who have committed suicide and people who have lost all their family connections. Some have lost loads of money belonging to their families and are unable to carry on a normal life.

The hon. Member for Swansea East made much of the PwC report for the Gambling Commission, which found that 59% of the profits for a remote gaming company come from those with a gambling addiction or problematic behaviour. The model is based not on any long-term relationship with loyal customers, as would be common for most business models, but on sifting out those who gamble from those who fundamentally lose. When we watch the advertising process, we can begin to realise that the companies are going to that very selective targeting. My general view is that they are completely out of control. What has been going on for some time is a front. They are trying to pretend somehow that they are reasonable and are behaving well, but they are behaving appallingly. They have set out fundamentally in the pursuit of money, and they do not care if they destroy lives.

Richard Graham (Gloucester) (Con): My right hon. Friend is making a characteristically powerful speech on a subject dear to his heart. Here we are: another week, another debate on online gambling, which only goes to show how important the issue is to us all. Does he agree that a powerful start to righting some of the problems that the gambling companies have created would be a mandatory 1% levy on gross profits to fund decent research and help set up more gambling clinics?

Mr Duncan Smith: I agree with my right hon. Friend—[Interruption.] No? He is right hon. in my book. I agree with him, because what has happened so far is too much about the voluntary. I am not one for constantly regulating—far from it—but we see the level of harm and the lack of knowledge about how deep the harms go, and it is time for the Government to do something.

I want to pick up on loot boxes, which the hon. Member for Inverclyde talked about in his very good speech. Almost the most sinister thing going on at the moment is the inducement of young people—kids, really—to get into the habit early. They are locked into their rooms—often their bedrooms—often until quite late at night. Sometimes parents do not realise what is going on, but they get into this process where they are often gambling money, but not money as we might term it; it is an alternative form. Sometimes they are gambling for clothing, which eventually becomes a monetary derivative.

Interestingly, I saw a report by Macey and Hamari for the University of Tampere on participation in skins and loot boxes. Worryingly, the report concludes that almost 75% of those participating in gambling related to e-sports were aged 25 or under. What is going on is clear: it is highly addictive and very fast. People build up a box of prizes. They get used to a process of inducement when they go on to bigger gambling. They hear about a 10% gift or going to a fancy party somewhere and it becomes a part of their lives, because they understand it from the gambling process that they were engaged in in the gaming.

My apologies, Mr McCabe, if I have gone slightly over my time. I will conclude by saying to the Minister, for whom I have huge respect—no one is more pleased than I am that she is on the Front Bench—that the Government need to right a wrong. The wrong was that we opened the whole of the regulatory process to gambling. It does not matter which Government did it; it was done. Now we need to bring the beast back under control. I simply say to her that there are recommendations—I will not read them all out—from the all-party group, and I hope that she will give them full consideration. It is time now to demand more of an organisation of companies that derive profits and in too many cases cause harm. There are good people who gamble occasionally, but others are locked into a spiral of harm. We look to the Government to change their circumstances.

Steve McCabe (in the Chair): To be sure of getting the final four speakers in, I will have to impose a five-minute limit.

3.11 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I am delighted to participate in this debate on gambling-related harm, Mr McCabe. I congratulate my hon. Friend the Member for Inverclyde (Ronnie Cowan) on all the work he has done on this issue and on securing this debate. We can all agree that self-regulation of the gambling industry has not worked, and it will not work. We even see today in this Chamber that self-regulation does not work, which is why the six-minute time limit was completely ignored by other Members at the expense of their colleagues.
I wanted to participate in this debate because in North Ayrshire, the majority of which I represent, the latest figures show that in the eight years from 2008 to 2016, £32 million was gambled. In a post-industrial area facing huge economic and social challenges, that level of gambling is a major cause for concern. Before I go any further, I wish to acknowledge, as others have done, that many people gamble in a responsible way and come to no harm—good luck to them—but that is not the focus of today’s debate. Today we must focus on the adverse impacts of gambling on the health and wellbeing of individuals, families, communities and wider society. Gambling affects relationships, mental and physical health and finances, and it exacerbates existing inequalities. There is a clear link to poverty and disadvantage. Gambling addiction destroys lives. There are believed to be 430,000 gambling addicts in the UK, with a further 2 million at risk, and gambling is linked to between 4% and 11% of suicides.

Gambling is a public health matter and words alone are not enough. We need to appreciate that individuals are embedded in communities, so effective action for reducing gambling harm will include not only protecting individuals and preventing them from harm, but mitigating risks to communities and families. We need to look more critically at the opportunities to gamble—the number of betting shops—in our communities. We must look at the level of social deprivation, which is also a risk factor. We must look at the use of advertising, and at the support available for those who are living with the addiction and those who are vulnerable to developing it.

With their limited powers, the Scottish Government have already committed to using planning legislation to address the proliferation of betting shops in specified areas. However, our task as a society must be to prevent and reduce the harm that gambling causes. I very much welcome the Government’s action to reduce the stake on fixed odds betting terminals. I know there was great pressure from some Tory MPs and the betting industry itself, which has very deep pockets, to try to prevent that from happening.

The concern is that online gambling means that those who are vulnerable to addiction or already living with a gambling addiction find it increasingly difficult to escape what some might call the lure of gambling, so there must be greater regulation to ensure that there are proper and robust affordability checks in place and proper spending limits enforced. The motivation to take the bull by the horns is that doing so will offer benefits to us all. It will mean reduced health, welfare and employment costs, reduced homelessness, and potentially reduced criminal justice costs. The benefits to the families and communities of those with such an addiction are beyond price.

We are still not very far down the road in dealing with the issue. First, we need a proper, wider review of the impact of gambling on children themselves and we must identify what policy changes are needed. We need to do better. If the Government are not prepared to act and go further, and if they are going to allow themselves to be kept prisoner by gambling interests and lobbying, I urge the Minister to ensure instead that gambling policy is fully devolved to the Scottish Government and that they are given full powers to tackle the problem effectively. The UK Government have had generations to tackle the problem, and they have not done it yet.

3.15 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to follow the hon. Member for North Ayrshire and Arran (Patricia Gibson), a fiery lady who has put her viewpoint forcefully and correctly. I am pleased to support the hon. Member for Inverclyde (Ronnie Cowan) in raising the public policy challenge presented by gambling harms. Last Wednesday, the hon. Member for Gloucester (Richard Graham), who is in his place, had a short debate on the topic of online gambling protections. It is right that this House should continue to make gambling the subject of regular debates as we seek to improve the policy and practice around problem gambling.

In September 2017, The Lancet published a key editorial with the title, “Problem gambling is a public health concern”, and it is. The editorial stated that online gambling had

“a potentially greater danger to health than other forms of gambling, particularly for those younger than 16 years of age.”

It is a matter about which I have long been concerned, since I came into this House. In 2013, I sponsored an amendment to the Gambling (Licensing and Advertising) Bill to introduce a multi-operator self-exclusion scheme for online gambling. Indeed, with the help of the Labour party—particularly with the help of the hon. Member for Hyndburn (Graham P. Jones), who is in his place—the House divided. We did not win that vote, but we were successful in the other place as the legislation was then changed. It is now up and running in the form of GamStop.

David Simpson (Upper Bann) (DUP): I am sure my hon. Friend will be as disturbed as I was to learn that last year Northern Ireland had the highest statistics for problem gambling, and the statistics prove that the problem was in areas of deprivation, so we need to do more to help people in those areas.

Jim Shannon: My hon. Friend is right to call for more help. I am about to come to the figures.

It is absolutely right that GamStop applies in Northern Ireland, especially given that Northern Ireland has a higher problem-gambling rate than the rest of the United Kingdom. The figures are stark and real. Research published by the Department for Communities in 2017 found that 2.3% of those surveyed in Northern Ireland were deemed to be problem gamblers, with a further 4.9% being classed as moderate-risk gamblers. The figure for England at that time was 0.7% of the population. It is clear that we in Northern Ireland have a greater issue than elsewhere.

In April 2016, I led a Westminster Hall debate on FOBTs and we were able to work collectively. I particularly commend the hon. Member for Swansea East (Carolyn Harris) and the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) for their endeavours on this matter. The maximum stake was then reduced, as we know, but unfortunately the £2 stake applies only to Great Britain. Ladbrokes in Northern Ireland has led the way in proposing voluntary action to reduce the maximum stake to £2, and other providers have followed, so we have had some success on a voluntary basis. I acknowledge the good work that Ladbrokes has done in the Province.
In the context of the problem gambling figure being so much worse in Northern Ireland than it is in the rest of the United Kingdom—2.3% rather than 0.7%—I suggest that, while Stormont is suspended, there is one other area in relation to which the gambling industry could step up in Northern Ireland. In her speech last week the Minister said:

“There are positive signs that the industry is stepping up to the challenge...but there is scope to go further. I want to see the industry meet GambleAware’s donation target of £10 million by April this year.”—[Official Report, 12 March 2019; Vol. 650, c. 96WH].

I fully appreciate that if the money was extracted through the statutory levy in the Gambling Act 2005, the relevant moneys would apply only to England, Wales and Scotland, because gambling is devolved to Northern Ireland, but there is no reason why it could not voluntarily also apply to Northern Ireland. I therefore ask the Minister: is there any possibility of some of that money coming to us in Northern Ireland to address the issue? Will she clarify whether any portion of that £10 million goes to projects to help problem gamblers in Northern Ireland?

I am conscious of the time. It is striking that there is voluntary action to support problem gamblers in Northern Ireland through GamStop and the reduction in the FOBTs stake. Again, those struggling with problem gambling need not only self-exclusion, but other means of support, which are currently offered through the voluntary contributions paid by gambling companies for research, education and treatment. Indeed, if the Government finally decide to go down the route of the levy, just as the FOBT reduction and GamStop are being applied voluntarily in Northern Ireland, that could happen for a mandatory levy. Problem gamblers everywhere need assistance, but today I make a plea for additional help for those in Northern Ireland, through the voluntary scheme and any future mandatory levy. I hope that they will receive some positive news from the Minister.

3.20 pm

Graham P. Jones (Hyndburn) (Lab): I want to say at the outset: is it not about time that those who win are not precluded from gambling, as seems to be the practice? That is something that the Minister should consider, immediately.

I thank the hon. Member for Inverclyde (Ronnie Cowan) for securing the debate, which is part of an ongoing debate on the problem of gambling. I take the issue seriously and have strong views. We should look after the vulnerable, because the consequences of gambling can be serious. The debate has moved on over the years, and it needs to continue to move on, because technology, platforms and the gambling industry are evolving. There are new methods and types of gambling, into which people are drawn. Gambling has had a devastating effect on some people, and we must approach the issue responsibly and thoughtfully and not dismiss it.

I was interested to hear the comments of the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith), who spoke powerfully. To summarise, if I may, he said that the gambling industry was far too clever for its own good and was acting in a particularly pernicious way with respect to problem gambling. I would add that it almost replicates some of the practices used by the tobacco industry over 60 or 70 years. Although I hear other Members saying the opposite, I want to point out that the thing about the tobacco industry that the gambling industry tries to replicate is making the issue a medical one, rather than a matter of precaution. The reason for that is that if it is a medical issue, and we talk about problem gamblers, we actually allow them to gamble and rack up debts—and we will sort the problem out afterwards. It is a simple and clever strategy, and we must be minded to see through it. We should operate on a precautionary principle. There is a reason why the gambling industry does not want us to do that, which is that it would mean acting before people engage in harmful gambling.

We have accepted the precautionary principle in the case of fixed odds betting terminals. I am delighted that the cap has been lowered to £2 and I congratulate those, including my hon. Friend the Member for Strangford (Jim Shannon) and the right hon. Member for Chingford and Woodford Green, who were in the vanguard of the campaign. Equally, going back to 2012, the hon. Member for Strangford (Jim Shannon) will remember the efforts of my hon. Friend the Member for West Bromwich East (Tom Watson) who was one of the first people to raise the matter in this place. He expressed great concern, which I shared at the time, and I do not think thanks have been expressed to him in the debate.

Alex Sobel (Leeds North West) (Lab/Co-op): On the point about raising new concerns about gambling, is my hon. Friend aware of the use of loot boxes in video games, which many countries recognise as gambling? People aged under 18 who are using loot boxes sometimes rack up hundreds or thousands of pounds of debt, but the Gambling Commission does not view it as gambling.

Graham P. Jones: My hon. Friend makes a powerful point, which other Members have made in the debate, about children being drawn into gambling by derivatives of money or by tokens simulating money. That is a huge and significant concern and we must all be worried about it.

I appreciate that the gambling industry makes a contribution to the economy and provides employment, including in my constituency. I go into bookmakers, and am happy to work with the staff there. I recently went into William Hill in Accrington to support good causes. I do not in any way think there should be all-out war on bookmakers. We should have a reasoned argument about gambling, what to do about the considerable number of people who have been entrapped into gambling, and how to prevent others from becoming victims—if I may say that—of gambling products and the gambling industry in future. We must take a balanced approach.

According to official data on fixed odds betting terminals, which, as everyone knows, allow users to bet up to £100 every 20 seconds on the spin, the amount that British gamblers lost on them last year doubled. The last figure is for 2016 when it went up from £1 billion to £1.8 billion. That is a colossal amount of money to have been lost, and dividing it up by constituency allows us to appreciate how much. If the council tax collected by my local district council is compared with the amount spent in the same year on fixed odds betting terminals, the contrast between the two figures is dramatic. Of course the amount that goes into FOBTs is far more significant.

The evidence for problem gambling is significant, too. The Gambling Commission has reported that there are some 430,000 gambling addicts, and 2 million vulnerable...
players at risk of developing an addiction. That takes me back to the point that we should not necessarily see the problem as medical—although for those who are addicted we should. We should never forget that we need to apply the precautionary principle. I want to finish with—

Steve McCabe (in the Chair): Order. We have no more time, so I call Hannah Bardell.

3.26 pm

Hannah Bardell (Livingston) (SNP): It is a pleasure to speak under your chairmanship, Mr McCabe. I congratulate my hon. Friend the Member for Inverclyde (Ronnie Cowan) not just on securing the debate but on his incredible, dogged work on the issue. He has pursued it with serious vigour and—as I am sure applies to other Members who have worked on the matter of fixed odds betting terminals—under huge pressure from betting firms.

I draw attention to what the Library briefing for the debate says about the statutory levy:

“Under section 123 of the 2005 Act, the Secretary of State can make regulations requiring gambling operators to pay an annual levy to the Gambling Commission.”

The reality is that there are powers. More needs to be done, but existing powers are not even being implemented. Many Members have given statistics and spoken about the challenges and issues, and the damage that gambling-related harm is doing to society and communities. I draw the attention of the Chamber to a study by Robert Lustig, who is a professor of paediatrics, with a focus on endocrinology, at the University of California, San Francisco. He is also the author of “The Hacking of the American Mind”. He told a conference on technology addiction that the brain reacts to technology similarly to the way it reacts to other addictive substances:

“Technology, like all other ‘rewards’, can overrelease dopamine”.

In 2017 we heard that the level of extreme internet use among UK teenagers is among the highest in the OECD. The think-tank, the Education Policy Institute, reported in 2017 that more than a third of 15-year-olds can be classed as extreme internet users—meaning that they use it for six-plus hours a day. If that is translated into online gambling and its proliferation we are heading for a serious crisis among young people—the adults of tomorrow.

Much has changed since I was an avid gamer, playing such games as “Sonic the Hedgehog” in search of golden rings. Loot boxes were not a thing. I have recently learned a lot more about them. I am the Scottish National party spokesperson on digital, culture, media and sport. The party takes online harms seriously and I have increasing concerns about them. I know that the Government want to get things right in the White Paper, but they need to speed up the process. There are clearly huge issues for young people—to do not only with gambling but with pornography. Loot boxes are clearly gambling, and we share the concern about them. They allow players of online video games—usually children—to pay money for an unknown prize. I read through some of the recommendations in ParentZone, which include measures such as not having credit or debit cards attached to children’s profiles.

Earlier I mentioned education, and a couple of weeks ago there was a Westminster Hall debate on the importance of sex education in school, and of not removing children from that. It was concerning to hear the number of Members who bucked what, to my mind, was an ill-informed online petition. Many people said that parents should be allowed to teach their children about sex and teach social and religious education at home, but in reality many children and young people are vulnerable, particularly online, and their parents may not have the facilities and information to support them at home.

Loot boxes are used in the context of an uptake in gambling by young people, and it has been reported that 40% of 11 to 16-year-olds engage in gambling. Horseracing was mentioned earlier, and I was recently visited by Bill Alexander, who runs an organisation called Sportjumping. He had some concerning facts, which I will write to the Minister about. His view was that the Department for Digital, Culture, Media and Sport withheld information that levy contributions from the betting industry are offset as tax credits from the EU competition commission, and he queried state aid for the sport. Horseracing generates a huge amount of money and is very popular, but there are concerns about it, such as the fact that many jockeys suffer from osteoporosis, have to “sweat down”, or have depression as a result of weight loss, not to mention the number of horses that are killed. I hope the Minister will consider that issue.

This has been an excellent debate, with no fewer than 17 Back-Bench contributions from right hon. and hon. Members—a remarkable figure for Westminster Hall. My hon. Friend spoke about the consequences of debt due to gambling, such as relationship breakdown, anxiety and depression, and he spoke movingly about a young guy, Jack, who sadly took his own life. He spoke about the eye-watering profits of the gambling industry, which have increased by 65% since the Gambling Act 2005, and he touched on the relationship between sport and gambling, particularly in advertising—there is much more to be said on that, but that is probably a different issue for a different debate.

The right hon. Member for East Devon (Sir Hugo Swire) reflected on his time as a shadow Minister in 2005, and he spoke about the move to online gambling and his concerns about offshore regulation—concerns that I share. The hon. Member for Swansea East (Carolyn Harris) is probably my favourite Labour MP in the House, and we rightly pay tribute to her work on the all-party group on gambling-related harm. I look forward to joining that group. We must do more from next week onwards. She was right to say that we must consider the growth in online gambling. Sadly, legislation does not always keep pace with new technology, and it is important for the all-party group to consider that.

The right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) also reflected on the 2005 Act. He was right that there is overwhelming evidence
about FOBTs, and it took the Government and the Gambling Commission a long time to address that issue. I hope that we will not see that again, although I will reserve my judgment.

My hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson)—I think the hon. Member for Strangford (Jim Shannon) referred to her as the “fiery lady”—rightly spoke about the need to move on from self-regulation. It is fair to say that it is no longer appropriate for the gambling industry to mark its own homework, and she made that point powerfully.

The hon. Member for Strangford—my fellow season ticket holder for Westminster Hall—spoke powerfully about the situation in Northern Ireland. I confess that I was not aware of that difference between Northern Ireland and the rest of the UK regarding FOBTs, and I suspect it has something to do with the Stormont Assembly not currently sitting. It would be good to see that issue move on. The hon. Member for Hyndburn (Graham P. Jones) spoke about maintaining momentum and keeping up with the pace of technology, as well as the need to make gambling a medical issue, which I echo. My hon. Friend the Member for Livingston (Hannah Bardell) said that powers to address problem gambling do exist but they are not currently used well, and I share that concern.

The liberalisation of gambling, which was exacerbated by the 2005 Act, has had a profound impact on my community and many of my constituents. Even today on Main Street in Baillieston, three bookies are lined up next to each other, separated only by a fast food shop—not exactly great diversity for a local high street. Many years ago a Channel 4 survey suggested that there were an average of six betting shops for every 100,000 people in an affluent area, but 12 in a more deprived area. My constituency has fewer than 100,000 people—there are around 70,000—yet we have in excess of 35 betting shops. Bookmakers and gambling firms disproportionately target areas of high deprivation, such as my constituency of Glasgow East.

As the hon. Member for St Helens North (Conor McGinn) said, many Members do not have a problem with folk who want to go for the odd punt on the horses. I had an enjoyable evening at a parent council fundraiser race night a couple of weeks ago, and we all accept that, when done in moderation, there is no problem with gambling. My hon. Friend the Member for Inverclyde was right to say that we must focus on the harm caused by gambling, and the vulnerable people whom it impacts, and I am glad we are having this debate.

Public health, and particularly children’s health, must be given utmost priority in these matters, and urgent action should be taken if children are engaging in gambling. As Members have suggested, there is a risk that technology is developing at a pace that we in Parliament do not perhaps keep up with, and that is especially true when it comes to apps. As my hon. Friend the Member for Livingston said, many mobile phone apps are designed to be stimulus-driven, and we know the impact that has on dopamine levels. Earlier this week, the all-party group on social media and young people’s mental health, which is chaired by the hon. Member for Ogmore (Chris Elmore), produced a powerful report on the impact that social media and apps are having on young people, and some of the issues that we are discussing tie in with that.

Having added to the picture that has already been eloquently painted by hon. Members, I would like the Government to commit to radical action in this area, although the recent shenanigans with FOBTs reform lead me to conclude that they are reluctant to take more action on gambling. I would like that legislation to be devolved to Scotland, because I do not want this issue to get left behind. During the debate on FOBTs, I recall the bullying that Members of this House received from the Association of British Bookmakers, and on a public health issue such as this, it is important not to give in to bullying by big industry or lobbyists. We in this House should, quite rightly, tell the Association of British Bookmakers where to go.

I want the Government to take real action on this issue. I have a lot of respect for the Minister, whom I encountered when she was a Whip, as well as in her new role. She was there the day that the statutory instrument on FOBTs was passed, so I will reserve judgment and listen to what she has to say. However, if Westminster will not take action on the issue, my own Government at home in Scotland will. As my hon. Friend the Member for North Ayrshire and Arran said, although we have limited powers to act on the issue, we have not been shy when taking action on the proliferation of FOBTs. If we go back and consider the liberalisation in the 2005 Act, and the problems we have been left with today, we should come to the conclusion that no action is no longer an option. There is cross-party support in this House to get something done, and we look to the Minister for that action.

3.39 pm

Dr Rosena Allin-Khan (Tooting) (Lab): It is a pleasure to serve under your chairmanship, Mr McCabe. All Members have made incredibly valuable comments. I especially pay tribute to the hon. Member for Inverclyde (Ronnie Cowan) for securing this essential debate. As I am sure he is aware, the Labour party has been driving improvements in protections and care for gamblers, and I am pleased that there is cross-party consensus when it comes to reducing gambling-related harm. [Interruption.] I hope that his chuckle is in acknowledgment of that.

Gambling addiction currently affects 430,000 people in the UK. That many people could fill Wembley stadium four times over. Last year’s debate on fixed odds betting terminals showed us what can be achieved when politicians, experts and campaigners come together on such an important common cause. Despite opposition from the industry and, I am sorry to say, reluctance from some within the Minister’s party, we were able to achieve a reform that will save lives, benefit communities and better regulate the market. I am proud that the Labour party was the driving force behind that reform.

We now need to go further. I am pleased that the fixed odds betting terminals all-party parliamentary group will continue its work under the new banner of the all-party parliamentary group on gambling-related harm. I am also proud that my hon. Friend the Member for Swansea East (Carolyn Harris) is working with the hon. Member for Inverclyde and other parliamentarians to investigate the impact of gambling-related harm in our communities. The excellent work being done by campaigners such as Liz and Charles Ritchie at Gambling With Lives powerfully reminds us of what that harm means, and the deep destruction that it has on individual lives and families.
Last year the Labour party published our review of problem gambling and its treatment. In that review, we cited the need for additional resources in treatment, and recommended achieving that by placing a mandatory levy on gambling companies that would allow for greater training, capacity and expertise in those services, and for the establishment of specialised regional gambling treatment centres. I am pleased that the case for a mandatory levy has been taken up by other parties and organisations, and I expect it to come into effect in the coming year.

However, we also need to have a real conversation about how the money from that levy would be best allocated and spent. The Labour party believes that the debate on gambling-related harm needs a stronger and committed public health focus. In our review, we called for the formation of a working group between the Department for Digital, Culture, Media and Sport and the Department of Health and Social Care to co-ordinate that, and we would want to see similar co-ordination with a gambling mandatory levy and other public health-related priorities.

At the moment, gambling harm is too often seen as a side issue to other parts of addiction and public health. We want it at the forefront of public health thinking and, crucially, seen as an addiction in its own right. In my professional capacity as an emergency doctor, I have first-hand experience of seeing families torn apart by gambling and mental health issues—families who have lost loved ones, and walked in on their child trying to commit suicide.

Two things will be needed moving forward: first, training for GPs and healthcare professionals, to ensure proper diagnosis of problem gambling; and secondly, more dedicated clinics opened across the country. Research has shown that problem gambling is linked to social deprivation, with the highest number of betting shops clustered in areas of Liverpool, Glasgow and Birmingham that have a higher rate of unemployment. Yet the only specialised NHS treatment clinic in the entire country is in London. Even with a new clinic in Leeds, clearly much more must be done. We need to go further when it comes to the exposure and influence of gambling.

In our review, the Labour party called for a change to advertising rules—namely, a whistle-to-whistle ban. Before Christmas we saw an industry initiative that proposed a ban but that, in reality, dealt only with TV advertising. That is meaningless when more than half of our football teams’ shirts are sponsored by gambling companies, and there is rolling advertising on pitch-side billboards. The Labour party calls once again for a ban on shirt sponsorship by gambling companies.

I will conclude by looking forward to a new frontier of gambling-related harm: online gambling. Last month my hon. Friend the Member for West Bromwich East (Tom Watson) gave a speech in which he outlined how online gambling can be better regulated, with limits on spend, stake and speed. Limits on how much internet gamblers can stake and spend online would be introduced under a Labour Government. Online companies have a responsibility to protect their customers from placing bets that they cannot afford, but too often operators have either neglected the care of their customers or have been too slow in their due diligence.

On spending, the Labour party would like affordability checks to be made a requirement before gambling takes place, so that people cannot lose huge sums of money that they cannot afford. Crucially, that requires a ban on credit card gambling. On stakes, the Labour party wants caps introduced on the amount that can be gambled on certain online products that are linked to harm. There was cross-party support for FOBTs stake reduction, and I hope that there will be similar support for that approach to online gambling. Labour would tackle the problems by creating a new category in the current legislation—the Gambling Act 2005—specifically for online betting, to introduce a system of thresholds placed on the spend, stake and speed of betting, giving safeguards to consumers.

The social cost of addiction, including treatment, welfare, housing and criminal justice, is as much as £1.2 billion a year. That does not even begin to cover the untold costs borne by the families and loved ones of those addicted to gambling. I know that the Minister values the lives of all those important families, who have had their lives ripped apart by gambling. I hope that she will take on board what has been said, and agree that we need to do more—indeed, that we must do more.
commission and must obey the conditions of that licence. The commission regularly checks that its requirements are still right, changing and updating them as needed.

In answer to the questions asked by my right hon. Friend the Member for East Devon and the hon. Member for Swansea West (Carolyn Harris) about age verification and identity, the commission is consulting on strengthening the customer interaction and looking at credit cards and gambling. The Secretary of State and I also recently met banks and challenger banks on that.

The Government will intervene where there is evidence of harm. We did that on the B2 machine stakes in betting shops, and I am pleased that those changes will come into effect in two weeks. Let me be clear to any operator who thinks that that is the end of Government action that if there is evidence that a product is causing harm, we will act. Operators are simply mistaken if they think that we will not intervene.

The hon. Member for Glasgow East (David Linden) challenged me about Government action. As the gambling and lottery Minister, I will not give in to any bullying tactics from big business when it comes to intervening where there is harm. I want to be very clear about the further work necessary to ensure that operators act in a socially responsible way: if we see signs that they are not intervening where there are problems, we will act. Where operators fail to protect customers from harm, the Gambling Commission has the teeth to act and has done so. I am sure that the commission will look at the all-party group’s work with interest, as we do; I commend all those who are doing that work. Where operators may be giving incentives to gamble to those who suffer the highest losses, we are absolutely on the case. It is time for everyone to come to the table and be responsible.

Accountability for business, social responsibility and customer protection are key, as we heard from my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith). The industry has a key role in preventing harm. The Gambling Commission’s rules are clear that operators must identify where people’s gambling is putting them at risk. Responsible business is the only kind of business that I want to see in the sector, and it has been clear about that ever since I took on this job. The power to prevent harm is in also in the hands of businesses, as we have heard today. The Secretary of State and I are absolutely stepping up to the challenge of working with financial institutions, across Government and across sectors.

The hon. Member for Inverclyde mentioned loot boxes and gaming. We are aware of concerns that loot boxes could encourage gambling-like behaviour. Alongside the Minister for Digital and the Creative Industries, I continue to look at the evidence, and we will listen to the all-party group and work with the tech and gambling industries. GamStop, which was rolled out last year, can really help people with online problems. For the first time, we have seen some outcomes: it currently extends to 90% of the market, and I call on the rest of the providers to step up and ensure 100% coverage. I was pleased last week to meet Gamban, which I will soon visit at its Southampton base. It provides extra protection and has a background in understanding this challenge and using tech and all the devices that it can engage with to help people. Work is being done where people know the challenges and can respond.

The hon. Member for Inverclyde also raised concerns about gambling advertising. I reassure hon. Members that we have looked carefully at the review’s evidence on advertising and will continue to look at rules on adverts that target children and vulnerable people; guidance has been strengthened further as a consequence of the review, and the commission has toughened its sanctions for operators that breach the rules. The whistle-to-whistle ban has already been mentioned, and we have worked with GambleAware to launch the Bet Regret advertising campaign. I thank the hon. Gentleman for his support for Bet Regret.

The industry is also responding to public concern about TV adverts more broadly. From this summer, there will be a ban on betting adverts during sports events before 9 o’clock. That is a step forward, but as Minister for sport, I say directly to sports bodies that they must look very carefully at their responsibilities to their fans and followers, because they, too, can play a part in reducing the risks and in raising awareness of them. There are sports that have an overreliance on types of sponsorship that some could see as irresponsible. They know who they are—they need to take stock, think about their fans, including young children, and support the vulnerable.

Let me turn to concerns about suicide. Any suicide is a tragedy for so many families. As has been said today, we need robust understanding. GambleAware has commissioned new research, which will be published soon and will help us to work with health professionals in the sector. We want to continue to work with the Department for Education on stigma and on concerns about gambling problems. I agree that we need a better awareness of people’s risks and problems from a younger age, so that we can direct help where it is needed. GambleAware and GamCare have some fantastic initiatives, including programmes for schools, to reach out to our young people. I intend to work with ministerial colleagues to see what advice we can give to parents, who absolutely need to know what is out there.

It is important that we continue to listen to those with lived experience, and I thank the Ritchies and Gambling With Lives for their important and ongoing work. We are also working closely with the Department of Health and Social Care, and I am pleased that in our long-term plan for the NHS we committed to expanding specialist support for people with gambling addictions. As has been said, GambleAware is evaluating its current services and looking to increase access.

Health surveys show links between poor mental health, substance abuse and problem gambling—2.2% of people with probable mental health issues are problem gamblers—so we need to ensure that we understand the public health harms. Working with Public Health England to carry out a review of the evidence is our next step; the Responsible Gambling Strategy Board has also published a paper that sets out a potential framework for measuring harm. We want stronger evidence so that we can appropriately target our resources and, ultimately, our intervention.

Further research is needed on the factors behind suicide. I recently met the Minister for suicide prevention, the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Thurrock (Jackie Doyle-Price), to understand more about gambling as a factor in suicide, which is a key priority for her as well. I want to see a stronger evidence base. We heard today
about some of the academics who are working in this important area, but I encourage more academics to do so and help us to understand the challenges of harm. Preliminary research on gambling-related suicide will be published soon, and we will work across Government so that we do not see any more tragedies in this area.

Let me focus on support. I assure those who are currently experiencing harm that help is there. There is an NHS clinic in London and there will soon be one in Leeds. Gambles Aware funds a national gambling helpline and a network of counselling services led by GamCare. It is open from 8 in the morning to midnight, seven days a week, and—for those tuning in—the number is 0808 8020 133. I met GamCare last week and heard all about what it has been doing for the past 20 years to frame frontline service provision. It shows that if people reach out for help, they can move forward and get out of the cycle.

GamCare’s helpline is an essential starting point. It is doing all it can to raise its visibility among GPs, and it is working with Gambles Aware to ensure that appropriate resources are available for health workers, frontline staff and debt advisers—in fact, people often come to banks as their first line of help. That important work is funded by industry, and I encourage it to maintain and increase the support that it gives. We want the voluntary system to work, and the Gambling Commission is committed to reviewing and helping to strengthen it.

On the levy question, I remind all those who are watching or listening that nothing but responsible business is acceptable. The Government will act and make changes where evidence so directs, leaving open for consideration all funding options for future treatment.

I am glad that recognition of gambling-related harm has increased, as we have seen today. It is a serious issue and a lot of work is being done by a range of bodies, and it is important that we acknowledge their good will and commitment as well as recognising where we need to go further. Strong protections are in place and they are being further strengthened, but we continue to gather knowledge and evidence of harm. I look forward to working with the House, updating hon. Members and working with business on this area to ensure that only responsible practices and actions remain.

Ms Karen Buck (in the Chair): Ronnie Cowan, you have less than a minute, but that is enough for a brief comment.

3.59 pm

Ronnie Cowan: Thank you, Ms Buck; I also thank Mr McCabe, in his absence, for guiding us with a strong hand, and the Minister for her very comprehensive response, which I really do appreciate. I have sat down with her on previous occasions to discuss the matter, and she has proved very knowledgeable and sincere.

I am in debt to all hon. Members who contributed to the debate. When the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) mentioned deregulation, it struck me that we had opened a Pandora’s box for bookmakers. When that happens, of course, all the miseries of the world fly out, but—as those who are familiar with the story will know—what is left behind is hope. I hope that today the Government are listening and will act accordingly.

Question put and agreed to.

Resolved,

That this House has considered gambling-related harm.
GP-Patient Ratio: Swale

4 pm

Gordon Henderson (Sittingbourne and Sheppey) (Con): I beg to move,

That this House has considered the ratio of GPs to patients in Swale.

My constituents have a number of major concerns, including local roads, the level of housing in our area, and the ratio of GPs to patients. The three issues are intertwined, as I will explain, but to set the issue in context, I will explain a little about my area. The local authority district of Swale is on the north-east Kent coast. It covers the whole of my constituency of Sittingbourne and Sheppey and also includes part of the constituency of my hon. Friend. The Member for Faversham and Mid Kent (Helen Whately), whom I am delighted to see here today. However, the Swale clinical commissioning group area is not coterminous with Swale Borough Council. Instead, it has responsibility only for Sittingbourne and Sheppey. Faversham falls within the remit of the Canterbury and Coastal CCG.

Swale CCG is one of the smallest CCGs in the country, if not the smallest, because when CCGs were first set up, Medway CCG did not want to include Sittingbourne and Sheppey, nor did any of the east Kent CCGs, because my constituency has, historically, a number of areas with a high incidence of health deprivation. Life expectancy in Swale is the lowest in Kent. Within Swale itself, there is a huge, 10-year gap between the highest and lowest life expectancy. In some of the more affluent areas, life expectancy is 84 years, while in the more deprived areas, life expectancy is just 74 years.

A number of areas in my constituency have been identified as being in the bottom quintile on the national deprivation scale—a clear demonstration that not every area in the south-east is affluent—and there is an above-average incidence of obesity-related illnesses in my area. The number of people admitted to hospital in Kent because of health problems related to obesity has rocketed in recent years—around half of Kent’s 1.5 million population is now overweight or obese—and the highest rate in Kent was recorded by Swale CCG, where 1,726 people per 100,000 were admitted to hospital due to obesity-related conditions. My constituency also has a higher incidence of lung-related disease than many other areas in the country. That is particularly true on the Isle of Sheppey.

Such health problems put huge pressure not only on our local hospitals, but on primary care, yet my constituency has the worst ratio of GPs to patients in the whole country. To give an idea how bad the situation is, in Rushcliffe, the ratio is 1:1,192; in Camden—hardly the most prosperous area in the country—the ratio is 1:1,227; and in Liverpool, it is 1:1,283. By contrast, in Sittingbourne and Sheppey, there is just one permanent GP for every 3,342 patients.

My local CCG recognises that the lack of doctors is a problem and managers are doing everything they can to improve the situation, but to succeed, they need to attract more GPs to our area, and to do that they need more help, and more money.

Helen Whately (Faversham and Mid Kent) (Con): I congratulate my hon. Friend on securing this debate on a really important topic. My constituents also face some difficulties getting access to a GP in my area of Swale borough, and also on the Maidstone side of my constituency, where in one practice the ratio of GPs to patients is 1:4,000. It is a real problem. I am concerned that there is not enough of a sense of urgency among some CCGs about fixing the problem. When the Minister sums up, I would be grateful if she could confirm the CCGs’ responsibility, and what metrics they are held to account for, for access to GPs.

Gordon Henderson: I accept and understand my hon. Friend’s concerns, but I would put on the record that Swale CCG is doing everything it can to resolve the problem, and does not fall into the category that she mentions.

I accept that Swale is not alone and that the shortage of GPs is a national problem, and that the reason for that shortage is complex. There is little doubt in my mind that successive Governments, including the Labour Government that was in power from 1997 until 2010, and the coalition Government that followed, which of course had to clean up the financial mess left by its predecessor, failed to invest enough in training the doctors we need today. Let us not forget that it takes 10 years to train a GP. To have them practising today, they would have had to start their training back in 2009.

Although there is a nationwide shortage, the problem is more acute in my constituency, and across Kent generally. Indeed, out of the top five areas in England with the worst GP to patient ratios, three of them—Swale, Thanet and Bexley—are in our county. That cannot be a coincidence.

Why is there such an acute shortage in Kent? I believe that the reason is twofold. First, doctors can earn more working in London than they can in Kent, because of the London weighting allowance. I would like to see the London weighting allowance extended to cover Kent, which would make it easier to recruit not only doctors, but also other public sector professionals, such as nurses, police officers, teachers, fire-fighters and prison officers, all of whom it is difficult for us to recruit.

Secondly, doctors undertake their training in London, so they tend to settle in the capital when they qualify. I am pleased that the Government have recognised that problem and a new medical school will be opening in Kent next year. We hope that doctors training in Kent will be more inclined to stay in the county once they have qualified. However, the reality is that any such newly qualified doctors who do decide to stay in Kent and go into general practice will not be available until at least the year 2030, by which time the need will be even greater because of other factors. That is where the two other concerns I mentioned at the beginning of my speech—roads and housing—come into the equation.

The roads infrastructure in my constituency is close to breaking point. We have continual problems of congestion, particularly on the M2, the A2 and the A249, and that congestion is creating ever higher levels of air pollution. As I mentioned, my constituency suffers from a high incidence of lung-related diseases. Ever more traffic congestion will produce ever more air pollution and increase the number of people who, in the future, will seek medical help. Their first port of call will naturally be a GP, putting even more strain on an already stretched primary care system. Something must be done to improve the strategic roads infrastructure in
Sittingbourne and Sheppey in order to reduce congestion and air pollution, and that something must be done soon. Time is running out.

The second concern, and a major contributor to our poor GP to patient ratio, is the huge number of housing developments in my constituency over the past 20 years. The area has been transformed and is changing beyond all recognition. Housing numbers have already grown dramatically, and the housing targets being imposed on Swale Borough Council by the Government will see that growth accelerate. The reality is that we are facing the prospect of an ever-growing population at the same time as the number of GPs is diminishing, because the shortage that I spoke about earlier is being made worse by the number of doctors in our community who will retire in the next few years.

If the Ministry of Housing, Communities and Local Government were represented here today, I am sure that it would insist that any future housing developments should have planning conditions placed on them to require the developers to provide health facilities such as a local health centre, as the Ministry has done in the past. What is the use of section 106 money and the community infrastructure levy if we fail to recognise an inconvenient truth: forcing a developer to build a health centre is all well and good, but without the necessary doctors to staff it, at the end of the day it is just another building? Somehow, we have to ensure that something is done to reduce housing targets in areas in which GPs are in short supply, such as my own, until such times as more doctors come on stream.

I appreciate that the Minister has no responsibility for either roads or housing, but I hope she will at least join me in lobbying her colleagues in the Department for Transport and the Ministry of Housing, Communities and Local Government to provide Sittingbourne and Sheppey with the help that is needed to solve the road congestion problem and reduce the planned level of house building. If we can do that together, we will go some way towards improving the health of my constituents and reducing the pressure on primary care in Sittingbourne and Sheppey.

4.11 pm

The Minister for Care (Caroline Dinenage): It is a great pleasure to serve under your stewardship, Ms Buck, and I congratulate my hon. Friend the Member for Sittingbourne and Sheppey (Gordon Henderson) on securing this incredibly important debate. He speaks very passionately about his constituency and has raised a number of pressing issues that, to a greater and a lesser extent, I have responsibility for tackling. He has described the pressure that primary care is under in Swale very well. We know that Swale is not alone; I have received representations from other hon. Members, including my hon. Friend the Member for Horsham (Jeremy Quin), who raises very similar points about these pressures.

When my hon. Friend the Member for Sittingbourne and Sheppey talks about the impact of inadequate road infrastructure and excessive housing development exacerbating the challenges with GP accessibility, he could almost be speaking about my own constituency—it is like looking in a mirror in so many ways. I completely recognise the challenges he describes, because my constituency faces almost identical issues with accessing GPs, inadequate roads, housing developments and trying to attract GPs to the area. The Government recognise that this is an issue that affects the care patients receive. We are working very hard to address it and are pushing harder than ever to grow the workforce by the extra 5,000 GPs to which we have committed.

A growing, ageing population and patients with long-term conditions are putting strain on the system. We need to look very closely at recruiting and retaining GPs, but that is not the whole story; we must also look at what GPs are telling us are the biggest issues, including workload, indemnity and risks associated with the GP partnership model. There are a number of tasks that we have to consider.

We recognise the importance of general practice, which is the absolute heart of our NHS. In 2015 we set the ambitious target to grow the workforce by 5,000; we are a long way from achieving it, but more GPs are now in training than ever before. The NHS long-term plan made a very clear commitment to the future of general practice, with primary and community care set to receive at least £4.5 billion a year more in real terms by 2023-24. That was followed by the new five-year GP contract, which will see billions of pounds of extra investment for improved access to family doctors, expanded services at local practices and longer appointments for patients who need them.

The new GP contract will address workload in general practice as a result of the workforce shortage that my hon. Friend the Member for Sittingbourne and Sheppey so beautifully articulated. We need a culture change in the range of health professionals who people are prepared to see when they go and visit their local health centre. NHS England has committed to expanding community-based, multi-disciplinary teams, which will provide funding for 20,000 other staff in primary care networks, such as physician associates and social prescribers.

Gordon Henderson: I welcome the Minister’s words and accept that the Government are doing something. I also accept that it is not just my area that has a problem. Does she recognise, though, that Kent has a particular problem? To give an example, somebody living in north Kent can travel 20 minutes up the A2 and get £6,000 or £7,000 a year extra. Although the Government are expanding the opportunities for the other professionals, we cannot even get them. It is not just doctors; it is all the professionals.

Caroline Dinenage: My hon. Friend makes an excellent point, and I completely understand that places in the London catchment area can very easily lose key public sector professionals. It is very difficult to compete with the potential extra wages that they might be able to achieve by working in the Greater London area. It is important to acknowledge that diversifying the range of different medical professionals who people can see will immeasurably help general practice to cater for the additional number of patients. It means bigger teams of staff providing a wider range of care options for patients, which effectively frees up more time for GPs to focus on those with more complex needs.

I was very pleased to hear that the CCG general practice in Swale is already using the skills of a wider workforce, including pharmacists working alongside GPs and paramedics providing home visits. We are
training more GPs than ever before, and last year Health Education England recruited the highest number of GP trainees ever: 3,473. As my hon. Friend said, a new medical school is opening in Kent next year.

It has been made easier and quicker for qualified doctors to return to the NHS through the national GP induction and refresher scheme. Yesterday NHS England launched a new “Return to Practice” campaign, which is aimed at promoting the support that is available to GPs who have left practice, with a view to trying to tempt them and encourage them back. To bridge the gap while that training is ongoing—my hon. Friend rightly says that it takes a very long time to make a GP—NHS England’s international GP recruitment programme is bringing suitably qualified doctors from overseas to work in English general practice.

Helen Whately: I completely agree with what the Minister is saying about the importance of a greater range of healthcare professionals—it is not always about seeing a GP, so there needs to be a shift in expectations—and the plans to increase the number of GPs in the system, including through the Kent medical school, for which I campaigned very hard. I urge the Minister to come, if she can, to my point about an access metric. It would be helpful if she could address that.

Caroline Dinenage: It is quite tricky. As my hon. Friend knows, general practices are independent contractors. Each general practice is required to meet the reasonable needs of their registered population, so there is no exact metric or recommendation for how many patients a GP should have, as the demand that each individual places on a GP can be significantly different. There is obviously much greater pressure on a practice in an area with a much older population—with more retired people and those with more complex needs—than on practices in other areas. That is where the complicating factors arise.

It is really important to work on innovative ways not only to bring in a new raft of GPs, but to hold on to the ones that an area already has. I understand that Swale CCG is working with GP practices across the area to improve retention. Supported by funding from NHS England, it is shortly due to launch a pilot GP recruitment and retention scheme. It is being proactive in recruiting the next generation of general practice staff and has been working with local schools and colleges to encourage local students to consider healthcare, and particularly primary care. I understand that three training practices in Swale offer placements for trainee medics, to give them the opportunity to experience general practice and consider general practice training. As of December, there were 11 direct patient care apprentices working in general practice across Swale.

My hon. Friend the Member for Sittingbourne and Sheppey rightly made the point that three of the areas with the highest patient to GP ratios are in Kent. I have been advised that, alongside the CCG’s work, the Kent and Medway sustainability and transformation partnership has set up a primary care workforce group, and has secured £1.5 million from Health Education England and NHS England to implement its workforce transformation plan.

The range of other issues that deter medical graduates from general practice include the spiralling cost of purchasing professional indemnity cover, which is a major source of stress and financial burden. We have addressed that in the new GP contract and from 1 April this year, the new state-backed clinical negligence scheme for general practice will bring a permanent solution to indemnity costs and coverage. That will help drive recruitment and retention of GPs.

We recognise the huge contribution that the general practice partnership model has made to patients over the lifetime of the NHS, but we also recognise that increasingly that model faces challenges, as fewer young GPs want to become partners. An independent review, led by Dr Nigel Watson, reported in January and made seven recommendations on workforce business models and risk, to which we will respond shortly.

My hon. Friend made the point well that air pollution, road infrastructure and congestion contribute massively to the pressure on general practice. The Government recognise that air pollution poses one of the biggest environmental threats, particularly in the case of frail elderly people and young children. Removing congestion from roads is certainly one of the sure-fire ways to reduce some of the air pollution hotspots. My Department will always be happy to furnish him with data that he needs on the health impact of pollution, to support any of his activities for attracting the local road investment that will tackle the problem and help his constituents.

My hon. Friend also raised a concern that housing targets placed on Swale Borough Council by the Government put additional pressure on doctor’s surgeries. The national planning policy framework, which was published last year, makes it very clear that strategic policies must make sufficient provision for community facilities, such as health education and cultural infrastructure. As he says, it is not enough to build a building; we need staff inside it. The views of local clinical commissioning groups and NHS England must be sought with respect to the impact of any new development on health infrastructure and demand for healthcare services.

Examples of primary care being delivered in an innovative way can be found across the country, for example using other professionals to deliver care or GP practices grouping together to work more collaboratively. That is exactly the kind of innovation and co-operation envisaged in the long-term plan, which seeks to change the balance in how the NHS works by shifting more activity into primary and community care. That is enabled by expanding multidisciplinary team working. The NHS long-term plan also commits to the recruitment of 1,000 social prescribing link workers by 2020-21. I encourage my hon. Friend to have a conversation with Swale CCG to see if any of those innovative measures could be introduced to help his constituents.

Gordon Henderson: I assure the Minister that I meet my local CCG regularly—I have done since it was set up and will continue to do so.

Caroline Dinenage: That was never in any doubt as far as I am concerned, but sometimes CCGs may not have thought of some of the more innovative ideas that are used in other parts of the country. I am sure that my hon. Friend, in his highly esteemed role in the local community, is best placed to raise that issue with the CCG.
The Government are well aware that recruitment and retention of GPs is a huge issue. We know that there are problems and we are doing everything that we can to tackle them. We will keep my hon. Friend updated and I thank him for his contribution to the debate and for raising this very important matter.

Question put and agreed to.

4.24 pm
Sitting suspended.

Civil Service Compensation Scheme

4.30 pm

Chris Stephens (Glasgow South West) (SNP): I beg to move,

That this House has considered the civil service compensation scheme.

It is a pleasure to serve under your chairmanship, Ms Buck. I refer to my entry in the Register of Members’ Financial Interests—I chair the Public and Commercial Services Union parliamentary group. I want to raise the important matter of the civil service compensation scheme, and will first outline how we have got to the present situation.

It would be fair to say that the civil service compensation scheme has had a troubled recent history. Having run smoothly and been untouched for decades, since 2010 it has been the subject of much change, acrimony and litigation, leading to three judicial reviews. The first judicial review was in 2010, when the then Labour Government introduced changes to the scheme that would cut the redundancy terms of civil servants. PCS launched a legal challenge to those changes, and on 10 May 2010 the High Court ruled that the judicial review had succeeded and that amendments to the civil service compensation scheme were to be quashed. In essence, Mr Justice Sales concluded that the Superannuation Act 1972 provided that the agreement of PCS was required in order for any changes to proceed. The Court quashed the changes because they had not been agreed by the union.

There was a further judicial review in 2011, when the Conservative-Liberal Democrat coalition established primary legislative changes to implement cuts to the civil service compensation scheme. The legislation was amended to the effect that the obligation to reach an agreement with the union on any changes was replaced with an obligation to consult with a view to reaching agreement. The proposals were agreed by the FDA, GMB and Prospect trade unions, but they were rejected by PCS, the Prison Officers Association and Unite the union.

At the time there was another legal challenge by way of judicial review. The primary grounds for the challenge were that the changes to the civil service compensation scheme constituted unlawful interference contrary to the rights of civil servants under article 1 of protocol 1 of the European convention for the protection of human rights and fundamental freedoms. In essence, the argument was that civil service compensation scheme terms were its members’ possessions and that depriving them could not be justified. Mr Justice McCombe ruled that the scheme terms did constitute possessions under the convention, but that the state could interfere with them within a margin of appreciation. The Government cited deficit reduction as the reason for the changes, so the Court ruled that the interference was reasonable and the judicial review application was dismissed.

At that time, the coalition Government made some commitments. The then Minister for the Cabinet Office, Francis Maude, said that "constructive negotiations with the unions can work and the result is a package that is fair for civil servants and fair for other taxpayers.”

He went on to say:
“From the start, we said we would do everything we could to engage with the unions on the best way to reform a scheme, which was unaffordable and way out of line with private sector and...public sector schemes.”

Mike Hill (Hartlepool) (Lab): By imposing changes and failing to consult the relevant trade unions, does the hon. Gentleman agree that the Government are left wide open to challenges from hundreds, if not thousands, of public sector workers?

Chris Stephens: The hon. Gentleman makes an interesting point, because that is exactly what happened. I will come on to that later.

Gus O’Donnell, the then head of the civil service, echoed Francis Maude’s comments, stating:

“It was important that we achieved a scheme which is sustainable, affordable and fair.

However, those were hollow words, as just five years later the Conservative-majority Government elected in 2015 decided to proceed with further cuts to the civil service compensation scheme. On 8 February 2016, the Cabinet Office launched a consultation on reforming the scheme. During the consultation, it took the extraordinary step of debarring the trade unions that refused to agree cuts as a pre-condition for talks.

PCS balloted its members on the final offer and it was overwhelmingly rejected. Unsurprisingly, PCS again took the matter to the High Court. The primary argument was that, by debarring the union from talks, the Cabinet Office had breached its obligation to consult the trade unions with a view to reaching agreement. Mr Justice Sales and Mrs Justice Whipple agreed. They held that:

“The Minister could not lawfully exclude the PCSU from the consultation which ultimately mattered in terms of his statutory duty.”

They added that he

“was not entitled to impose additional entry conditions above and beyond those stipulated in the 1972 Act for participation in that consultation, in the form of the pre-commitments he required the unions to make.”

Accordingly, the Court quashed the changes. That was a significant victory for civil servants, which forced the Government to restore the terms of the scheme so that many members achieved higher payments and the pace of job cuts in some Departments slowed.

Not content to leave it there, the Government announced in September 2017 a further consultation on reforming the scheme. It is believed that the consultation is another attempt to make cuts. The Government’s position will worsen even the proposed 2016 scheme terms that PCS members overwhelmingly rejected in a ballot and that were overturned by the High Court. Nevertheless, the trade unions engaged in talks with the employer.

PCS has been clear that there is no case for changing the terms of the scheme that were reinstated by the High Court. Notwithstanding that, it is engaging to protect its members’ interests, as would be expected. It is participating in talks alongside other unions—the GMB, the Prison Officers Association and Unite the union, which have also adopted the position that there is no case for cuts in the scheme. Those unions represent the overwhelming majority of trade union members affected by the scheme, and they have been in detailed discussions with the Cabinet Office since late 2017. The objectives of the negotiations are fair: to secure maximum protection for the lowest paid; to secure maximum protection for the greatest possible number of members—more often than not they are the lowest paid—and for those who want to remain in a job, thereby prioritising compulsory redundancy terms over voluntary exit and voluntary redundancy terms; and to eradicate the age discriminatory aspects of the current scheme.

I was sent a note by the Prison Officers Association, and I will reiterate its concerns. After prison officers are injured in the line of duty, how they are treated appears to be a lottery. In some cases, if the injury is judged severe enough—by outsourcers and privateers, naturally—they will be issued with a medical retirement, at which point they are entitled to their accrued pension. However, they can instead be issued with a medical inefficiency, which can have severe financial consequences. To be clear, we are talking about the same scenario: officers being so severely injured by prisoners that they cannot return to work. In one case they can retire and keep their pension, sometimes along with permanent injuries, while in the other they are often left in a position where they cannot even afford the urgent medical care they need.

The Prison Officers Association believes that the planned cuts to that scheme threaten to make an unfair situation even worse, by limiting further the number of weeks that critically injured prison officers can receive pay. That literally adds insult to injury, and this Government must act to make sure those brave men and women are not further penalised for working in such dangerous conditions while they diligently protect the public.

Mhairi Black (Paisley and Renfrewshire South) (SNP): Does my hon. Friend agree that one of the problems that runs alongside this and most pension issues is a total lack of communication? A constituent who is affected by the changes contacted me; once my office got involved, it took four months to get any clear answers, excluding the amount of time that my competent constituent had spent trying to fix the problem on her own. There is a complete blame game between Departments, rather than an attempt to resolve things.

Chris Stephens: That is certainly my experience from some of my casework relating to the scheme. I hope that the Minister takes cognisance of my hon. Friend’s remarks about how we should try to fix these issues.

The Minister should be under no illusion that the crisis unfolding in our prisons is anything less than a health and safety emergency, with violence against staff not only at a record level but rising at a record rate. According to Ministry of Justice figures, there were more than 10,000 assaults against officers in England in the past 12 months—an average of 28 each and every day.

It is perfectly reasonable to argue that these days many roles and professions, from shop worker to firefighter, unfortunately involve some exposure to violence, and that there is nothing unique about prison officers facing assaults at work. That is true, and I wish to see proper pension protection for those workers too, but prison officers work in a uniquely violent environment. According to their trade union, which will hold a march and a rally on this issue at Westminster tomorrow, it is the most violent and dangerous workplace in western Europe.

Beyond the chaos and carnage that the Government unleashed by sacking 7,000 prison officers, which opened the gates to unseen levels of violence, we must accept
that prisons are inherently violent institutions. They are places where hundreds of criminals, many of them guilty of violent crimes, are held against their will using the threat—and sometimes the application—of force. That makes prisons unique workplaces. We expect the brave men and women who serve inside them to confront violence when necessary. When prison officers are injured in the line of duty, protecting the public from dangerous criminals, we as a society have a special responsibility to protect them. Quite simply, if they are too badly injured to return to work, we must not add insult to injury by leaving them in financial as well as physical peril.

I turn to the current talks and the counter-proposal that the trade unions have sent the Government. After a year of talks, during which the 2010 terms remained in place, to the benefit of civil servants, the Government took the position that they could bring the negotiations to a close unless the unions made a counter-proposal. The trade unions agreed to submit a counter-proposal to the Government’s plans, in line with their negotiating objectives.

The unions’ proposal seeks to redistribute the scheme so that those affected by office closures and other redundancy situations—those who require the compensation the most—receive the most from the scheme. In other words, they argue that people being forced out of their jobs against their wishes should be prioritised. The trade unions met the Minister on 6 February to present their counter-proposal. He undertook to consider those representations and then to respond formally. As I am sure he will tell us, a further meeting is scheduled for next week.

The onus is now on the Government. It is expected that the Minister will soon come to a conclusion about his approach. I ask him to take cognisance of the following key factors before he does so. First, the commitments given by Francis Maude following the 2010 changes should hold firm. Reneging on those commitments now would only lead people to conclude that the commitments of Conservative Ministers count for nothing.

Secondly, there is no majority in the House in support of the Government’s proposed changes; all parties, bar the Conservatives, oppose them. That includes the Democratic Unionist party, which—unsurprisingly, given the dangers that loyal, hard-working civil servants have been exposed to in its part of the world—supports the trade unions in this campaign and recognises that those workers should not be treated with contempt.

Thirdly, the counter-proposal put forward by the trade unions delivers the Government’s stated objective of producing significant savings for the taxpayer, while ensuring that those most in need of the scheme derive the most benefit from it. That is in line with the Government’s stated objectives of helping those who are just about managing and preventing excessive pay-outs at the top.

Fourthly, low-paid civil servants who work in towns and cities subjected to office closures will find it harder to obtain work. Take, for example, the office closure programme of Her Majesty’s Revenue and Customs. In many towns, HMRC is the largest employer. The highest-paid civil servants will be able to obtain other employment in the public sector, but it will be more difficult for those at the lower end, who will see the largest employer move out of the area, to obtain other work.

We call on the Minister to hold good to previous commitments and not to proceed with cuts to the civil service compensation scheme. Failing that, we call on him to adopt the counter-proposal put forward by the trade unions. I look forward to his response.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): Thank you for calling me to speak, Ms Buck. I congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing the debate.

Here we are again, debating the negative impact of this Government’s policies on workers. Debates in Westminster Hall or in the main Chamber that lay bare the real consequences of the Government’s austerity agenda seem to be an almost daily occurrence, yet the Government very rarely recognise the need to address the problems caused by austerity. I suspect that this debate will be no different, in spite of the clear consequences of the Government’s proposed reforms to the civil service compensation scheme.

Civil servants have been fighting a continuous battle against reforms to the compensation scheme for years with successive Governments. The battle started in 2009 with the Labour Government, who sought reforms to the scheme that they believed would help control costs. Civil servants and their trade unions, particularly PCS, mobilised against those reforms and launched a successful judicial review against them in 2010. After the 2010 election, the Conservatives and the Liberal Democrats tried to cap payments for voluntary and compulsory redundancies, but the civil servants and their unions fought back, which resulted in higher caps.

This Government are continuing the trend of attempting to reform the scheme, but they are doing so by undermining the trade unions. The Government pursued a consultation process in all but name, imposing conditions on trade union participation. In the 2017 judicial review of the consultation, the High Court found that the Government’s reforms were illegal as a result of their failure to engage in proper consultation. However, an appeal has since been lodged against that decision, and we await the outcome from the Court of Appeal. Regardless of the outcome, let me put on the record that I will always stand alongside civil servants and their trade unions in opposing the Government’s attempts to railroad through reforms to the scheme without meaningful consultation. I will be out supporting them again tomorrow.

It is clear to me that the real intention behind the Government’s reforms is to erode the terms and conditions of our civil servants. Just look at the differences between the 2010 compensation scheme terms and those that the Government seek to introduce. Civil servants are guaranteed a tariff fixed at one month’s salary per year of service in both voluntary and compulsory redundancies. The Government seek to reduce that fixed tariff to just three weeks per year of service. The maximum amount payable to civil servants in a voluntary redundancy is 21 months’ salary. The Government seek to reduce that to 18 months’ salary. In a compulsory redundancy, the maximum amount payable currently stands at 12 months’ salary, but the Government wish to reduce that to nine months’ salary. Notice periods are generally around six months, but the Government seek to reduce that to just three months for new starters.

4.45 pm

Chris Stephens (Coatbridge, Chryston and Bellshill) (Lab): Thank you for allowing me to speak, Ms Buck. I congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing the debate.

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The Government continue to pursue these reforms in spite of overwhelming opposition from the 3,000 respondents to the consultation, who were told by the then Minister for the Cabinet Office that the 2010 compensation scheme terms were both “fair” and “right for the long term”. These reforms must be opposed by all of us in this House who value workers, value good terms and conditions, and value our public services.

While I am speaking in support of civil servants, let me say that it is time the Government treated our civil servants with respect and dignity. Civil servants are dedicated, professional and hard-working, just like all those who work in our public services, such as doctors, nurses, teachers and, as my good friend the hon. Member for Glasgow South West mentioned, prison officers. However, they continue to be denied a fair pay rise as a result of this Government’s ongoing decision to limit civil service pay rises to between 1% and 1.5%. Civil servants received one of the lowest pay increases in the public sector in 2018-19. I call on the Minister to scrap the cap and give our civil servants a proper pay rise. They deserve much more than they are getting from this Government.

4.49 pm

Tommy Sheppard (Edinburgh East) (SNP): It is a pleasure to serve under your chairship, Ms Buck. I am not sure if it constitutes an interest under the legislation, but I am a member of the Public and Commercial Services Union. In the interest of full disclosure, I am happy to declare that before I begin my remarks.

I support my hon. Friend the Member for Glasgow South West (Chris Stephens) in bringing forward this motion and I associate the third party with the body of his remarks. I have some additional points. First, it is really not a good look for the United Kingdom Government that three times over the last nine years, under three different Governments of different political complexions, the Government workforce has found it necessary to take its employer to court, and on two out of those three occasions the workforce has won. That does not speak well about good will and industrial relations inside the civil service, or about relations between the Government and those on whom they depend to implement their policies. Something is awry and it needs to put right.

That is even more true when we consider what is about to befall the public sector, if Brexit goes ahead. The degree of upheaval, change and restructuring that will be necessary to cope with leaving the European Union will undoubtedly require the good will and support of the workforce. I implore the Minister to try to do what he can to diverge from the attitude and the work of his predecessors.

I support the principles that underlie the trade unions’ counter-proposal on the compensation scheme. I do not want the Minister to disclose his negotiating hand—it is proper that he responds to the trade unions directly on 25 March—but will he indicate whether these principles find support with him? I am minded to support them—not just the provisions that focus compensation towards those on the lowest incomes or those who are being made compulsorily redundant, rather than opting for voluntary severance, but most of all the idea that compensation should be related to the status of the employee who is being made redundant.

4.54 pm

Christian Matheson (City of Chester) (Lab): It is a great pleasure to serve under your chairmanship, Ms Buck. I do not intend to detain the Chamber for too long; I am sure Members are more interested in hearing what the Minister has to say.

I pay tribute to my good friend, the hon. Member for Glasgow South West (Chris Stephens). One reason why I do not need to speak for too long is that he gave such a clear exposition of the problems faced by workers in the civil service, and members of the PCS and other trade unions, because of the changes to the civil service compensation scheme. The matter has been particularly prominent recently in the area that he represents because of the changes to benefits offices and jobcentres, as a result of which low-paid workers are being offered jobs that may be many miles away from their settled workplace. They cannot take those jobs, and the only option available to them is to take a pay-off under the civil service compensation scheme, which is now being cut.

I do not want to go into too much of the excellent detail that the hon. Member for Gateshead or somewhere else where there may be more challenges in the labour market. I commend that principle to the Government in their approach.

Finally, as with so many other things, I ask the Minister to look north for inspiration and see what is happening across the border in Scotland. Scottish civil servants, if they are working directly for the Government, are under the auspices of the same scheme, but they constitute only a small part of the public sector national workforce in Scotland. With regard to the rest, the Scottish Government are undertaking a consultation about severance arrangements in the public sector more generally. In Scotland, they have proceeded on the basis of consultation. The Government are not being taken to court and there is not an imminent dispute with the civil servants’ trade unions. If this can be done correctly in Edinburgh, perhaps the Minister can take inspiration from that and make sure it is done correctly in Westminster.

After all, we are talking about not a bonus or a pension scheme, but compensation for losing livelihoods. Therefore, compensation ought to take into account the consequences for the individual and their ability to survive after they leave the civil service.

In that regard, although I cast no aspersions on such people as workers, a distinction has to made between a relatively high-paid civil servant working around the corner in Whitehall who is made redundant in the centre of the capital city and who has the experience and opportunity to readily seek alternative employment, and someone working at a basic administrative grade in Gateshead or somewhere else where there may be more challenges in the labour market. I commend that principle to the Government in their approach.
Ministers—seem to have an agenda of driving down bluntly civil service management—or, dare I say it, concern is that a pattern is emerging where, to put it working week, cuts to overtime and cuts to sick pay. I increase of 11% over five years, in exchange for a longer Justice last year. The management proposed a pay higher pay increases by sacrificing terms and conditions. An example of this approach arose in the Ministry of last year. The management proposed a pay increase of 11% over five years, in exchange for a longer working week, cuts to overtime and cuts to sick pay. I make those points about civil service pay because my concern is that a pattern is emerging where, to put it bluntly, civil service management—or, dare I say it, Ministers—seem to have an agenda of driving down terms and conditions across the civil service.

Chris Stephens: The hon. Gentleman makes an excellent point. Does he agree that the changes to civil service pay, civil service pensions and the civil service compensation scheme are a triple whammy for civil servants, many of whom are low paid? Is it not ironic that the directors of all these UK Government Departments have agreed that there should be a 1% pay rise for civil servants, and does that not make a mockery of the 200 different sets of pay negotiations in the civil service?

Christian Matheson: The hon. Gentleman is absolutely right. He mentioned the civil service pension changes, which complement and add to the pattern of behaviour that I am identifying. It gives me great concern that there is an agenda out there of driving down civil service pay. Sufficient to say that the official Opposition hope that an agreement can be reached with the trade unions. I remind the Minister that trade unions represent many tens of thousands of Government employees. They have a legitimate role in representing their members.

We keep being told that we are coming out of the tunnel after 10 years of depression, that austerity is over, that the Government are being extremely successful in their management of the economy and that sunlight is beaming down through the dark clouds. If that is the case, now is the time to start treating the Government's own employees more fairly and, in the context of this particular debate, according to the requests of the trade unions that represent the Government's own employees. That means sorting out this dispute—it is, dare I say it, a needless dispute—on the civil service compensation scheme and giving those civil servants a decent pay rise. That decent pay rise will be a percentage of a much smaller amount than it would have been, because their pay has been depressed for so long, but I urge the Minister in the meeting on 25 March to take this matter seriously, to take his employees the civil servants seriously and to give them a fair settlement.

5 pm

The Parliamentary Secretary, Cabinet Office (Oliver Dowden): It is a pleasure to serve under your chairmanship, Ms Buck. I congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing this debate, and welcome the opportunity to respond to the points he has made.

Further to the point raised by the hon. Member for City of Chester (Christian Matheson), I want to put on the record right from the beginning that of course the trade unions have a valuable and important part to play in debates around civil service terms and conditions. Indeed, I have met them frequently—both PCS and the other principal unions, Prospect and FDA, as well as GMB and others.

I know that in his role as chair of the PCS parliamentary group, the hon. Member for Glasgow South West takes a close interest in these matters, and I pay tribute to him. Whatever our political differences, I know he is a strong and effective advocate for the trade unions and for PCS, and he has demonstrated that again today. In my experience both as a Minister in the Cabinet Office and in my previous time working at 10 Downing Street, I have worked with some of the most committed, talented and hardworking public servants in our country.

At a time when the nation faces significant challenges, those public servants’ work is more important than ever, so I am happy to join hon. Members, in particular the hon. Members for Coatbridge, Chryston and Bellshill (Hugh Gaffney) and for Edinburgh East (Tommy Sheppard) in paying tribute to them. As the hon. Member for Edinburgh East said, we need their skills more than ever at this time, as we face Brexit.

I certainly share hon. Members’ belief that all civil servants should be rewarded for the work they do, so that we can attract the best and brightest into the heart of Government. This debate relates principally to the compensation package available to civil servants when they are made redundant, but since hon. Members, particularly the hon. Member for City of Chester, have raised the question of pay I want to address that briefly before addressing the rest of my remarks to the substance of the debate. The hon. Gentleman raised the point about the Government’s fiscal position and the spending backdrop against which we are making these decisions. I am glad he has recognised that the Government have made considerable progress in reducing the deficit. He is right that we have made a lot of progress: the deficit is down by four fifths since 2010, from about 10% of GDP to about 2%. None the less, the Government are still borrowing more than £40 billion every single year, so the pressure has not gone away and we must still take some difficult decisions.

The reason we must take those difficult decisions is that we spent over £50 billion on debt interest last year. That is more than we spend on schools, and more than we spend on our police and armed forces combined. There is still a strong countervailing pressure from the need to continue to bear down on expenditure. Pay forms a large part of Government expenditure, so pay has to be part of that mix.

The overall approach taken to pay is that the Chief Secretary to the Treasury has made it clear that the overall cap has been lifted, but given the financial constraints within which we are operating, which is what the chief executive of the civil service was alluding to, it remains the case that central Government Departments have pencilled in—in fact, penned in—their funding. It
is very clear from the Treasury how much budget has been allocated for pay rises, and in the coming financial year that is 1%.

That does not mean that Departments cannot go beyond that, but if they do, they must find efficiency savings to do so. In respect of all delegated levels of pay—that is to say, below the senior civil service—the process for determining pay awards is that it is up to each different Department to determine its pay award.

Chris Stephens: I am hoping to secure a separate debate on civil service pay, but since we have touched on it, I am sure the Minister remembers, as he was on the Front Bench, that we debated this last year and he agreed to look at the situation of having 200 separate pay negotiations across UK Government Departments. I think he is sympathetic to my view that that is a bit foolish. Given that permanent secretaries have agreed a joint position, as I understand it, of 1% to 1.5% across Departments, is it not better to have one pay negotiation for the whole civil service?

Oliver Dowden: I should say from the outset that no decision has been taken or agreed by permanent secretaries. There is a very clear process for this, which is that for delegated pay, which is that for civil servants below senior civil service level, the framework is set by the Cabinet Office in conjunction with the Treasury and then it is up to each individual Department to make individual decisions.

On the point about co-ordination, the Chancellor of the Duchy of Lancaster and I want to ensure that we have a proper process of engagement with the principal trade unions as we set the delegated framework, but it is important to say that that is not a pay negotiation. We need to understand their position, but the individual pay negotiation must be done by each individual Department. I think having each Department make its individual determination is the right approach, but I am keen to ensure that we engage with the trade unions and others as we consider the overall approach to delegated pay. As I understand it, correspondence is ongoing with the trade unions on the best way of doing that.

Beyond the delegated framework, there is also potential for further efficiency savings to allow for higher pay rises. I have signed them off as a responsible Minister; for example, the Foreign Office recently agreed a two-year pay deal funded by efficiencies, allowing for a 6.4% average uplift for non-SCS staff. It is possible, through smarter ways of working, to fund higher pay awards. I hope that gives hon. Members an overall sense of the approach the Government take to pay.

Christian Matheson: Can the Minister describe some of the smarter ways of working that helped to encourage the signing off of that particular pay rise?

Ms Karen Buck (in the Chair): Order. May I encourage the Minister not to stray too far from the subject matter of the debate in responding to that intervention?

Oliver Dowden: Thank you, Ms Buck; I will take that injunction seriously and, if I may, I will write to the hon. Gentleman to set out the policy in more detail, so that I do not detain Members any longer on this point. Following your lead, Ms Buck, I turn to the substance of the debate.

The Government have a responsibility to ensure that the civil service is both efficient and cost-effective, and that includes the compensation scheme to support civil servants when exits are necessary. The Member for Glasgow South West outlined the overall history. Important steps towards this goal were taken in 2010 when Lord Maude, then Minister for the Cabinet Office, introduced important reforms to modernise redundancy arrangements in the civil service. A revised civil service compensation scheme was launched in December 2010; at that time, Lord Maude set out his hope and intention that it would be a fair settlement for the long term. I fully acknowledge that point.

However—this is the key point—over the years since 2010, it has become apparent to the Government that those reforms did not fully deliver on their aims. If hon. Members will allow me, I will set out the reasons for that. Part of the rationale for the 2010 reforms was cost savings, and it has become clear that the expected cost savings did not fully materialise. The average compensation entitlement under the 2010 scheme is considerably higher than was intended when the scheme was first introduced. In 2010, the average compensation entitlement for voluntary exits and voluntary redundancies was expected to be £33,754, but by 2017 it was estimated to be £40,513.

More widely, it has become clear that other aspects of the scheme were not appropriate. To give an example, the compensation scheme provisions for early access to pensions for staff aged as young as 50 enable them to retire and draw all of their civil service pension without a reduction for early payment. That is often very expensive for the employer and is increasingly out of line with the Government’s wider aim of encouraging longer working lives.

In recognition of those concerns, the Government introduced new civil service compensation scheme terms in 2016, which, as the hon. Member for Glasgow South West highlighted, were challenged by way of judicial review in 2017. It is important to point out that the court accepted the Government’s reasons for making the reforms, but it found that the Government had not fully met their obligations with regard to how the consultation process was carried out. The 2016 terms were accordingly struck down and the 2010 terms reinstated.

Although the Government of course accepted the court’s judgment—as we must—we still believe that the 2010 compensation scheme reforms have not fully met their objectives, and that there remain good reasons for reforming the scheme. Accordingly, we launched a new consultation on reforming the civil service compensation scheme in September 2017, which set out the Government’s objectives. Principally, the objectives are to align with the principles of the compensation scheme reform expected across the wider public sector; to support employers in reshaping and restructuring their workforces to ensure that they have the skills required for the future; to create significant savings on the cost of exits and ensure the appropriate use of taxpayers’ money; to ensure that any early access to pensions remains appropriate; to ensure that efficiency compensation payments are appropriate for the modern workplace; to support the flexible use of voluntary exits; and, where possible, to implement a set of reforms that are agreed by the trade unions.

The consultation also set out a proposed new set of civil service compensation scheme terms that the Government believe would deliver on those objectives.
In summary, those are a standard tariff of three weeks’ salary for a year of service, voluntary exit and redundancy payments of up to 15 months’ salary, compulsory redundancy payments of up to nine months’ salary, employer-funded pension top-up payments allowed only from the age of 55, increasing in line with the state pension age, and that the efficiency compensation tariff should align with the compulsory redundancy tariff.

The Government took the view that those terms would meet the objectives set out in the consultation document, and considered that the scheme would offer a good level of support to civil servants to bridge the gap until they found new employment or entered retirement, and would provide the flexibility needed to support employers in reshaping and restructuring their workforces to meet the challenges that they will face. It will also be fair to taxpayers, who ultimately fund the cost of civil service exit payments, as Members know.

I recognise that this is an area in which trade unions rightly have strong views. The Government are therefore carefully consulting with unions with the aim of reaching an agreement if at all possible. The consultation has already stretched for more than 18 months—a very long period—and has included numerous meetings between my officials and union representatives and between my predecessor and union representatives, and I myself have now held two rounds of meetings with union representatives, which have been extremely useful in helping me to understand the unions’ positions on the proposed reforms.

I am pleased to say that throughout the process PCS and all the other unions engaged openly and constructively with the consultation, notwithstanding their overarching position, which I acknowledge, that the Government should not be reforming the compensation scheme. I place on the record my thanks to all the unions—Prospect, FDA and PCS—for their work in engaging constructively with the process.

As well as engagement through meetings, unions have also put forward detailed counter-proposals setting out their alternative vision of what a reformed scheme should look like. As has been highlighted by hon. Members—particularly the hon. Member for Glasgow South West—those proposals are detailed and well thought through and reflect the considerable effort that has clearly gone into their preparation. Again, I thank the unions for that constructive engagement.

As a result of the meetings and counter-proposals, I am left in no doubt as to the unions’ positions. I understand the areas that they consider priorities for reform, their concerns about the Government’s proposals and their preferred alternative reforms. Contributions to the debate have further increased my understanding of the position of PCS and the other unions it is working with on this consultation. I am very grateful to hon. Members for their contributions.

Chris Stephens: The Minister has been most generous in giving way. If the trade unions put forward a counter-proposal that met the Government’s expected savings target, would the Government be more sympathetic?

Does he understand the principles behind what the trade unions have put forward, including looking after those who are lower paid rather than those at the top?

Oliver Dowden: I certainly understand what the trade unions are trying to put forward and I completely understand their concerns about lower-paid workers. However, it should be noted that there is already provision for a minimum payment that covers lower-paid workers, although a discussion about the level at which to set that forms part of the consultation.

I do not want to pre-empt my final determination, but I am concerned about the scale of the cost savings. At the moment, I still have significant questions about whether what has been proposed by the trade unions meets the cost-saving requirements of the reform that we have set out. That is one principal consideration that will affect my final determination. However, I am very much conscious of the arguments that have been clearly put forward by the trade unions on these points, particularly on help for the lower-paid.

As I have said in recent meetings with union representatives, I am now genuinely carefully considering the counter-proposals that all unions have made. I remain keen to reach agreement with the unions if at all possible, and I am considering whether the Government’s proposals can be adjusted to help to facilitate that, while remaining consistent with our overall objectives for reform. As Members have noted, I intend to make a decision on any amendments to the Government’s proposals shortly. Following that, my intention is then for a period of further consultation with the unions, in advance of the Government’s making a formal offer of revised terms to the unions in the hope that they are accepted.

I conclude by repeating that the Government greatly value the work of civil servants. We are keen to reach agreement on a set of compensation scheme terms. I believe that the consultation proposals are fair and provide a good level of support to civil servants, while recognising the need for continued reforms and savings. I once again thank hon. Members for their contributions and I hope I have set out the Government’s approach clearly.

5.17 pm

Chris Stephens: I thank the Minister for his detailed response. As many supporters are likely to be elsewhere at the moment, I hope the Minister does not underestimate the support across the House for civil servants. Given their pay and pensions policies, the Government should not want to make a mistake in relation to the civil service compensation scheme. As has been said, this issue has been to court three times. I hope that, on Monday 25 March, the Minister will positively engage with the trade unions’ counter-proposals, to ensure that civil servants are treated fairly if they are made redundant or have to suffer a voluntary exit.

Question put and agreed to.

Resolved.

That this House has considered the civil service compensation scheme.

5.18 pm

Sitting adjourned.
9.30 am

Geraint Davies (in the Chair): A large number of Members wish to speak, so after the main speech I will straightaway impose a five-minute limit on Back-Bench speeches. People may take their clothes off—within reason.

Julian Sturdy (York Outer) (Con): I beg to move, That this House has considered SEN support in schools.

It is a pleasure to serve under your chairmanship, Mr Davies, I think for the first time. Before discussing the policy that I wish to address, I will take a moment to emphasise why special educational needs support in schools is such an important topic. I secured the debate because of a number of constituency cases that have come through my surgery. Constituents raised the issue with me and brought me to the point at which I felt the need to discuss it in Westminster Hall. I will not talk specifically about constituency cases, because I want to speak to the wider issue, which affects not just cities such as York but the whole country. That is reflected in the number of Members attending the debate this morning.

I will touch on the importance of SEN and why it is worth taking the time to ensure that the system of support works for all children with SEN. Our starting point should therefore be to see SEN as something that informs mainstream education policy, rather than a specialist area relating to a minority of pupils. More than 1.2 million pupils in England—that is 14.6%—have an identified special educational need, of whom 250,000, or one in five, have an EHCP are left without any education, some for up to a year, or just having it for an hour a week. He mentioned the long-term impact of an SEN diagnosis and schools that cannot cope with the needs of those children, and that is incredibly important. I look forward to hearing him expand a little on that.

Julian Sturdy: The hon. Lady makes a good point. Members will mention different examples of constituency cases in the debate, which shows that this is a wide issue. However, I completely accept the point that it is about not just diagnosis but the next steps. I will come on to that, and I will put a few questions to the Minister. I hope that she will be able to respond to them accordingly.

Alex Chalk (Cheltenham) (Con): I am grateful to my hon. Friend for leading this incredibly important debate. Does he agree that mainstream schools must be supported as much as possible to educate SEN children in that setting? If they cannot and they exclude children, that in turn puts huge pressure on special schools, which cannot then cope, increasing the risk of exclusion into incredibly expensive independent provision, which drains the budget.

Julian Sturdy: I entirely agree. There is also a wider issue: it is important for children to be taught together with their peers—I want to come on to this, and the study I mentioned talks about it—because of the potential stigmatisation of being taken out of mainstream education and the consequences that can have for all the students. I completely accept the importance of that.

Sir David Evennett (Bexleyheath and Crayford) (Con): I congratulate my hon. Friend on securing the debate. I am listening with interest to his analysis, and I look forward to his further comments. I welcome the extra resources that the Government have given, but real issues and concerns remain. Is he aware that in my borough the high needs in Bexley meant a 14% increase in the number of education, health and care plans during the 2017-18 academic year, but with only a 1.9% increase in the high needs block allocation this year? Bexley works hard to ensure that needs are met, and has agreed a contribution with the schools forum given the schools’ own high needs funding cost pressures, but the increase in demand is letting down our children.

Julian Sturdy: I was not aware of the specific percentages and increases in my right hon. Friend’s local borough, but I accept them completely—I think they mirror what we see across the country, and certainly in my region. He makes the point very well, and I am sure that his council is working hard with the resources available to it to ensure that those children get the best education possible.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): The hon. Gentleman is being generous in giving way. I want to develop the point a little. The reports that I get back from schools in my constituency indicate that the knock-on effect of pressures on local authority funding for such children is on mainstream school budgets. Increasingly, schools have to fund special educational needs from their mainstream budgets to make up for the local authority shortfall. That therefore impacts on the wider educational opportunity, not just that of those who need the specific funding.
Julian Sturdy: The hon. Gentleman makes a very good point, which I accept, and it is certainly what I have seen in the evidence before me. I will develop this further, but the wider point is about schools and local authorities actually identifying all children with SEN—if they identified them all, there might be a financial impact on those specific schools. For me, that is the wider concern in the process.

The study by LSE and UCL found that children with SEN at school are three times more likely than their peers to lack a close friend and to experience bullying most days. Sadly, problems experienced at school have long-term consequences, and the study found that by the time those children are young adults, those with SEN are nearly twice as likely to see friends only once or twice a year and to feel that they have no one to listen to their problems. There is also an impact on relationships and family life in middle age. Adults who had SEN at school are four times as likely to be single and twice as likely not to have children.

The report also suggests that the pressure that children with SEN face at school to perform socially and academically is having a detrimental impact on their long-term mental health and wellbeing. They are twice as likely as their non-SEN peers to feel that life’s problems are too much. There is also a significant concern that a disproportionate number of those caught up in the criminal justice system have a special educational need—the relevant studies find that they represent between 25% and 50% of offenders. All that is extremely alarming.

Addressing the disparity in outcomes for SEN children has been a priority of successive Governments of all political persuasions and colours. There is evidence that policy changes have made a positive impact on the lives of a new generation of SEN children. The reforms brought in by the Children and Families Act 2014, and the introduction of education, health and care plans—touched on already by hon. Members—were welcomed as positive step towards providing more reliable and individually tailored support for those with the greatest needs.

Last week the Government talked about creating 37 new SEN schools. Although I welcome the 3,400 extra high-quality school places that could be created, I am not convinced that will address the need for early intervention in mainstream schools, as other hon. Members have mentioned. It is possible that will further contribute to the social marginalisation of SEN children.

Melanie Onn: What does the hon. Gentleman think about the role of teaching assistants in schools? For children with SEN or EHCPs, one of the fundamental support mechanisms in school is teaching assistants, but their numbers have been drastically reduced; they are often the first to lose their jobs when there is restructuring and school budget cuts.

Julian Sturdy: The hon. Lady makes an important intervention. Teaching assistants and teachers have a huge role to play—I will touch on that later in my speech—because it is about spotting SEN at an early age. If we can tackle it at the beginning, it will be easier to tailor support for those children. The first port of call has to be teachers and teaching assistants at school.

The Government’s announcement last year that they would invest an additional £365 million from 2018 to 2021 is to be welcomed. However, I am not convinced that funding alone can address the disparities that children with SEN face. Far-reaching policy changes are required. The first of those that I want to touch on is exams. By far the largest query that I receive from constituents in relation to SEN is about assessment concessions—extra time in exams. Although I understand that the recent move towards an exam-based system in schools, from the perspective of academic rigour, is probably the right way to go, I am concerned that has had the undesirable side effect of limiting the potential of SEN students.

Constituents tell me time and again that their children’s two biggest problems in exams are the anxiety that they inevitably generate and the unfair concentration on one small aspect of that child’s ability: namely, the ability to memorise facts. The GCSE religious studies exam includes a requirement to learn 64 quotations. I do not think I could do that; perhaps a number of Members could, but it would be beyond my ability. The GCSE physics exam requires the ability to memorise 24 formulae—I might find that slightly easier.

The default response to the disadvantages that SEN students face in exams is to offer extra time, but no amount of extra time will address the fact that exams as a means of assessment are intrinsically unsuitable for some types of students and learners. The solution has to be to revisit the place of coursework, which once made up 40% to 50% of GCSE assessment. Coursework does not discriminate against SEN children with high cognitive ability but for whom memorising facts does not come that easily. Coursework has the additional benefit of alleviating the anxiety of one assessment and spreading the pressure throughout the year, rather than concentrating on the examination period.

James Frith (Bury North) (Lab): The traditional argument has been that we need coursework for people who cannot do exams, and that those who can do exams are fine, but that binary choice is unhelpful. The parent of a child with autism in Bury spoke to me about his daughter’s ability to take the new times tables test that has been introduced. In fact, she is really good at maths; what she struggles with is the speed at which an immovable testing mechanism is applied. Although her ability to calculate is not a problem, she is expected to answer questions that move on at a fast rate. We must not fall into the trap of suggesting that those with special educational needs are somehow non-academic or unable to perform in mainstream education, because all they need is a better, more dynamic service.

Julian Sturdy: I entirely agree: the hon. Gentleman makes the point very well. Many of those children have really high ability, but their ability needs to be managed so that they can get through the system. The point I want to make, as he mentioned, is that ultimately we need a balance to be struck. It is not all about the individual exam, and it is not all about a shift to coursework. When major changes such as moving from coursework back to exams are made, there will be consequences. The system has to recognise that a balance has to be struck.

Anne Marie Morris (Newton Abbot) (Con): Does my hon. Friend agree that regarding the education of those with special educational needs, we need to look longer term to career prospects? I find it fascinating that some
employers specifically look for those with autism because they are better at dealing with computer challenges than others. Those with special educational needs have some strengths that those without them do not. Surely, the education system should recognise that and take it into account when developing programmes, so those children can take advantage of their employability when they leave school.

Julian Sturdy: That is a fair point, but I reiterate that this is not about compartmentalising individuals; it is about making sure they are kept in mainstream education and have the ability to thrive and prosper, as everyone should have. The system has to allow that.

Alex Cunningham (Stockton North) (Lab): I agree with the hon. Gentleman about spreading the pressure throughout the course, but he mentioned children being included in school. Does he agree that we really need the Government to look at the exclusion policies adopted of late by academies? Many children are excluded just before the exam and never get the opportunity to sit it.

Julian Sturdy: Is the hon. Gentleman’s point about exclusions that are to do with targets?

Alex Cunningham: That is very much the case in some instances, but there are also children who misbehave or get into trouble towards the end of their academic course and find themselves excluded from the exam altogether.

Julian Sturdy: That is a really important point. Where that happens—I know it does in certain circumstances—it hugely impacts the life prospects of the student involved. Ultimately, this is about ensuring that young people have the best opportunities in life, and that we harness their individual skills—they all have them—and maximise their life prospects. We must ensure that we do not in any way damage them or, ultimately, exclude them from the system or from society as a whole.

This point has already been raised in interventions, but another thing I believe can make a real difference is awareness is vital if we are to increase early intervention. I am not a professional in this, but I am told that three levels of SEN professional development are available to teachers: accredited learning support assistant; approved teacher/tutor status; and associate membership of the BDA. The first qualification entails 24 hours of contact time and 20 hours of monitored support, all integrated within the teacher’s work in school. I suggest that directing money to such professional development may result in significant savings and improve the prospects of children with complex needs. Fundamentally, though, my constituents tell me that the way we approach SEN funding for schools has to be reconsidered.

Vernon Coaker (Gedling) (Lab): The contributions we have heard will make a real difference, but on the hon. Gentleman’s point about somebody being responsible, our constituents often tell us that they always seem to have to fight the system, which never delivers for them just as a matter of public policy. That is not out of any lack of desire in the system; it just seems that everybody is responsible but nobody is. Parent after parent tells me, “This is what I’m entitled to; I can’t get it,” or, “This is what I need; I can’t get it.” Their child’s plan says they should have it, but it just does not happen. It just seems that the system does not work, even though everyone is trying to make it work. Does the hon. Gentleman agree with that, and does he find that the fact that parents have to fight the system is one of the frustrations we all share?

Julian Sturdy: I entirely agree. That is what drove me to introduce this debate. Constituents come to me to say exactly those things. I will touch on this in my conclusion, but we have to remember that there are parents out there—I do not blame parents—who are prepared to go out and fight for their children, get them in where they need to be and get the right support, but there are also disadvantaged children who may not have parents who are prepared to go and fight for them. They are the ones who fall through the gaps.

James Frith: This is about parents’ ability to go out and fight, not their preparedness to do so. Again, please let us not fall into thinking that the parents who reach our door are those who are prepared to. They are simply the ones who are able to. Someone who faces changing shift patterns and has to use public transport, for example, may be prevented from reaching our door. The fact that we hear so much about these issues from parents who are able to reach us shows that there are great swathes of parents who do not speak to us directly about them but very much face the same, if not worse, issues.

Julian Sturdy: I accept that. That is a very important point. The point I was making is that there are parents from all backgrounds who, if I am brutally honest, will not know that their children might need support. As I said, it is those children with unidentified needs who fall through the gaps and do not get that support. That goes back to what I said about the whole system and the need for early identification. Schools and teachers need
to be able to work with parents so they get that support. We should not have the problem, which the hon. Member for Gedling (Vernon Coaker) identified—I entirely agree with him—of parents having to go to their local MP or their local councillor, or to the different voluntary associations that work with parents, to try to break down barriers or get through doors to get that support for their children. That is the wider problem. I think everyone present would agree that parents should not have to do that.

Ben Bradley (Mansfield) (Con): The Education Committee is conducting an inquiry into this hugely important subject. The Committee heard that most people accept the positive intention of the policy introduced in 2014—the education, health and care plans and so on, which my hon. Friend has covered. In theory, that policy puts more power and control in the hands of parents, but does he agree that it is impossible to deliver what is supposed to be a needs-based system with a finite budget? Problems are created because the things pupils need are not deliverable on the budget available.

Julian Sturdy: Absolutely—that is a very important point. I will touch on some of the Select Committee’s findings, but I entirely agree.

Alex Chalk: My hon. Friend the Member for Mansfield (Ben Bradley) makes a really important point about the extent of the budget. Do we as a community not have to recognise that needs are much higher than they were even 20 years ago? The special schools in my constituency—whether it is Belmont, Bettridge or Ridge—increasingly deal with medical issues that impact some of these children’s ability to learn, yet those medical needs have to be funded from the education budget. That simply adds to the strain on that budget.

Julian Sturdy: That is a good point and I am glad I took the intervention, to which I hope the Minister will respond. I did not want the debate to turn into one about child adolescent mental health services referrals but I am sure all Members have experienced frustration over the referral time lag. I have raised questions in the House and it is immensely frustrating—and part of the reason is that it is a cross-departmental matter, between education and health. However, as my hon. Friend pointed out, a lot of the money comes from the schools budget.

Tim Farron (Westmorland and Lonsdale) (LD): The hon. Gentleman is being generous in giving way. Does he agree, on the issue of school budgets, that there is an inequality between schools? The fact that schools are forced to pay for the first 11 hours of meeting an EHCP from their own budgets disadvantages those that do the right thing and take significant numbers of children with special educational needs, and inadvertently helps those that do not. Would it not be wiser for the Government to agree that EHCPs should be directly funded so that the money followed the pupil entirely, instead of penalising schools that do the right thing?

Geraint Davies (in the Chair): Order. Before you respond, Mr Sturdy, may I just say that if your speech ended now I would, given the number of Members wanting to speak, have to impose a three-minute limit? Perhaps you would bear that in mind.

Julian Sturdy: Thank you, Mr Davies. I will try not to take any more interventions, and to bring my remarks to a conclusion, but the point that the hon. Member for Westmorland and Lonsdale (Tim Farron) made was the one I wanted to go on to. There is genuine concern that the system provides a perverse incentive to schools not to rigorously identify and protect children with special educational needs. Schools are not provided with straightforward per pupil funding. Rather, a notional proportion of their overall budget is earmarked as SEN funding. Crucially, however, that is not ring-fenced, which means that by identifying more children with SEN, and funding them, schools will allocate up to £6,000 per pupil that they could have spent on other areas. That is exactly the point that the hon. Gentleman made.

Schools have access to additional funding from local authorities for children with especially complex needs, but my concern is the effect that that has on children whose SEN provision schools have to fund in its entirety. Alaramingly, the percentage of pupils with identified SEN but whose needs are not complex enough to qualify for a statement or EHCP reduced from 18.3% in 2010 to 11.7% in 2018, while the proportion with complex needs remained static. I do not want to prejudice the reason for the reduction, but it is certainly dramatic. Surely it reflects not an actual reduction in the number of children with SEN, but rather a reduction in the number who have been identified. In the absence of a proactive approach from schools, parents tell me they have to fund diagnoses for their children privately and are becoming frustrated with schools that are failing to investigate their concerns properly. As we have heard, Members across the House face the issue regularly in their surgeries.

On the other side of the matter are local authorities, which have also complained about pressures on the high needs funding block. The National Autistic Society has raised concerns about the wait that children face to be provided with appropriate support, and a worrying increase in the number of requests for EHCP assessments that are refused by local authorities. In November, Mr Dave Hill, the executive director for children, families and learning at Surrey County Council, told the Education Committee that SEN funding was approaching a “national crisis” because of “all the money being spent on firefighting and no money being spent on prevention.”

Indeed, North Yorkshire County Council’s high needs funding has increased by only 0.75% at the same time as demand has risen by 10%. Councils are now liable to fund children with complex needs from the ages of nought to 25 under an EHCP.

As I mentioned earlier, the introduction of EHCPs is to be welcomed and indeed they have proved popular with parents, providing both certainty and individual flexibility. However, councils have expressed concerns that their high needs budgets are becoming increasingly committed to the funding of the 20% of SEN pupils who qualify through having an EHCP, leaving little to spare for the remaining 80% of SEN students who do not qualify. That is an important point. It is particularly frustrating for the parents of children with complex needs who just fail to meet the threshold for EHCP qualification. The concern is that that is creating an...
all-or-nothing system, where a dramatic difference in support results from the fine margin on which someone does or does not qualify for an EHCP.

I want to draw my remarks to a conclusion because I know a number of Members want to speak. We need to look at the exam assessment concession system and whether it adequately addresses the disadvantages that SEN children face.

Geraint Davies (in the Chair): Order. Perhaps you can try to bring your remarks to a close in a moment. I am already down to two and a half minutes each for other speakers. Carry on—you are entitled to speak as long as you like, but be aware that there are eight speakers, plus the Front Benchers.

Julian Sturdy: I will take 30 seconds, Mr Davies. I have obviously taken a lot of interventions, which have affected what I wanted to say.

Geraint Davies (in the Chair): I am just advising you.

Julian Sturdy: I appreciate that advice, Mr Davies.

We need to review the perverse incentives that result in schools failing to identify children as SEN, and the controversy between parents and local authorities over EHCP qualification. We need to prioritise teacher training, so that all teachers have basic skills for working with children with SEN, creating a more integrated approach. I have questions whether the policy of new SEN free schools is the right way of addressing the underlying issues, as I have mentioned.

Finally, we need to look at the effectiveness of education, health and care plans, especially in regard to the proportion of local government higher needs SEND funding spent on those plans at the expense of the 80% of SEN children and students who are not on the plans or who just miss out on qualifying for an EHCP. Ultimately those children are falling through the gaps, and the consequences for their future development and potential opportunities are huge. We Westminster politicians must not forget that, and must face up to it and react. I hope that the debate, given the number of colleagues present from across the House, will mean that we can try to move things on. I look forward to hearing what the Minister and other Front-Bench speakers have to say.

Geraint Davies (in the Chair): I was going to call the Front Benchers at 10.25 but I will now call them at 10.30, and give them eight, eight and 12 minutes. Other Members will have two and a half minutes.

10.8 am

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I want to start by mentioning two incredible young people whom the Education Committee met yesterday. One young man called Ben said “we are not...SEND. We are human beings, the same as the rest of you...remember that fact...We are...not a problem...Work with us”.

Another wonderful young woman called Eva said SEN children have dreams and ambitions too.

That should be at the core of everything we talk about and what makes and shapes our policy decisions—the children at the heart of it.

I agree with many things that the hon. Member for York Outer (Julian Sturdy) said, including about the tension—I say conflict of interest, but other people say tension—between a needs-based system and a finite budget. If we truly wanted all our young people to have those dreams and ambitions, to be seen as capable individuals who are able to achieve and just need that extra support to get there, we would not have a finite budget. We would genuinely match the needs of every individual child.

There are many problems on the way, and in the few moments I have I want to mention some of them. There is currently no audit of the notional SEN budget. There is the £6,000 that schools are supposed to spend, but there is no audit of how they spend it or what they spend it on. There is a lack of consistency in SEN support, including for pre-EHCP children, where there is no consistency in what the support should look like, what they should have and what the standard should be. There are issues with teacher training, in that not enough time is spent on SEN. That has been an issue since time began and a conversation that schools have been having ever since.

The therapy services that should be offered to support children are missing from local government, particularly those relating to speech and language provision. As the hon. Member for Cheltenham (Alex Chalk) pointed out, that is an issue for schools because teaching assistants have to deliver it and so it comes out of the education, not the health, budget.

I would like to say one final thing: our SEN children are fundamentally underfunded and there is a fundamental lack of recognition of the issue's importance and of what these children can achieve. I plead with the Government to change the accountability system and give our schools the money they need.

10.11 am

Ben Bradley (Mansfield) (Con): I congratulate my hon. Friend the Member for York Outer (Julian Sturdy) on securing this debate on a hugely important issue. Special educational needs and disabilities provision touches on every part of education, from early years all the way through to further education and higher education—not just for the vulnerable children who need the support, but for everyone else, as it has an increasing impact on schools’ core budgets and spending.

In the very limited time available, I will touch on one specific issue; I will use my own council in Nottinghamshire as an example, but it is a wider issue. Nottinghamshire County Council has a good reputation for SEND support, but there are growing problems and it loses out on funding compared with the national average, making it impossible to sustain that support.

Compared with its statistical neighbours, the council receives £7 million less for providing the same services. It is punished for having historically been inclusive, keeping children with SEND in mainstream schools as far as possible and pushing the money down from its own budgets into those of individual schools. That means that the council has historically spent less, which works against it in the funding formula—having taken the right educational decisions for pupils, it now receives less funding. That is not right and it is not sustainable.

SEND funding has an impact on all areas of education. There has been a lot of talk about school funding, but of course increasing proportions of those budgets are
spent on topping up gaps in SEND support. I welcomed the announcement at the end of last year that there would be more money over the next two financial years, but we need to do more. I know that my right hon. Friend the Minister knows that and that she is making that case. Everyone in this Chamber has a duty to ensure that the Chancellor understands the storm brewing in SEND funding.

Nottinghamshire County Council has taken the right approach: it aims to be inclusive and to give the funding and autonomy to schools wherever possible, because they are best placed to understand their pupils and to give them a voice and a say in the care and support they receive, as well as to reduce costs and bureaucracy. It is therefore all the more frustrating that it and many other councils like it around the country are now being hit financially for taking the right educational decisions.

I urge the Government to ensure that this issue is treated as a priority. The Minister will be aware of stats showing that SEND spending, particularly in post-16 education—which is her own area of responsibility—is growing in huge numbers that will simply not be sustainable without more help. The spending review is hugely important, and I urge her and everybody in this Chamber to make the case to the Treasury. Over the coming months we must ensure funding for the long term and that we invest properly in SEND provision.

10.13 am

Dr David Drew (Stroud) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Davies. I thank the hon. Member for York Outer (Julian Sturdy) for covering so many points in his introductory remarks.

I have just two simple requests for the Minister, which I have raised with the Minister for School Standards and with the Prime Minister a couple of weeks ago. The hon. Member for Cheltenham (Alex Chalk) will not be surprised to hear what I have to say. My first request relates to the point made by the hon. Members for York Outer (Julian Sturdy) and Lonsdale (Tim Farron): the £6,000 is a completely perverse incentive. It is unfair. It is effectively a tax on inclusive schools: they are trying to take pupils and help them, yet they are being hammered by that £6,000. If the Government could do something about that by losing that £6,000, that would be the fairest thing of all.

My other point is that much of the deficit for schools in Gloucestershire is now due to the fact that the additional needs element is not reaching those schools but getting stuck somewhere in the system. If the Government could ensure that the additional needs element reached the schools so that they were able to defray the expenditure in the most appropriate way, it would make a dramatic difference and stop some of the deficits that are beginning to rise.

10.14 am

Derek Thomas (St Ives) (Con): I congratulate my hon. Friend the Member for York Outer (Julian Sturdy) on securing this fantastic debate.

The Children and Families Act 2014 refers to identifying children and young people with SEN, assessing their needs and making provision for them, but if that were happening, we would not be here today. We are asking schools—we are talking about mainstream schools here, not special schools—to provide special learning programmes; extra help from a teacher or teaching assistant to work in smaller groups for the children concerned; observation both in class and at break time; help with class activities; encouragement to participate in questions and other activities; and help with their communication and physical and personal care.

Thelma Walker (Colne Valley) (Lab): Will the hon. Gentleman give way?

Derek Thomas: I will not, because we are really short of time. There is no getting away from it: this is about funding. My hon. Friend the Member for York Outer was right to talk about policy change, and I agree with that, but right now this is about the urgent need for funding. The support required cannot be achieved unless we provide that money.

The truth is that, if we do not get this right, the outcome will be a breakdown in the relationship between parents and teachers—we never want that; that is not the best way to support a child in education—and a number of children will leave school altogether. The Ofsted report shows that they simply disappear. We do not know where they are. These are children with vulnerable lives ahead of them. We have situations where the education of the whole class is unfortunately compromised, because teachers, however hard they try, cannot give their full attention to the whole group.

Thelma Walker rose—

Derek Thomas: No, honestly, I am not going to give way. I have seen difficult situations and the real challenges that children, parents and teachers face. We have a decision to make, as a Government and as hon. Members. I believe we are failing children with special educational needs. We have a cohort of people who have their whole life ahead of them, and it is for us to ensure that they have a full life. If we get SEND provision wrong, they will have a lifetime of missed opportunities. If we get it right, they will have life chances and opportunities. It is urgent that we get the money where it is needed, right now.

10.17 am

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Davies.

It is no coincidence that I also speak on behalf of the city of York. The council’s estimated spend on the high needs budget is £1.15 million, yet the Government’s high needs funding is just £393,000, leaving a shortfall of £760,000. However, we know the need is much greater, as many children do not get diagnosed early enough and often wait years for diagnosis, and many children do not reach the levels for which funding is awarded.

Those shortfalls are experienced throughout the education system, from nursery school—nurseries now have to subsidise childcare costs—to primary and secondary school. I know, from a visit I made to a secondary school in York, that children are sometimes placed in isolation. That causes some of them emotional harm, but the school does not have the capacity to support them. Often, the stigma stays with them all their lives.
Some children are moved to other schools, but that does not address their special educational needs. I am sure if research was undertaken on off-rolling children, it would show that a high proportion have neurodiversity-related needs. Those children become more vulnerable, more at risk of exploitation and more likely to end up in the criminal justice system. Those children are failed.

If I may say it again in this debate, York schools are the worst funded in the country. We have the worst attainment gap in the country. We have the highest rise in class sizes. SEND is seriously underfunded. Children with SEND in York experience among the longest waiting times for diagnosis, and our SEND budget deficit is three quarters of a million pounds. I ask the Minister to pause for a moment to make the correlation between those statistics.

Next year, the overspend on the budget will be £1.3 million, and the following year it will be £1.9 million. Although the education, health and care plans have been extended to the age of 25, no additional funding has been put into the budget and there are no additional resources to support the 51% increase in demand. I ask the Minister to review the budget and ensure that schools are adequately supported to provide vital support for those young people right through their schooling and also in early years, through children’s centres and Sure Start schemes.

10.19 am

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate the hon. Member for York Outer (Julian Sturdy) on securing the debate. I declare an interest: my wife is the Cheshire West and Chester Council cabinet member for children and young people.

As we have heard, all hon. Members hear from families who have great anxiety about what is going on. Too often there are delays in agreeing that an education, health and care plan is needed at all, and when those plans are finally put in place, they are too often not delivered in full because schools face funding pressures elsewhere. If a child is in only their fourth or fifth year of education and waits a year for a plan to be put in place, that means that 20% or 25% of their entire education up to that date is put on hold at an absolutely critical period of their development. All the while, parents try their hardest to resolve things, but because overstretched schools and councils can only do so much with the resources they have, no matter how hard they try, things cannot move any faster.

A year’s delay might not actually be the worst of it. A 15-year-old boy with autism was featured in The Observer last Sunday because he has had to fight for six years—more than half his educational life—to get his education properly funded. However, getting a plan is not necessarily the end of it. The Government’s own figures show that, last year, 2,060 children with EHCPs were found to have received no educational provision at all. That is more than 2,000 children getting no education. Is it any wonder that pupils are unnecessarily admitted to special schools or excluded when mainstream schools no longer have the capacity to meet their needs?

Exclusions among children with SEN continue to rise, with Department for Education figures showing that they are up to six times more likely to be excluded, accounting for half of all permanent exclusions. Is that why home schooling figures have gone up by 40%? Are schools perhaps suggesting that particular children might be better off at home in order to avoid an exclusion? In short, the system hopes to absolve itself of any responsibility by ignoring this rise in home schooling.

Home schooling is not the only issue; the courts are also involved. Many parents of children with SEN feel that the only way to ensure that their child receives the specialist education to which they are entitled is through legal action, with a staggering 89% of cases successful. Such a high appeal success rate across the whole country says to me that the system is broken and needs an overhaul, but the Government seem unwilling to even question why this is happening.

Education is a fundamental right for every child. Every day lost because of a failure to support a child with SEN is another day where that child loses the chance to fulfil their potential. They deserve better, and they deserve action.

10.22 am

Alex Cunningham (Stockton North) (Lab): Last Friday, I had the pleasure of speaking with a group of primary school headteachers in Stockton. We talked about the challenges they face and how school is about not only learning but supporting young people through their challenges and their opportunities.

We also discussed how schools deliver quality SEN support. Those headteachers are finding it tough. They lament that 14.6% of the school population have special educational needs—a number that is often higher in areas like mine. We agreed that such support should be provided within a mainstream setting, so that all children can be educated together. However, instead of addressing problems that make integration difficult in mainstream schools, such as funding issues, the Government have announced plans to open 37 new special free schools. That goes directly against efforts to promote and encourage integration among children, casting some as different and moving them away from their peers, as the hon. Member for York Outer (Julian Sturdy) spoke about.

Teachers want integration, and those headteachers in Stockton want more than that. They want the Government to do more to encourage parents to play a full and proper role in the general and even special needs education of their children. I promised those headteachers on Friday that I would raise this issue in the House in my next speech on education, and I am pleased to fulfil that promise today.

Some of the children who those headteachers receive into their schools do not have the most basic of skills, including being able to get dressed or go to the toilet, or simple language and numeracy skills. These children will probably need special educational needs support throughout their schooling, although the heads were at pains to tell me that some of these children come from more privileged backgrounds.

Teachers feel that the responsibility for picking up this personal and special education is being dumped on them—parents just pass it on and expect schools to pick up the pieces. I know that it would not be easy to implement, but those Stockton headteachers like the idea of a parents charter outlining their role in working with the school in the best interests of their children. I am interested in the Minister’s views on that.
Another area I have been involved in recently is kinship care—family members taking responsibility for children who are not their own, almost all of whom need special educational needs support in school. However, support for kinship carers is not sufficient, with many left isolated and knowing that the children in their care need extra support but not knowing how to get it.

I am pleased to serve on the cross-party kinship care taskforce set up by my hon. Friend the Member for Redcar (Anna Turley). I have heard many horror stories about the problems that children and their kinship carers face. When Ministers get the report—they might not include this particular Minister—I hope they will act on it.

10.24 am

James Frith (Bury North) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. As has been mentioned by my colleagues on the Select Committee on Education, we spent yesterday morning in the presence of the RIP:STARS, who describe themselves as children with disabilities for children with disabilities. Ben, who has also been quoted by my Committee colleague, my hon. Friend the Member for Kingston upon Hull West and Hessle (Emma Hardy), told us that he is not a “jigsaw” or “puzzle” to be solved—all they want is an education. In fact, their report concludes with a series of recommendations for schools, including that they should focus on inclusion; involve the child in the provision, not just the co-production of providers; meet holistic needs; personalise provision; and that provision should bear a resemblance to the world and life after school. The list goes on, but surely those are exactly the same principles that we should want to apply to mainstream education, for all our children.

It is becoming clear, however, that parents and children with SEND are being pushed out of mainstream schools, too often because there has not been an increase in personalised, inclusive, contextual learning that gives second chances—because that comes at a price. The Government’s response to date does not go far enough. Independent research commissioned by the Local Government Association predicts a £1.6 billion black hole in high needs funding for councils.

I say to the Minister this is not just about getting more money but about moving money. Tribunals find in favour of the parent and child nearly 90% of the time, costing authorities hundreds of thousands of pounds—wasted money that could have been moved upstream and spent earlier. Some 70% of all exclusions involve a child with SEND.

Schools that I spoke to in my survey last year came back to me yesterday with a series of comments, including:

“We can no longer afford to purchase necessary resources”.

Thelma Walker: I thank my hon. Friend and Committee colleague. The capacity of professionals to support SEND pupils in schools is at its absolute limit. A special educational needs co-ordinator may also be a class teacher and in charge of inclusion and, perhaps, safeguarding. Does he agree that that is too big a role to be able deliver full provision and support for SEND children?

James Frith: My colleague makes an excellent point. I enjoy serving alongside her on the Committee. Punishing school budget cuts have resulted in the loss of teaching assistants, removing capacity from the classroom. In every other walk of life, specialist provision is viewed as additional support that is scalpel-like in its focus, or as enhanced provision, but SEND provision in school classrooms is viewed as low-hanging fruit to be cut, owing to the increasing demand on budgets. My hon. Friend is absolutely right.

Teaching assistants have gone. One school I represent has lost six and another has lost four. One of my schools told me:

“We can no longer afford to provide additional elements not covered by the statement…with the result that our more vulnerable pupils find it really difficult to cope at lunchtimes. My High Needs budget is actually ALL spent supporting pupils in my school with EHCPs and SEN hours as school has to provide the first £6,000 from its own budget.”

That needs to be looked at. Another school said:

“The numbers of SEND cohort have increased significantly in terms of social, emotional and mental health”,

which has been touched on. Health absolutely needs to be at the table; it too frequently is not. I urge the Minister to look at the issue and to work cross party and on the findings of the Committee’s ongoing SEND inquiry when we report in the summer.

Geraint Davies (in the Chair): I call Marion Fellows. It would be helpful if you keep your remarks to about eight minutes.

10.29 am

Marion Fellows (Motherwell and Wishaw) (SNP): I will make every effort to go faster, Mr Davies. It is a pleasure to serve under your chairmanship. I congratulate the hon. Member for York Outer (Julian Sturdy) on securing the debate.

It was a real privilege to listen to the powerful evidence of the young people who spoke to the Education Committee yesterday morning. They forcefully and movingly shared their experiences of school, college and university. Representatives from RIP:STARS talked about the research they had carried out with Coventry University on EHCPs and their experiences of them. Young people who are supported by my AFK and who have experience of accessing further education and employment focused on their experiences of post-16 provision. And young people who are supported by the National Deaf Children’s Society and who have current and recent experience of secondary school spoke about their experiences of school.

I ask the Minister to view the footage of yesterday’s evidence gathering session and not to wait for our report, which is due to published just before the summer recess. The footage is moving and could be fundamentally life changing if we addressed the issues those young people raised in telling us about their experiences.

In Scotland, the Scottish National party believes that all young people and children are entitled to the support they need to reach their full learning potential—education to go out and lead forth. Scotland has a system that focuses on overcoming barriers to learning and getting it right for every child. About 16,000 school-aged children in Scotland have learning disabilities. Education authorities have statutory duties to ensure that pupils with additional
support needs who are due to leave secondary school are supported in making that transition. I am not going to pretend that everything in Scotland is perfect—it is not—but we have the advantage of a Government who promote collaborative working among all those supporting children and young people at the heart of the system, and an Act that sets out the rights of young children and parents.

In addition, through the national implementation of their action plans, “Getting it right for every child” and “Delivering excellence and equity in Scottish education”, the Scottish Government are working to improve outcomes for children and young people with special needs. The Scottish Government have published an implementation framework for the delivery of the Scotland learning disability strategy, which outlines the vision for children who have learning disabilities. The Scottish Government also work closely with Dyslexia Scotland and others to produce resources for schools and to ensure that children and young people with dyslexia are able to realise their potential. Similarly, they support pupils with autism, and, working with Autism Network Scotland, have produced an autism toolbox that provides information to help the identification, support and planning of learning for pupils with autism, as well as helping teachers with their professional development.

The Scottish Government are investing in order to ensure that the resources are in place to deliver on their commitments to all pupils, including those with special educational needs. One of the challenges we face in Scotland is that a no-deal Brexit would have a catastrophic effect on staffing levels and EU grants, which are vital to our education system and help children and young adults.

I hope the Minister will look at the recent footage of every evidence gathering session held by the Education Committee. I think we can all agree that all children should receive the best possible education that not only prepares them for academic success but fits them to be the citizens of the future. No matter what our Government or party allegiance, we should all seek to give our children the best education we can.

10.33 am

Mike Kane (Wythenshawe and Sale East) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies, and I congratulate the hon. Member for York Outer (Julian Sturdy) on securing this important debate. Today we have here both the hon. Member for York Outer and my hon. Friend the Member for York Central (Rachael Maskell), or inner York—their constituency names reflect the Brexit politics, in a way. Who says nominative determinism is dead?

York has lost £9.9 million of education funding since 2015-16. Such losses are one reason MPs across the country are seeing their Friday surgeries full of parents who are stressed and worried about their children not getting SEN support. The SEND—special educational needs and disabilities—provision. We have heard some great speeches today, from my hon. Friends the Members for Stroud (Dr Drew), for York Central, for Ellesmere Port and Neston (Justin Madders), for Stockton North (Alex Cunningham) and for Bury North (James Frith).

Interestingly, the Minister has already talked about this subject in the House, in answer to a question from my hon. Friend the Member for Kingston upon Hull West and Hessle (Emma Hardy) in an Opposition day debate. This is what the Minister said at the time, in relation to evidence on children getting SEN provision in our schools: “In some special schools 100% of the children attending are there only because their parents were able to fight through tribunal. She said”—she continued—“that is actually a class issue, because it is white, middle-class parents who are able to go to a tribunal and know how to work the system and where to get support.” She herself said: “What about all those children whose parents do not have the same cultural capital and do not know how to go out there and fight for them? They are not in these residential special schools, so where are they and what is happening to them?” That is the state of this Government and of our SEN provision, with the Minister herself admitting that the system is absolutely broken.

Children with special educational needs or disabilities are bearing the brunt of the Government’s continued cuts to our schools and our local government budgets. This Tory Government have cut more than £1.7 billion from school budgets since 2015. We recently had a three-hour Westminster Hall debate on a petition—I think you were in the Chair, Mr Davies—during which dozens of Members highlighted the cuts to their local schools. Local government is warning of a shortfall in SEND support of over half a billion pounds this year. These punishing cuts have consequences.

In 2017, over 4,000 children with SEND were left without a school place. In 2016, for the first time in 25 years, more children with SEND were educated outside the mainstream, some because they were subject to informal exclusions and some because they were being home-schooled. The stark fact is that this Government have not bothered to keep track of these children, so we do not know where they are or what support they are getting. Over 9,000 children were off-rolled from our school system last year, many of whom had disabilities and special educational needs.

We have a Prime Minister—who makes me angry—who has said that there is no link between police cuts and the rise in knife crime on our streets, and that there is no link between off-rolling in our schools, so not knowing where our children are, and the rise of knife crime in our society. Most people with common sense will think that is ridiculous. Our police forces are talking to MPs not about child sexual exploitation, but about child criminal exploitation. When we do not know where these children are, that provides a fertile breeding ground. The Government will not match Labour’s commitment to make sure that children have to stay on the school roll, so that we know where those children are. No wonder we have the problem of county lines, drug mules and all the other things that go with that.

The crisis in our education system, in recruitment and retention, and in funding cuts across the board has led to a situation in which the number of SEND children facing fixed, permanent or even illegal exclusions remains totally disproportionate compared with their peers, with three quarters of the pupils in pupil referral units having special educational needs, and children with SEND accounting for around half of all permanent exclusions in 2016.

Alex Sobel (Leeds North West) (Lab/Co-op): I have a number of pupils in my constituency with SEN who have EHCPs. The schools are not sticking to those
plans, making it dangerous for those pupils to be in school and making parents feel that they have to withdraw them. The schools do not have the resources and cannot follow the plans.

Mike Kane: I taught in a school and I know that the plans cost money, but that money is not there. Schools are worried about employing cleaners and, according to The Times last weekend, we have headteachers cleaning the loos. I had a delegation from a special school for children with autism in Sheffield yesterday, and they are having to reduce the number of assistants and the ratios of children to people providing support are getting bigger. There is very little they can do.

At one point in their lives, more than 2 million children in England will have some kind of SEND, but shockingly only 3% of children in England have SEND statements or education and health care plans.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): In Plymouth and across the country, schools are closing early on Fridays. I have heard parents of kids with SEND saying that the disruption to schedules for kids who require structure and support during school hours is especially hurtful. Does my hon. Friend agree that this type of funding cut is really affecting some kids and that we need to ensure that schools are funded properly to give SEND kids, especially those who value structure and support during school hours, the support they need?

Mike Kane: I could not agree more with my hon. Friend. Our hon. Friend the Member for Kingston upon Hull West and Hessle referred to a finite budget. There are limits to resources, but what are we doing? We are creating a lost generation. In 20 or 30 years’ time, we will say that this is the generation that went through the lost generation: 10,000 children a year are off-rolled, school system on this Government’s watch. It will be the lost generation. For too long, SEND provision has been seen as an add-on, as an extra. We are committed to provide adequate SEND support in schools, a UN report in 2016 concluded that the UK was guilty of “grave or systematic violations of the rights of persons with disabilities”.

I came into politics because I was inspired by my MP, Alfred Morris, who introduced the Chronically Sick and Disabled Persons Act 1970 as a private Member’s Bill. That was the first legislation recognising the human rights of disabled people in any legislature on the planet, and Alf Morris became the world’s first Minister for the Disabled. He would be spinning in his grave if he could see what state we have come to in this country and how we are now treating pupils with SEN and disabilities.

The Government must get a grip and fully fund and implement suitable SEND support in schools. Labour would do things differently. We have already said that we would give—[Interruption.] I am hearing muttering from the Government Benches, but the hon. Member for Cheltenham (Alex Chalk) needs to hear this message. Because things do not have to be like this. We would fund local government services adequately. We pointed that out in our manifesto. We would also replace what has been taken in cuts to our schools. [Interruption.]

Geraint Davies (in the Chair): Order.

Mike Kane: Ten years of this Government has completely overturned the investment that we saw in schools in the 1990s in particular. Our national education service—[Interruption.] Does the hon. Member for Cheltenham want to intervene?

Alex Chalk: I am really disappointed by the hon. Gentleman’s speech, because normally he makes such helpful contributions and this one is not that. The fact is that we now spend, as a nation, £30 billion a year on debt interest, which is more than the £43 billion schools budget, and that is in no small part because of the historic failings of the Labour Government.

Mike Kane: Oh my word. Ten years of this Government, and they are about to drive us off a cliff with Brexit, and that is the best the hon. Gentleman can come up with.

Emma Hardy: I am sorry, but the argument made by the hon. Member for Cheltenham (Alex Chalk), for whom I normally have a lot of respect, would feel a little more truthful were it not for the fact that the Department for Education spends an awful lot of money on its own ideological pet projects. An example is the £4.6 million spent on Troops to Teachers, which has resulted in only 69 teachers.

Mike Kane: We also have to say that there was not austerity up to 2015, because the education budget was protected. What is happening is actually ideological, because the Government do not want to see that amount of GDP spent on schools in our country. We are going back to the 1980s—we all see it.

The national education service that Labour proposes has at its heart the guiding principle that access to education should be a fundamental right for all, no matter who they are, where they are from or what their circumstances are, because a good education can make a difference. The hon. Member for York Outer pointed out this most eloquently. For too long, SEND provision has been seen as an add-on, as an extra. We are committed to a truly inclusive education system, based on choice, where children, parents and adult learners with SEND alike can attend mainstream or specialist provision and achieve their goals. It is simply not right that a child should lose out because of the circumstances into which they were born or because they have special needs. I and my party are determined to change that for good.

Geraint Davies (in the Chair): We have caught up on time, so the Minister has almost 15 minutes.

10.44 am

The Minister for Apprenticeships and Skills (Anne Milton): It is a pleasure to serve under you, Mr Davies. I will not rise to the speech by the hon. Member for Wythenshawe and Sale East (Mike Kane). I am disappointed. He is a good man, but it is a shame that
he said what he did, because this had been a good debate. We know that there are problems in the system, and we can argue about budgets, but I say to him that a lot of the problems that we face in the House today are due to party political posturing. We can have arguments about money and budgets, but today was not the time to have that argument. What we wanted to do today and what right hon. and hon. Members did was raise real concerns about provision for children with special educational needs.

I could easily respond to what the hon. Gentleman said. I could give him back a party political rant if that is what he wants, but I do not believe that my job as a Minister and as a Member of Parliament is to do that. I am going to make some progress, but let me say that when I came into the House in 2005, the very first thing I did was to set up a drop-in day for parents of children with special needs, because under every Government, we never quite get things right. Humility is not in ample—

Thelma Walker: Will the Minister give way?

Anne Milton: I will not for the moment; sorry. Humility is not in ample supply in this place, but we on the Front Benches on both sides should have some humility and accept the fact that Governments—Labour, Conservative and coalition Governments—do not always get it right. What we need to do, in a cross-party—

Thelma Walker: On that point, will the Minister give way?

Alex Cunningham rose—

Anne Milton: I will not give way for the moment, because I have not yet even thanked my hon. Friend the Member for York Outer (Julian Sturdy) for securing the debate. What is important is that we try to get the system to work. I thank my hon. Friend and congratulate him on securing the debate. He knows that we have made significant reforms to the special educational needs system in recent years. There are real pressures on the budget—I accept that—and there always have been, but much can be done within the current budgets to make the system work better.

Alex Cunningham: I agree with the Minister that this has been a good debate. At the time of Tony Blair’s Government, I was a council cabinet member for children and young people, and I saw the massive investment. I acknowledge that the three Governments since the Labour Government left office have built on that, but there remain major issues in relation to special educational needs. I think that the Minister is acknowledging that, and Tory Members are telling her that, so we now need some real action, not just talk.

Anne Milton: The hon. Gentleman is absolutely right. We need to work together on this. In a previous debate that I covered for the Under-Secretary of State for Education, my hon. Friend the Member for Stratford-on-Avon (Nadhim Zahawi), I said that the right hon. Member for Kingston and Surbiton (Sir Edward Davey) was very welcome to work across the House to ensure that the system works.

My hon. Friend the Member for York Outer referred to a mental health crisis. This did not get much attention, but the number of pupils with SEN is rising quite rapidly. We did not get many contributions on the number of offenders who have dyslexic difficulties; a lot of people in prison have such problems. Another issue is the bullying of children with SEN. Coursework was also mentioned. My hon. Friend the Member for Newton Abbot (Anne Marie Morris) referred to employers valuing the skills of people with special educational needs, and she was right. I have seen absolutely excellent work by employers in my role as the Minister with responsibility for apprenticeships.

The hon. Member for Bury North (James Frith) made a very good point about flexibility. That is the trouble, is it not? We swing from one side right over to the other. Particularly for children with special educational needs, we need to be flexible in the way we assess them in schools. Additional flexibility, adequate adjustments—

Emma Hardy: On the issue of flexibility, will the Minister encourage the Minister for School Standards to reconsider insisting that 95% of children sit the EBacc, because it is not really suitable for 95% of children?

Anne Milton: I am sure that the Minister for School Standards will take that up. We continue to have discussions about it.

My hon. Friend the Member for York Outer talked about parents having to privately fund the diagnosis of children. We have talked about the battles that parents face. I repeat what I said in a previous debate on that matter: parents with sharp elbows battle through the system better, but even those with sharp elbows have a difficult fight. The hon. Member for Bury North raised the fact that that money is wasted, and it should be on the frontline. We still have a lot to do.

I will come on to the issue of teacher training. My hon. Friend the Member for Cheltenham (Alex Chalk) raised the important issue of the need to help mainstream schools include children with SEN, and I will say a bit more about that in a minute. My hon. Friend the Member for Mansfield (Ben Bradley) mentioned FE briefly, but, as the Minister for FE, it caught my ear. Further education colleges do a fantastic job with young people with special educational needs, who often have not succeeded at school or had their needs met. I was recently at a college where they have 400 children with special educational needs, one of whom would not come into the college at all, but stood outside. That child is now thriving, doing well in his qualifications and is about to go on an apprenticeship—absolutely brilliant work.

Derek Thomas: The Minister is absolutely right about FE colleges, but in Cornwall we have found that they have had to reduce the days for young people with special educational needs from five to three, which has not only caused real difficulties for the families, but created discrimination and division between children who are fully able and those with special educational needs. Will she look at that issue in her role as Minister for FE?

Anne Milton: I am happy to look at that. The hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) talked about the evidence given by one person who said, “I am not a person with special educational needs; I am a normal person.” It has to be normal, and we have to adapt the system to make every child and young person in an FE college feel normal.
Sir David Evennett: The Minister is making a constructive and excellent speech. Will she praise the teachers in the colleges and schools for their work in SEN, because they have a difficult job, and I think they are working really hard and well?

Anne Milton: My right hon. Friend is absolutely right: the teachers do a fantastic job, in circumstances which are—certainly in further education—quite difficult. He also mentioned funding. He never hesitates to mention the particular issues facing Bexleyheath and Crayford. Through the Children and Families Act 2014—I sat on the Committee considering the Bill—we made big changes to strengthen SEND, including £391 million given to local areas to support implementation, £252 million of which was provided directly to local authorities.

We have approved 125 new special schools spread across the country, including 37 extra ones. A number of hon. Members have also raised the need to have inclusion, as well, so we have provided an extra £100 million of capital funding to create more places in mainstream schools, colleges and special schools for children with SEN, bringing the total capital investment since 2018 to £365 million. The line between inclusion and special schools is very wavy. We must be guided by which setting best suits the needs of the child, though there is sometimes a discrepancy with parents, who want one or the other.

Emma Hardy: I have two quick points. One issue with the changes in the 2014 Act was that they raised the expectation of parents about raising the funding that went with it, and it continued provision through to the age of 25, without providing that additional funding for 18 to 25-year-olds. That has caused some difficulties. As some of my hon. Friends have mentioned, we cannot talk about inclusion without talking about the need to change the accountability measures and the ways that schools are judged, because I think that drives some of the off-rolling and exclusions that we see.

Anne Milton: I will say a little more about that. There are perverse incentives. The hon. Lady talked about an audit of the spend, which I think is an important issue. I should also mention—I think it was mentioned earlier—the £4.6 million that is going into parent-carer forums and the £20 million going into advice, information and support for children and young people with SEND, and their parents, which lasts until 2020.

We are aware of those incentives in the current system—that £6,000—as was mentioned by the hon. Member for Stroud (Dr Drew). We intend to gather more information about the way the funding system operates in a call for evidence that we will launch shortly. I am sure that the Education Committee will be involved in that.

I must not forget that my hon. Friend the Member for York Outer secured this debate, so I will mention funding in York. We have announced £250 million additional funding for higher needs across England over the next financial year. Yorkshire will receive £785,000 on top of the increases already promised, bringing City of York Council’s higher needs funding to over £90 million next year. However, we recognise that budgets are facing pressures. The Secretary of State is very aware of that.

On educational psychologists, our plans include ensuring a sufficient supply of educational psychologists, trained and working within the system. We said that we would train more to meet increasing demand. Today I am pleased to announce funding of over £30 million to make that happen.

On teachers, briefly, we talked about the need for teachers to be able to recognise and help children with special educational needs. We have developed a range of specialist resources for initial teacher training, including on autism and dyslexia. We are reviewing SEN provision in initial teacher training to inform case studies of good practice. We are taking a range of measures to make that better, which I would go through, but time does not allow.

James Frith: Will the Minister indicate when we can expect the Timpson review? It is now a year since it began. In February, we heard mood music on what it is likely to say, but when will the Timpson review conclude and report?

Anne Milton: I cannot give the hon. Gentleman a precise date. As a Minister, I could just say, “Shortly”..., which is what Ministers say, but I know that right hon. and hon. Members are keen to see that review—so, soon.

The Government are doing much work, but we know that there are gaps in provision. Needs are not met and families are having battles—those that can—that they should not have to fight. Everyone in this debate wants to make education work for those very special children and their quite extraordinary parents, so that every child gets the opportunities that I have seen some get. I mentioned apprenticeships, and through the apprenticeship diversity champions network I see employers recognise the amazing skills that young people have even without qualifications. That must be no longer be an exception but the normal course of events.

We need a seamless education and training system which is what my right hon. Friend the Secretary of State is determined to achieve. The debate has raised exactly the issues that need to be resolved in order to meet the needs of those children and young people with special educational needs.

10.59 am

Julian Sturdy: I thank the Minister for her response and Members in all parts of the Chamber for their contributions. It has been a very good debate, especially among Back Benchers. I have a huge amount of respect for the Minister, and I hope that she has listened to the contributions from across the Chamber, because very little disagreement has been expressed in speeches and interventions across the parties. As has been said, ultimately the issue is a ticking time bomb, and of real concern to many constituents who knock on our doors and come to our surgeries. We cannot allow the life chances of some of those children and students to be detrimentally affected by it because, ultimately, we are failing them.

Question put and agreed to.

Resolved.

That this House has considered SEN support in schools.
Insect Population

11 am

Alex Sobel (Leeds North West) (Lab/Co-op): I beg to move.

That this House has considered the reduced insect population.

It is a pleasure to serve under your chairship, Mr Davies. I am glad to see so many hon. Members present. I will give them plenty of time to intervene, but I hope that they will let me make a bit of progress first. I secured this important debate because the declining insect population is one of the lesser-known tragedies of the human effect on our environment. I wanted to call the debate “Insect Armageddon” or “Insectageddon”, but unfortunately I am little ahead of the House authorities on such matters. That is what we are experiencing, however, and we should be under no illusion about that. Insects are the canary in the coalmine of animal life on the planet: if insects go, all other species will follow.

If we are fighting a war against climate change—we should be under no illusion that we are experiencing a climate emergency—insects are on the frontline of the battlefield and humans are just another species in the war. We are the most intelligent soldiers fighting the war, however, and we cannot expect insects to know that their fields are being built on or that their farmer is using nitrates. We know that our actions are causing the disruption to their ecosystem.

I secured the debate due to the absolutely shocking evidence I heard in the Environmental Audit Committee evidence session on 12 February. I want to put on the record my thanks to Professor Georgina Mace, Dr Mark Muligan, Professor Peter Cox and Matt Shardlow, who gave the evidence that inspired this debate. I also thank the National Trust, the Royal Society for the Protection & Birds, Friends of the Earth and Buglife, which have informed what I will say.

There is a massive depletion of insects, in relation to biomass and abundance. Some studies also show a loss of variety. Most people born by 1980 will perceive that, because 25 or 30 years ago, on a long summer car journey, the windscreen would be full of winged insects. That is now minimal. Why do we need abundance, biomass and a variety of insects to ensure a healthy planet? We need abundance and biomass to support the production of food and water, and to support nutrient cycles and oxygen production. We need variety because that ensures that if a single insect species becomes extinct, we will retain sufficient diversity. New varieties may be able to cope with climate change and other challenges that humans and the planet provide. Studies have most clearly documented the loss of abundance and biomass, which has mostly been caused by land use change for agriculture, the intensification of agriculture, and the application of pesticides, herbicides and novel chemicals in the environment.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): I am delighted that my hon. Friend has secured the debate. Does he agree that one way to encourage greater insect populations is to have living streets, such as the one that we are talking about in Whitefriargate in Hull? That whole street will be turned into a living street full of plants and, hopefully, insects.

Alex Sobel: Absolutely. Urbanisation is a big challenge. If we do not create green corridors in our cities, insect biomass, variety and abundance will surely perish.

Kerry McCarthy (Bristol East) (Lab): This is such an important issue. My hon. Friend talked about agriculture, and the growth of the agrochemicals industry is obviously a main cause. Does he agree that integrated pest management and a more agro-ecological approach to farming is the way we need to go if we are to protect our pollinators and other insects?

Alex Sobel: I pay tribute to my hon. Friend, who is an expert on the subject in this place. She is absolutely right. We and the Department for Environment, Food and Rural Affairs need to do more work on that.

Zac Goldsmith (Richmond Park) (Con): I congratulate the hon. Gentleman on securing this hugely important debate on one of the biggest issues we face. The Agriculture Bill, which is going through the House, provides an opportunity to take some action on the issue. Will he join me in urging all hon. Members to support new clauses 10 and 11, which would begin to address it by limiting the application of pesticides in agriculture and beyond?

Alex Sobel: That is a timely intervention, because later I will certainly be looking at, and potentially signing, those two new clauses, which stand in the hon. Gentleman’s name.

Caroline Lucas (Brighton, Pavilion) (Green): I echo other hon. Members in saying how important the debate is and in congratulating the hon. Gentleman on securing it. He has indicated that the crisis we face is not happening by accident; it is being caused by policies that we can change. Does he therefore share my concern that the UK missed its deadline for submitting its sixth national report for the convention on biological diversity conference, which suggests that it is not terribly serious about it? The UK is also on track to miss 14 of the 19 targets in the convention, which suggests that the Government have a lot to do.

Alex Sobel: It is great that so many colleagues from the Environmental Audit Committee are present. These are exactly the issues that the Committee takes up with Ministers, and it is good that they are getting an airing in the debate. I absolutely agree with the hon. Lady.

I will move on to pollination. The biggest impact of the loss is that we will lose pollinators, and if we cannot sustain natural pollination, there will be a loss of crops. Our world is heading towards a population of 9 billion people. If that rising population is set against the impact of insect loss—let us not mince our words—it puts us on a road to cyclical starvation. We will lose the production of some crops, particularly those that are best for people’s health and wellbeing. Crops pollinated by insects are mainly fruit and vegetables; crops such as wheat and maize do not need insect pollinators, so they are not affected as much. It is fruit and vegetables—the fresh food that people need to be eating—that will be lost due to lack of pollination.

We will have to find a way to compensate for the loss of natural pollinators. We already have commercial honey bee colonies, which are produced especially to provide that pollination service, but even those could be affected.
Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): The debate is incredibly timely. In Plymouth we have planted wildflower meadows and bee corridors across the city. They save money, because there is no need to cut back grass, and provide an essential habitat for pollinators, spiders and ground-based insects. Does my hon. Friend support that model being rolled out across the country?

Alex Sobel: Absolutely, and that is a brilliant segue into my next point about ecosystem services.

Rachael Maskell (York Central) (Lab/Co-op): This is a crucial debate. Is my hon. Friend aware of the work of Professor Jane Hill, who has been mapping the northward progress of butterflies as the climate changes? They are such a sensitive indicator of the pace of climate change in our country.

Alex Sobel: I have seen Professor Hill’s work. She is a credit to this country. Our UK academic research community is brilliant, and the Government need to take more notice of its work.

Ben Bradley (Mansfield) (Con): On the point about pollinator corridors, I withdrew my private Member’s Bill on pollinators last year, because the Government agreed to fund Buglife and Matt Shardlow—the hon. Gentleman has mentioned them already—to complete their mapping of those corridors across the country, with a view to using the environment Bill to look at planning regulations to force local authorities to plan for them in new developments, which would be welcome. Does he agree that the charities already doing that work have a huge role to play, and that the Government should support them with funding to continue? There does not need to be a massive revolution in policy.

Alex Sobel: The hon. Gentleman will be unsurprised to hear that I absolutely agree, and I would like that to be legislated for in the environment Bill, particularly as he lost his piece of legislation on that proviso.

I will move on to ecosystem services. On top of the loss of invertebrates, the loss of species generally means that we do not have a lot of other services, such as natural pest control, natural decomposition of pollutants and natural nutrient cycling. Without those, we will increasingly have to intervene in ecosystems to provide them. A good example is that trees draw carbon down from the atmosphere really well, and have done forever, but because we have lost the part of the ecosystem that does that, we are now talking about engineering artificial means of carbon drawdown.

Bill Grant (Ayr, Carrick and Cumnock) (Con): I am of an age to remember the windshield being covered in insects, and the number plate, which was particularly hard to clean. Does the hon. Gentleman think that initiatives such as the healthy bees plan and the National Bee Unit should be extended to protect other species of insects—or, as we say in Scotland, beasties?

Alex Sobel: It is always good to have an intervention about beasties. I absolutely agree with the hon. Gentleman. That harks back to my point about abundance and variety. We cannot protect only the bees, because they will not survive on their own without the abundance and variety of insects.

If we projected existing trends downwards, we would end up solving problems caused by the loss of natural systems one by one, which would be a much less efficient way to solve the problems of ecosystems than treating the root cause of the problems. If we look at the trends over the past 30 years, we see that that means not solving the problems but exacerbating them. The most shocking evidence that the Environmental Audit Committee heard came from Matt Shardlow, who said:

“In Germany, what they are looking at is nature reserves and a long-term decline, a 76% decline in the abundance of flying things on those nature reserves”.

Let that just sink in—a 76% decline in flying insects in nature reserves, not urban environments.

There is so much that English research does not yet know, but researchers looking at the swallowtail butterfly—again, this is the work of Professor Hill—found that as fenland habitats decreased in size, slowly the swallowtail became extinct, but before it became extinct it shrunk in size, because there was no point in it flying away from where it was as it would die anyway, because of urban encroachment. Our habitats are becoming fragile and we need to reverse that trend.

The UK does not have the sort of resilience that is needed to assist insects in weathering the storm of climate change. In a global assessment, the UK came 189th out of 218 countries for “biodiversity intactness”.

Anna McMorrin (Cardiff North) (Lab): I thank my hon. Friend for securing this absolutely essential debate. As a fellow member of the Environmental Audit Committee, does he agree that the reduction of insect numbers is especially worrying for the economy, that the impact on the economy will lead to a lack of wild pollinators, and that there will be a knock-on effect from that?

Alex Sobel: If we need to intervene and if we have to replace the natural pollinators with artificial pollinators, there will be a huge cost to the economy.

Clive Lewis (Norwich South) (Lab): I praise my hon. Friend to the rafters for securing this debate, because it is quite clear to many people that it would be entirely possible for this country and this planet to save ourselves from climate change, yet destroy ourselves in myriad other ways that breach the other eight planetary boundaries. Picking up on that, does he agree that it is the world’s poorest—both internationally and domestically—who will be disproportionately impacted by the systemic climate shocks that these breakdowns in biodiversity will have on our economies?

Alex Sobel: Absolutely. The majority of the world’s poor live towards the middle of the planet, and with climate change those populations will have to move north and south to get further away from the equator, which will mean huge shocks to countries if we do nothing or if we do not do enough. That will have the biggest impact on the world’s poor and will increase desertification of the planet.
Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on bringing this matter to Westminster Hall. I declare an interest, as a farmer, landowner and member of the Ulster Farmers Union. I will make the very clear point that we, as farmers and landowners, have a critical role to play in this process, because on the land that we control, farm and look after as stewards we can improve the habitat, which we do, for example with more hedgerows. On my farm, for instance, I have seen an increase in the number of insects, including butterflies, and small birds, and that has happened because I have retained the habitat, including the hedgerows. Does the hon. Gentleman therefore feel that farmers, landowners and others who steward the land have a great responsibility, and that it is time for the Government to work alongside the Ulster Farmers Union, the National Farmers Union and landowners to make the land suitable for insects?

Alex Sobel: Absolutely. The majority of the UK’s land area is still rural, and farmers will have a huge role in this process. We need to see quite a radical change in farming, one that moves away from artificial pesticides and towards natural land management.

Julian Sturdy (York Outer) (Con): I congratulate the hon. Gentleman on securing this really important debate. There is one thing that I want to raise with him. Does he accept that there is a balance—this is the real problem here—between feeding a growing global population and protecting and enhancing the environment and biodiversity, which is also so important? If so, does he agree that the way to bridge that gap will be through new technology?

Alex Sobel: Technology certainly has a place and we need more resilient crops, so we need to move away from the use of chemicals and actually breed that resilience into the crops, which is where technology and research come in. I think there would be a race to the bottom if we said that we could produce enough food only if we increased the chemicalisation of farming.

I will now move on to my recommendations for the Minister—I am sure that she is waiting with bated breath to hear my ideas on how to improve insect populations. I have to say that the Government have belatedly acknowledged the issue and taken some action. I commend the Minister for the following four actions—I am sure that she will be pleased to hear me say that. The environment Bill must acknowledge and enshrine environmental principles in UK law, to make sure that when we make new laws we consider the impact they will have on nature. The Bill should set in stone ambitious and measurable targets for nature’s recovery, which are not just laid out in plans but enshrined in law. Government decisions on spending and taxation must be independent of the future survival of life on the planet. Our future is tied to our natural ecosystems.

I will talk briefly about climate more generally. As well as an insect Armageddon, we have a climate emergency, although the Government have not yet acknowledged that. Government decisions on spending and taxation would be exempted from environmental principles, while Ministers are required only to “have regard” to them elsewhere. Legally binding, time-bound targets are also missing from the draft legislation. Our future is tied to the future of the planet and economic policies are not independent of the future survival of life on the planet. The environment Bill must acknowledge and enshrine that, and I hope to see that happen in Committee.

There is also more detailed work that the Government could lead to support insect life. They could establish statutory nature recovery network maps with local authority sign-off, which would support the B-Lines network that they have already announced; introduce legally binding targets for biodiversity recovery, including, as separate measures, targets for pollinators and freshwater invertebrate life; design new agri-environment schemes that would deliver safe pollinator habitats and a national network of wild pollinators, which is so important, we need to make use of EU funding streams; and introduce legally binding, time-bound targets for pollinators and freshwater invertebrates.

The environment Bill must acknowledge and enshrine environmental principles in UK law, to make sure that when we make new laws we consider the impact they will have on nature. The Bill should set in stone ambitious and measurable targets for nature’s recovery, which are not just laid out in plans but enshrined in law.
of flower-rich habitats; legislate to reduce the pollution of water courses with insecticides, flea treatments and pharmaceuticals that are toxic for insects; improve the protection of rare and endangered species in the planning system; introduce measures to reduce light pollution; find ways of directing significant new funds, for instance through the environment Bill, to save biodiversity, such as reinstating the aggregates levy sustainability fund, or introducing payments for ecosystem services, which should be a central feature of thinking by the Treasury and the Department for Environment, Food and Rural Affairs; increase investment in the science and research that is needed to develop sustainable agriculture; reduce pesticide dependence; and halt and reverse the decline of species. I also believe that it is time to tweak the Natural Environment Research Council’s responsibilities, to ensure that research supports either the climate or biodiversity.

Anna McMorrin: My hon. Friend is making an absolutely excellent speech on this important matter. Does he agree that restoring peat bogs is another way to ensure that ecosystem services work and to restore biodiversity?

Alex Sobel: Absolutely, and that is something else we could include in the environment Bill.

Zac Goldsmith: The hon. Gentleman is absolutely right about the importance of the environment—both the opportunities we have to get it right and the risks of getting it wrong. However, does he agree that the opportunity inherent in replacing the disastrous common agricultural policy—it effectively pays £1 billion to people simply for owning land, no matter what they do with it—with a system in which that money is conditional upon delivering public goods is even bigger? That is a massive part of the solution, because all the initiatives that the hon. Gentleman has described and some of those that other Members have described, would be rewarded through our new system of payments. Of all the things that have been discussed today, that is potentially the biggest boon for our biodiversity. Does he agree?

Alex Sobel: I have supported CAP reform ever since Michael Foster resigned from the Labour Government about 15 years ago, and I still support it. However, we need to be mindful of the fact that it is not just the UK that needs to reform those practices: reform is needed across Europe, and more broadly.

After today, the Government cannot say that they were not warned about the insect Armageddon, or did not have the legislative opportunity to help ensure that the UK is not on the back foot when it comes to avoiding this potential disaster for our country.

Geraint Davies (in the Chair): I have never seen such a dense swarm of interventions in such a short debate. I call the Minister.

11.20 am

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): Thank you, Mr Davies; it is a pleasure to serve under your chairmanship. I congratulate the hon. Member for Leeds North West (Alex Sobel) on having secured this debate, in which we have heard a number of interventions from other hon. Members. One might muse that time is running out for insects, but I assure Members that the Government understand that insects are crucial to our prosperity and wellbeing. The Royal Entomological Society estimates that there are over 24,000 species of insect—classified as six-legged animals with segmented bodies—in Britain. We know that they are vital to the food chain; they support many of our mammals and birds; and they play a fundamental role in much pollination, nutrient cycling, pest control and decomposition. The value of insect pollination to UK agriculture is estimated at more than £500 million a year.

As many hon. Members have observed, recent scientific papers and media reports have highlighted declines in insect populations and projected extinctions across the globe. We acknowledge that there have been long-term declines in the UK and globally, and there is no dispute about the seriousness of the issue, nor the need to take action. That is why, in the 25-year environment plan, we committed to improving the status of insects. I was also struck by Professor Sir Bob Watson’s comments in the media last week. He made it clear that we need concerted global action, but that extinction of insects within decades is probably unlikely, so we sometimes need to be mindful of the language we use to describe the evidence.

The Government report annually on how well different groups of insect species are doing, in partnership with academics and volunteer recording societies. That includes the UK-wide Pollinator Monitoring and Research Partnership, which is partly funded by the Department for Environment, Food and Rural Affairs. The Government’s indicators of the abundance of UK butterflies show long-term decline since 1976, but no significant change since 2012, and our indicator of pollinating insects in the UK tells a similar story. Overall distribution has declined since 1980, but has stabilised in recent years, although some individual species continue to decline. We are keeping those trends under review as encouraging, but not yet definitive, signs of progress.

Caroline Lucas: Will the Minister give way?

Dr Coffey: I have so little time to respond to all the questions that I have already been asked, so I will do my best to answer the points that were made.

Our academic partnerships are helping us to deliver the most appropriate approaches to key factors affecting insect populations, such as habitat loss and fragmentation, invasive species, pests and disease, climate change and pesticide use; to understand the importance of other emerging potential threats, such as light or radiation; and to better define and predict the impact of climate change. I am conscious of hon. Members’ comments about how tackling climate change will also help biodiversity in insects.

We know that where we put habitat back, insects respond positively. For that reason, we are taking action to improve, extend and connect insect habitats. Over 1 million hectares of our best habitats for wildlife are protected as sites of special scientific interest, and we spend more than £50 million through agri-environment schemes to help bring more of those sites into favourable condition. Natural England reports that since 2011, over 130,000 hectares of land have been set aside to...
create new wildlife-rich habitats, largely through agri-
environment schemes. In 2015, the Government introduced
wildlife packages to those schemes, to make it easier for
farmers to provide flowers to support pollinating insects
and other insects on farms. There has been real progress
for some species that landowners, NGOs and Government
have collaborated to conserve, including supporting the
re-introduction of lost species such as the short-haired
bumblebee and chequered skipper butterfly. The environmental
land management system that we are introducing, to
which my hon. Friend the Member for Richmond Park
(Zac Goldsmith) referred, will build on that by rewarding
farmers and land managers for delivering environmental
outcomes, such as protection of insect habitats.

In 2014, the Government published the national
pollinator strategy, following a scientific review of the
status of pollinating insects. That 10-year strategy sets
out how Government, conservation groups, farmers,
beekers and researchers can work together to improve
the status of our pollinating insect species. Last week,
we published an update to that review of the evidence
base, which will inform our planned refresh of the
pollinator strategy and, in turn, much of our action for
other insect species.

In our 25-year environment plan, we committed to
producing a new strategy for nature. That will take
forward any new post-2020 global agreements on
biodiversity, and bring together our biodiversity and
pollinator strategies. I am conscious of the report to
which the hon. Member for Brighton, Pavilion (Caroline
Lucas) referred, but the Aichi 2020 targets are quite
nebulous, and a lot comes down to judgment. I hope
that when we come to the Conference of the Parties for
the convention on biological diversity in Beijing next
year, we will have more rigorous measures and indicators
for targets for the global recovery of the environment,
in particular biodiversity.

I know that there is concern about the impact of
pesticides, including on insects. The Government carry
out a thorough assessment of pesticide safety using the
best scientific evidence before authorising their use,
drawing advice from the Health and Safety Executive
and the UK Expert Committee on Pesticides. Pesticides
that carry unacceptable risks to pollinators are not
authorised, as was the case with the science-led restrictions
on neonicotinoids: outdoor use of three neonicotinoids
was withdrawn from 19 December 2018.

We also need to take action against invasive species.
Such action is largely focused on the Asian hornet: last
year, the National Bee Unit located and destroyed four
Asian hornet nests to tackle that threat to our native
species, and surveillance continues. Our inspectors carry
out about 6,000 apiary visits per year in England and
Wales further to protect our honey bees. Advice and
inspections help us to manage pests such as varroa,
keep endemic diseases such as foulbrood at low levels,
and keep other exotic pests such as the small hive beetle
absent from the UK. The Bees’ Needs Week campaign,
which happens every year in July, brings together expert
partners to raise awareness of actions that all of us can
take, whether we have gardens, window boxes, allotments
or community gardens.

We have set out in the 25-year environment plan our
step change in ambition for wildlife, in order to reverse
debates. We have committed to improving protected
sites and restoring new wildlife-rich habitats outside the
protected site network. We are investing in peatland and
woodland restoration as a contribution to climate change
mitigation, which will also provide important habitats
for insects and other wildlife. Members know about our
investment in the northern forest. The nature recovery
network will expand and connect our existing wildlife
habitats by developing partnerships that can effect changes
to land management at a catchment or landscape scale.

We are consulting on conservation covenants, which
will be voluntary but legally binding agreements that
would enable landowners to leave a permanent conservation
legacy on their land. Such public commitments to taking
positive actions to preserve and improve treasured features
on their land, such as trees, woodland or flower-rich
meadows, would be binding on future owners of that
land and overseen by responsible bodies to ensure that
land management obligations were delivered. I have
already referred to the new environmental land management
system, which will be the cornerstone of the country’s
agricultural policy after we leave the EU. It is important
that farmers are able to protect their crops, but also that
people are protected from the risks that pesticides present,
both to them and to the environment. It is therefore
right to minimise the use of pesticides and to make the
greatest possible use of other techniques, including
non-chemical alternatives to protect crops.

I was surprised that the hon. Member for Leeds
North West seemed to suggest that gene editing or GM
could be used to modify crops. That is still a debate that
matters, but it is important to highlight to hon. Members
that we will continue to develop and refine our approach
to pest control, with integrated pest management at its
heart, minimising the need for pesticides. That approach
combines different management strategies and practices
to target and minimise the use of pesticides. The voluntary
initiative scheme promotes and records IPM practices,
and the uptake of that scheme is encouraging. It is
important that we are able to protect crops, and such
progress shows that the scheme works.

Regarding the introduction of a new environment
Bill, I will give evidence to several hon. Members in
about two hours’ time, so I am surprised that the hon.
Member for Leeds North West has already declared
what he thinks should happen with respect to scrutiny.

Caroline Lucas: Will the Minister give way?

Dr Coffey: I am afraid I will not. The Government
are open to this, and believe that what we have put
forward is important. The policy paper that we published
alongside the plan is an important indication of what
else we want to achieve in that Bill.

Insect decline is a global problem that needs a global
solution, which is why we will continue to play a leading
role in the development of an ambitious strategy as we
proceed. It is critical that we act now on the improving
evidence base, internationally and at home, to ensure
that we leave our environment in a better state for future
generations.

Motion lapsed (Standing Order No. 10(6)).

11.30 am

Sitting suspended.
Wildlife Crime

[ANDREW ROSINDELL in the Chair]

2.30 pm

Christian Matheson (City of Chester) (Lab): I beg to move,

That this House has considered wildlife crime.

May I say what a great pleasure it is to serve under your chairmanship, Mr Rosindell? I also thank all those outside the Chamber who have engaged with this debate on social media through the excellent House of Commons digital engagement team. With nearly 4,000 comments, it is clear that there is a real strength of feeling on the issue.

The term “wildlife crime” covers a variety of different offences, but the common thread is simple: cruelty to and the mistreatment of animals and birds. For example, the Royal Society for the Protection of Birds has told me about the plight of hen harriers, which are being hunted to extinction. In 2018 the RSPB satellite-tagged more than 30 hen harriers in the UK, but in just six months half of them had died. Eleven disappeared in suspicious circumstances near shooting moors. It is unclear whether those birds were deliberately targeted by the owners of shooting moors in order to protect the grouse, pheasant or partridge for the shooting season, or whether they were collateral damage during a shoot, but a suspicious sign is that the tags disappear and the scene of the crime is cleaned up. Whoever is shooting the birds knows they have done wrong.

The RSPB identifies weaknesses in the law. Of 68 confirmed kills of birds of prey in 2017, just four prosecutions were brought, with only one conviction. The RSPB is calling for stronger sentences and points to the dramatic decrease in egg collecting offences after sentences were toughened. Such offences went from an average of 167 a year in 2010-15, to just 10 in 2017.

The National Farmers Union has expressed concerns to me about hare coursing, which it tells me is having a severe impact on farm businesses and rural communities, not to mention the hares themselves.

James Cartlidge (South Suffolk) (Con): I am delighted that the hon. Gentleman has secured this debate, and in particular that he has raised the issue of hare coursing. The feedback I am getting is that hare coursing is becoming more violent and aggressive and that higher sums are being wagered. If that is the case, does he agree that the response needs to be toughened up?

Christian Matheson: Not only do I agree with the hon. Gentleman, but I suspect—I cannot point to any evidence with me right now—that there is an element of organised crime behind some of that hare coursing. That would be damaging to farmers and rural communities, which perhaps have not been exposed to that level of organised crime in the past.

The NFU highlights the lack of resources for tackling wildlife crime, but crucially it has identified how the law can be toughened by extending criminal behaviour orders across a wider area than just the county in which the offence took place and by amending the Game Act 1831 to give police and magistrates the powers to seize dogs and reclaim associated kennelling costs from offenders.

Nowhere is the need for tougher laws more apparent than in the case of foxhunting. Local monitors have witnessed at least six foxes being killed by hunts in my own county of Cheshire this season. There were at least 10 additional reports of foxes being chased in the county and multiple reports of badger sets being blocked in the vicinity of hunts in Cheshire. Over the Christmas period, I and hon. Friends from the county were contacted by many constituents who shared horrific images and videos of foxes being slaughtered in hunts. It was those images and reports that led my hon. Friends and me to seek this debate in the House.

Laws were introduced for Scotland in 2002, and then for England and Wales in 2005 under the Hunting Act 2004, which was passed by the Labour Government and banned the use of dogs to hunt foxes and wild mammals in England and Wales. Although those were welcome and hard-fought pieces of legislation, overwhelming evidence suggests that they are regularly being ignored or exploited by hunts. The Hunting Act bans the hunting of wild mammals—notably foxes, deer, hares and mink—with dogs in England and Wales. However, the Act does not cover the use of dogs in the process of flushing out a wild animal, nor does it affect trail hunting, where hounds are trained to follow an artificial scent. The Government’s lack of political inclination to enforce or strengthen the laws lies at the heart of the issue.

Matt Rodda (Reading East) (Lab): I am grateful to my hon. Friend for securing this debate and for his comments about the support of the NFU in trying to deal with some of these appalling crimes. Does he agree that part of the challenge faced by many local police services across the country is the effect of austerity? Several hundred officer posts have been cut from Thames Valley police, which covers my area, in the past nine years due to austerity. That has had a serious and damaging effect on a number of aspects of police activity.

Christian Matheson: I accept that, and the particular consequence is that issues such as wildlife crime, which often requires specifically trained officers, are the first to fall by the wayside. If my hon. Friend will forgive me, I will refer to that later.

The Prime Minister has openly declared her support for foxhunting, and the Conservative manifesto committed to granting a free vote on the issue, although I welcome the Government confirming that they would not bring forward such a vote during this Session of Parliament. The Hunting Act continues to be abused across the board. There is a sense of a lack of political will from Ministers, which means the issue is constantly swept under the carpet. Responsibility is put on the shoulders of crumbling police forces, which are struggling, as my hon. Friend said. They have had £2.7 billion of real-terms cuts in direct Government funding since 2010.

The League Against Cruel Sports has collated at least 282 reports of suspected illegal hunting activity across the UK since the beginning of the foxhunting season on 1 November 2018, and 42 separate reports of foxes being killed. That indicates the scale of continued illegal...
hunting, although it is clear, when we take into account unreported cases and hunts that are not monitored, that the figures represent merely the tip of the iceberg.

The Hunting Act clearly needs to be strengthened. The evidence of abuse is clear and the required adjustments are straightforward. Weaknesses within the law, as identified by the RSPB and the NFU, are preventing blatant law-breaking by registered hunts from being effectively tackled. All that is needed is for the Government to have the will to act.

Fundamentally, the Hunting Act has no teeth. The deterrence value of penalties under the Hunting Act is significantly lacking. Only fines are available. Ministry of Justice data shows that the average fine for offences under the Hunting Act over the past 10 years was a measly £267, which is a price many hunters are willing to risk. It is certainly one they can afford. Custodial sentences need to be introduced to bring the law at least into line with penalties for other crimes against wild animals, such as badger baiting.

One of the main weaknesses is that the offence is a summary offence only, and an absolute offence. There is no offence, for example, of attempting to kill a fox with a hunt, and prosecutors would have to prove an intent to kill a fox. A hunt can therefore chase a fox across countryside with unmuzzled dogs following its scent. If the fox is killed unintentionally—whatever that might mean in this context—a conviction becomes difficult to obtain, as if chasing a fox with a pack of dogs does not indicate intent to kill it. Let us face it: the dogs do not know any better.

Even if there is video evidence showing the culprit with the dead fox, as happened in Cheshire, that is not sufficient to gain a prosecution, let alone a conviction. Cheshire police were criticised earlier this year when their press office put out a statement suggesting that we cannot believe everything we see on social media. Those press officers were right, but that does not mean we cannot believe anything we see on social media.

Another excuse is trail hunting, which allows for foxes to be accidentally killed by dogs on hunts. It is especially pernicious when the trail is laid using the urine of captive foxes. Why are the dogs not trained to follow a different scent? A gaping hole in the legislation—whatever that might mean in this context—a conviction becomes difficult to obtain, as if chasing a fox with a pack of dogs does not indicate intent to kill it. Let us face it: the dogs do not know any better.

If those solutions are not adopted, however, we might look at limits on the number of dogs allowed, to be changed to include recklessness as an offence. We can conclude only that such people are in some way disturbed. How someone can get pleasure from killing animals, and of the sanctions available under it. I fail to understand how legislation could be amended to assist. Following his review, he has made three proposals. The first is that recklessness should be applicable, beyond the current requirement to prove intent—a requirement that is not mirrored in all areas of criminal law. The second is for the introduction of an authorised list of scents, excluding fox or other wild mammal urine, for use in trail hunting. Thirdly, he has spoken of the need for a clearer definition of the role of, or restriction associated with, terrier men: those who follow the hunt around and assist.

In the past week, ahead of the debate, I have received countless emails from concerned citizens, appalled at the continued killing of wild animals for pleasure and the seeming inability of the law to bring people to account. Clearly, the laws on foxhunting are being deliberately flouted, by people who either believe that they are above the law, or are not deterred by the threat of the sanctions available under it. I fail to understand how someone can get pleasure from killing animals, and can conclude only that such people are in some way disturbed.

At the very least, the law on hunting with dogs needs to be changed to include recklessness as an offence. We might look at limits on the number of dogs allowed, and there is support across the House for increasing to five years the penalty for convictions for animal cruelty. That might help to deal with the bagging of foxes and the issue of hounds being given fox cubs for training purposes.

If those solutions are not adopted, however, we might have to consider another: banning hunting with dogs altogether. Hunts have had their chance to demonstrate that they are responsible, but they are failing to take it, possibly deliberately. The police are struggling nationally with manpower, and wildlife crime falls well below
other priorities. Police are not always trained in the finer points of the detail of wildlife protection laws. To make it easier, we need to give them the tools to do their job, and that means much tougher laws to protect our wildlife.

Several hon. Members rose—

Andrew Rosindell (in the Chair): Order. There will, unfortunately, be a four-minute time limit on Back-Bench speeches. I intend to call the Front-Bench spokespeople at 3.27 pm. I call Sir David Amess.

2.43 pm

Sir David Amess (Southend West) (Con): I congratulate the hon. Member for City of Chester (Christian Matheson) on his splendid speech, and on attracting so many colleagues to support his point of view. We could not have anyone better to chair proceedings than yourself, Mr Rosindell, given your track record on the issue.

In the early years, when I was first elected to Parliament, only four or five colleagues on the Conservative Benches were against foxhunting—I am delighted that two of them are present this afternoon. A wonderful lady called Lorraine Platt, who founded the Conservative Animal Welfare Foundation, changed all that, and I think that now in excess of 60 Conservative Members of Parliament would be very much against foxhunting.

Throughout my parliamentary life, I have done everything I can to improve the welfare of animals and the environment in which we live. In so many ways, the quality of a nation should be judged by how it treats animals. To give a taster, I got on to the statute book the Protection against Cruel Tethering Act 1988, to protect horses, ponies and donkeys from being cruelly tethered. Together with Ann Widdecombe, in 2002 I introduced the Endangered Species (Illegal Trade) Bill. We led campaigns against live animal exports, the badger cull, animal experimentation, dog meat, the fur trade, netting and the killing of songbirds throughout the Mediterranean.

Legislation is all very well, but it is the enforcement that I am particularly concerned about. My hon. Friend the Member for South Suffolk (James Cartlidge) mentioned hare coursing. I was appalled that in Essex more than 500 cases of illegal hare coursing were reported in 2017. However, I am glad that, with consistent action from rural police forces across the country that are taking the crime seriously, there has been an impressive reduction in offences.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): In Lincolnshire there has been a significant reduction in that terrible crime, as a result of the great work done by Lincolnshire police. One of the difficulties that they face is that once the crime has been committed and successfully prosecuted, the sentences that people receive may be a fine of just £250, which is not a sufficiently significant deterrent.

Sir David Amess: My hon. Friend makes a good point. I am glad that our two police forces are making some progress, but it is the implementation of the law, and punishments, that we are particularly concerned about.

I represent a little urban area; we do not have any foxhunts in Southend West. However, I drive along at night and see the odd fox or badger that sadly has been flattened by a car. I am very concerned about how people seem to have got around the 2004 Act. I would very much welcome an increase in penalties and more custodial sentences for illegal hunting. Average fines of £250 are a paltry punishment, frankly, for such cruelty, whatever a person thinks about foxes. Those Members who have kept chickens will know that it is not a lot of fun to find that they have been killed and played with—indeed, it can be very upsetting because they are pets. However, it beggars belief that anyone would set dogs on foxes and think that it is acceptable to have them physically torn apart. I think that most civilised people, and I would hope most Members of Parliament, would find that repugnant.

The law needs strengthening to stop deceitful trail hunting, and to protect our wildlife from the cruel sport of hunting with dogs. Nobody should be above the law, and those who continue in the inhumane killing of foxes and stags under the cover of trail hunting should be prosecuted.

Sir Roger Gale (North Thanet) (Con): My hon. Friend and I both bear the scars of the legislation, and I do not think that anybody would claim that it was anything other than imperfect. However, does he agree that the one measure that would help most in this context, rather than reopening the entire argument, would be to make it unlawful to use animal scent for trails? That would be relatively easy to enforce, and it would create a clear divide between drag hunting, which is lawful and proper, and trail hunting, which is effectively unlawful and a disguise for the hunting of foxes.

Sir David Amess: My right hon. Friend has succeeded in shortening my speech, because that is exactly what I was about to say. I entirely agree with that point.

Nobody should be above the law, and those who continue in the inhumane killing of foxes and stags under the cover of trail hunting should be prosecuted. We will never end wildlife crime in this country unless our laws are robust enough to deal with those who willingly allow such unnecessary cruelty.

Although there are rumours every time we have an election, I am confident that foxhunting will never become legal again in this country. I have no doubt about that, and think that any such rumours are absolute nonsense. However, I do not feel that the law is acting in the way that most people would want it to. It seems to me that people have got around it in all sorts of ways. I look to the Minister, who has taken over from my hon. Friend the Member for Camborne and Redruth (George Eustice), who was particularly wonderful on such issues, to give a positive response to all the points that parliamentary colleagues will make on this very important issue.

2.49 pm

David Hanson (Delyn) (Lab): It is a pleasure to serve under your chairmanship, Mr Rosindell. I fully support the points made by my hon. Friend the Member for City of Chester (Christian Matheson). There is a key role for central Government in tackling wildlife crime. That is why the Labour Government, of which I was a
Sir Greg Knight (East Yorkshire) (Con): The right hon. Gentleman makes a very good point. Does he agree that in some cases—perhaps the majority—the irresponsible owner is irresponsible through ignorance? It is an urban owner who takes a dog into the countryside and perhaps does not realise that the dog needs to be on the lead when in the proximity of sheep.

My first question to the Minister is whether she has yet made a decision on what is happening to central funding for the National Wildlife Crime Unit post 2020. What assurances can she and the Home Office give for that funding? North Wales police has an excellent wildlife crime unit. Like the national unit, it tackles a range of issues on the ground, such as livestock theft, livestock crime, environmental crime and enforcement of fox hunting legislation.

I particularly want to raise the issue of sheep worrying, which is of tremendous concern to farmers in my constituency. I hope to put some points on the Minister’s radar for her to respond to in her summing up. Attacks by dogs on sheep in the constituencies of my area of Wales have risen by a massive 113% over the past year, and they cost farmers in Wales and across the country £1.2 million—a tremendous amount of money. It is an absolute disgrace that dogs attack sheep because of, in many cases, irresponsible owners.

The 2017 report of the all-party parliamentary group on animal welfare made a number of recommendations on what the Government could do to give guidance to dog owners and to better enforce and modernise the Dogs (Protection of Livestock) Act 1953. Will the Minister respond this afternoon to some of the issues raised in that report? Her noble Friend Lord Gardiner of Kimble, who has responsibility for the issue in the Lords, said at that time that he believed the report was a useful contribution to the debate on what the Government could do to give guidance to dog owners and to better enforce and modernise the 1953 Act, and the Agriculture Minister agreed to the chairmanship of the hon. Member for Penistone and Stocksbridge (Angela Smith). We recommended that the Home Office should collect statistics on sheep attacks by dogs across the country to see the scale of the problem—a point already made by my hon. Friend the Member for City of Chester. Has that been done, or is it planned? The Ministry of Justice was charged by the report to look at sentencing under the 1953 Act, and the Agriculture Minister agreed to look at that in principle. Currently, there is a £1,000 fine, which was set in 1953. That is slightly out of date, in considering the ownership of a dog that attacks sheep and causes tremendous damage. There is no power in the Act for an owner to be banned from owning another dog in the future, following a conviction for worrying sheep. No action can be taken to seize a dog if the same dog is responsible for multiple attacks. The Sentencing Council was supposed to review the legislation. Can the Minister tell us whether it has? This is an issue of major concern, and North Wales police has again raised it only this week with the National Farmers Union in Wales and the National Farmers Union.

I hold a programme in my constituency called “Conversations in the street”, where I go around the villages and people tell me what is on their mind. One lady came up to me and said, “I want to discuss elephants with you.” I posted the issues that were raised on my Twitter account, and what was said about that topic on my Twitter feed was utterly pathetic. The lady had genuinely raised a question about what we were doing to protect elephants and wanted an answer. Our attitude towards elephants and elephant crime is shaming for our generation. Illegal trafficking of both live and dead animals is the fourth largest illegal international trade, after those in drugs, people smuggling and counterfeiting, and it is worth about £15 billion a year.

The Government have done a tremendous amount to ban the sale of ivory, which I very much welcome, and to protect elephants, but there is a growing threat from the illegal trade in live animals. That trade occurs for a number of reasons, but principally to try to improve tourism and to make entertainment better. The UK has been working through a number of organisations to prevent the trade—many aspects of it are illegal—but it presents a growing threat, particularly to the Asian elephant.

My hon. Friend for Southend West (Sir David Amess) mentioned birds in the Mediterranean. I highlight the enormous difficulty we have in trying to control the killing of birds, particularly in Malta. We ought to concentrate on the annual spring hunt in Malta—it is still legal—which leads to the deaths of an enormous number of birds. We ought to do all we can to stamp that out.

We had a very successful international conference in the UK on this subject in 2014 and another, I think, in 2018. I commend the Government for their stance. Members have spoken about the crimes that take place in the UK, but we should not forget the global nature of such crimes. If we are protecting animals—our hearts
go out to everyone who protects animals—we need to look at that from an international perspective. I hope the hon. Member for City of Chester will accept my remarks in the spirit that I give them.

2.59 pm

Laura Smith (Crewe and Nantwich) (Lab): It is a pleasure to serve under your chairmanship, Mr Rosindell, in this important debate. I apologise for the fact that I am full of some sort of bug, so please excuse my voice. I thank my good and hon. Friend the Member for City of Chester (Christian Matheson)—a wonderful city—for bringing the debate forward.

I am very lucky to have grown up in my constituency of Crewe and Nantwich, which is a mixture of towns and villages surrounded by beautiful countryside. We greatly value our farming community in the area, with regular farmers markets, many excellent walks and, I bet, some of the very best farm shops in the country. However, representing a constituency that is surrounded by such glorious countryside means that, like my hon. Friend, I am regularly contacted by constituents who have concerns about wildlife crime.

Over the winter period, that concern seemed to intensify. Constituents were upset and infuriated that video footage taken each week seemed to show that foxes are being hunted and regularly killed by dogs. My constituents’ anger came from the fact that despite it being against the law to hunt with dogs, the loopholes in the Hunting Act 2004 make it almost impossible to prove guilt beyond reasonable doubt. I have raised this matter in the Chamber, and we desperately need the Act to be strengthened to ensure that the will of Parliament, and that of the overwhelming majority of the public, is respected. The Government should do the right thing and strengthen the Act by adding a recklessness clause, in order to end the ridiculous situation where hunt participants can avoid prosecution simply by claiming that the chasing and killing of a fox by their dogs was an accident.

Fifteen years on from the Hunting Act, foxes are still being ripped apart by packs of dogs and killed brazenly by hunt participants, who know that they can escape prosecution. I find it a strange hobby to dress up like a toy soldier to chase a much smaller and vulnerable animal, and I also find it strange that policymakers appear to take such a contrasting approach to this so-called sport, compared with other examples of animal cruelty.

It is clear that along with changes to the Hunting Act, we need to see stronger deterrents put in place. It is worth pointing out that the average fine for offences over the last 10 years has been just £267. Killing a fox carries a maximum penalty of £5,000, yet killing a badger can carry a six-month custodial sentence. Following a successful prosecution under the Hunting Act 2004, those responsible should face forfeiture of their dogs. As a dog owner myself, I have huge concerns about the way that those dogs are treated.

I have sat in the home of friends of mine when the sound of a horn has blared and, all of a sudden, their property has had a swarm of huntsmen and dogs tearing through it. That was quite an unnerving experience on a Sunday afternoon, and my friends’ animals and children were left terrified. Again, there seems to be an attitude of being above the law among people who partake in this so-called sport. I would like to see more clarity on the role of terrier men, who can operate independently but still frequently follow hunts. Their only known function is to block badger sets and escape holes to prevent foxes from escaping underground, and to use dogs to flush out any creature that tries to hide.

I am sure that it is blatantly obvious that I am not from a background where this kind of tradition ever took place. I am proud to be a member of the Labour party—an organisation that has consistently placed the welfare of animals high on the policy agenda and has committed to strengthening the Hunting Act.

3.3 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for City of Chester (Christian Matheson) on raising this issue today. I agree with many things that he said; as he will know, there are some things with which I am not in total agreement.

It is no secret that I am an avid country sports enthusiast, and I am also very keen on conservation and animal protection, which is important to me. There is no reason that those two pursuits cannot be married together; I believe they can. As proof, we very clearly retained the habitat for such purposes on the land that I own and have access to. In recent times—having planted 3,500 trees, dug out two ponds and retained the hedgerows—we have seen an increase in insect life, birdlife and bee life, and in the number of songbirds and birds of prey, to which the hon. Member for Henley (John Howell) referred. All those are protected.

There are many people who enthuse about conservation. I say gently that others who have the opportunity should practise it in a very real way, which I like to think I do. The hon. Gentleman, who spoke before me, would probably say the same things that I am saying. I believe that one cannot be involved in country sports without knowing the importance of conserving the wonderful countryside, which is why I was delighted that the Police Service of in Northern Ireland appointed an officer who is designated solely to wildlife crime. It just so happens that that wee girl was a flower girl at my wedding 32 years ago, so I have an interest in her progression through the PSNI.

We have the issues of badger baiting and dogfighting, which I absolutely condemn, and the right hon. Member for Delyn (David Hanson) referred to attacks on livestock and sheep—they are all very important issues. The wildlife liaison officer is the central point of contact in the PSNI for police officers and staff who require advice, support and assistance in relation to all animal welfare or wildlife crime, with particular links to suspected breaches of the legislation or associated queries. The Wildlife (Northern Ireland) Order 1985 was amended by the Wildlife and Natural Environment Act (Northern Ireland) 2011, and the police liaison officer offers advice, support and assistance to the police service across the whole of Northern Ireland. She does a really incredible job—she is one of my constituents and also a good friend of mine.

In the very short time I have, I want to discuss what the hon. Member for Henley referred to: it is important to look at wildlife crime elsewhere in the world. I have
done the bit back home, where it is very important that we can actively discourage and legislate against those who blatantly break the law. It is said that across the world

“illegal wildlife trade is now the fourth most lucrative transnational crime after drugs, arms and human trafficking”.

It is worth some £17 billion a year. The money generated from the global trade in wildlife has been linked to funding terrorist activities: the people who are involved operate as cartels, with multiple organised crime groups working to a common purpose. The exploitation of wildlife is a low-risk yet high-reward form of crime. The 2016 “World Wildlife Crime Report” by the United Nations Office on Drugs and Crime shows the extensive involvement of transnational organised crime groups. The Minister does not have responsibility for that, but I would like some direction from Government on what they are doing about it.

It is clear that there is a real need for focused, targeted and strategised UK-wide policing of wildlife crime, and for officers to understand the importance of this. I know that the police in the UK and the PSNI in Northern Ireland do a wonderful job, but it must be co-ordinated. I believe that we could do this better if we took a UK-wide approach, and that the Department must take the lead in putting this strategy into place. We always get a good response from the Minister, and I look forward to it today.

3.7 pm

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): Like a few others present in the Chamber, I bear the scars of the 700 hours it took, in one capacity or another, to pass the Hunting Act 2004, which was introduced by the Labour Government and described by the League Against Cruel Sports as the most successful wild mammal legislation in England and Wales. It seems that a lot has changed since then, as the organisation has discovered what it considers to be the Act’s flaws, and I want to touch on that briefly.

There was a reason the Hunting Act 2004 ended up as it did: the Labour Government and the Ministers responsible for it recognised that it was not as simple as it seemed. Considerations relating to management control and humane control—wildlife management considerations—needed to be incorporated into the Act. The Labour Government completely understood that the idea that the legislation was ever going to be a blanket ban on the killing and control of foxes was unfeasible. Now, 15 years on, we are talking about what seems to the outside world to be various anomalies. I refer hon. Members back to the reasons we ended up in that place the first time—because of the complex way in which rural Britain interacts with wild, unhusbanded animals.

As a former employee of the Countryside Alliance and its current chairman, I should declare an interest and say that I am not here to try to justify the unjustifiable, or to try to promote or excuse lawlessness in any way. I absolutely share the concerns of the hon. Member for City of Chester (Christian Matheson) on things such as illegal hare coursing and how that can be dealt with. I am realistic and hope that the organisation I have been involved with for many years is very keen to play a positive role in dealing with these issues in a proportionate and evidence-based way.

I want to touch on a few things that were mentioned earlier. On the question of raptors, I hope I can persuade Opposition Members that, as the Labour party has indeed recognised over many years, shooting plays a really important part in the upland management of the UK. That applies not only to biodiversity—that is not contested in any way—but to economic benefits and the benefits of the production of good quality, healthy food in the food chain. Before we write off everybody involved in upland management as a raptor persecutor, we must note that the vast majority recognise that that is a crime that needs to stop and they will co-operate with anybody who wishes to address that problem.

I should point out one of the complexities. The problems are just as apparent in areas that are not managed for shooting, such as the Isle of Man and the Isle of Skye—where huge attempts have been made to get hen harriers to breed again—as on managed uplands on the mainland where shooting does occur. We should treat with caution the assumption that the problem happens only on managed grouse moors.

Finally, as far as hunting is concerned, I could go on for a great deal more than the 42 seconds I have left, but I will simply say this. The idea that all the so-called problems can be cured simply by adjusting the hunting techniques, which was recommended by the Labour party and the League Against Cruel Sports when the Hunting Act went through, is a naive approach to an exaggerated problem. Trail hunting takes place on more than 25,000 occasions a year. The evidence, which might be good evidence, suggesting that there is a widespread problem exaggerates the problem. Whether it is raptor control or hunting, the best approach is a co-operative one involving the governing bodies of the organisations in question.

3.11 pm

Chris Evans (Islwyn) (Lab/Co-op): Thank you for calling me to speak, Mr Rosindell. I congratulate my hon. Friend the Member for City of Chester (Christian Matheson) on his insightful and sometimes passionate speech. Like others, I want to set out my opposition to foxhunting. The general election might not have decided the matter, but when the Prime Minister announced she was pro-foxhunting my postbag was inundated with correspondence from people who were against bringing back foxhunting. I hope and pray that this country will never again see the foxhunting of the past.

Foxhunting and hare coursing have been covered very well in the debate. I want to focus my attention on the illegal theft of bird eggs. Although the introduction in 2000 of custodial sentences for the offences of egg theft and possession appear to have had a positive effect on reducing egg-collecting activity in the UK, there is no indication that the sentences have had an impact on the illegal egg trade. Why am I talking about the egg trade? Many egg collectors and egg thieves are attracted to endangered species, particularly endangered birds. Collecting bird eggs has been illegal in the UK since the Protection of Birds Act 1954 was passed, making it illegal to take the eggs of most wild birds. The law was further bolstered by the Wildlife and Countryside Act 1981, which provides stipulations for the protection of wild birds and their eggs and nests. Magistrates are able to hand down a range of punishments, from fines to six months in prison per egg.
A variety of motivations lie behind egg theft. Recent arrests have shown that many collectors find themselves addicted to the process of tracking birds and capturing their eggs. The individuals who take part in those horrendous activities take pride in their ability to steal eggs from nests that lie in purposely secluded and difficult to reach areas. That is a blatant violation of the various Acts in place to protect the birds and it also eradicates the lives of very rare birds.

In one sickening case in 2011, someone stole seven golden eagle eggs that were so close to hatching that he likely removed a live chick from the shell just to have something nice to look at. After admitting to 10 charges of theft and illegal possession of bird eggs, he was given only a six-month sentence—a slap on the wrist for someone who clearly has a problem. Weak penalties for wildlife crime mean that offenders have little to fear. Those who collect the eggs face very short prison sentences, so there is no incentive for them to cease collecting.

The situation is made worse by an illegal bird egg trade available on eBay. A search for “bird egg collection” provides potential buyers with the option to purchase a red grouse egg. The RSPB has given the bird an amber status, which denotes an unfavourable conservation status as well as a decline in UK breeding populations. What is more, the red grouse species is protected by the Wildlife and Countryside Act.

In recent weeks the Government have done very good work on social media, self-harm and suicide, but where there is a violation of the law it is up to them to say to someone who clearly has a problem. Weak penalties for wildlife crime mean that offenders have little to fear. Those who collect the eggs face very short prison sentences, so there is no incentive for them to cease collecting.

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The hon. Gentleman began by highlighting the serious crime of killing birds of prey, and the fact that the RSPB wants tougher sentences. I think that most of us present would concur. His main focus was on foxhunting, the weaknesses in the current legislation and what he perceives as lack of political will from the UK Government to tackle those weaknesses. I am sure that he will be pleased to hear that in Scotland the SNP Government have recognised the weaknesses in the law there, which will be tackled. A new measure will flush out weaknesses—such as the fact that dog s can be used to flush out foxes. That is certainly something that the UK Government should co-operate on.

The hon. Gentleman noted that the average fine is only £267. I think it is fair to say, without stereotyping, that many people involved in such hunts would see that expenditure as merely the cost of doing business and a drop in the ocean. He highlighted issues with trail hunting and so-called accidental kills. That reminds us that there are still many hunt groups that somehow see their barbaric hunting as their right and tradition, with respect to both foxes and badgers. That is something we need to stamp out. He recommended improvements in legislation including an offence of recklessness, and the addition to the law of further exclusions, such as on the use of animal scents. It would be good to hear what the Minister has to say about that.

I pay tribute to the work that the hon. Member for Southend West (Sir David Amess) has done over the years on animal rights and protections. If I picked him up correctly, he was extolling the virtues of the fact that 60 Tories are now, he believes, against foxhunting. Sadly, that shows how out of date his party still is, because it is less than a fifth of it. It shows that there is a long way to go. I know that he is fighting the fight, and I urge him to keep doing that and to educate his colleagues.

The right hon. Member for Delyn (David Hanson) paid tribute to the North Wales police wildlife crime unit and highlighted the serious issue of sheep worrying, which is something I am aware of; it is certainly an issue for farmers in my area. I was interested in his call for statistics to improve the Government’s understanding, and for a review of sentencing. Once again, I will be interested in what the Minister says. Police Scotland is working with the National Farmers Union of Scotland to raise awareness of the issue among dog owners. A recent case highlighted the fact that, in addition to the sad fact of the killing of sheep, the farmer, who lost a lot of livestock, was not adequately compensated. The farmer’s livelihood was therefore put at risk too.

The hon. Member for Henley (John Howell) widened the debate by talking about elephants, noting that the trade in wildlife is the fourth largest trade in the world, which is a real eye-opener. The hon. Member for Crewe and Nantwich (Laura Smith) bravely battled an infection to put forward her points against foxhunting and, like the hon. Member for City of Chester, highlighted a point raised by her constituents about video footage apparently showing foxhunting carrying on unabated, although it is against the law, while that footage is not used for prosecutions or follow-up investigations. That certainly needs to be looked at. The “toy soldier” jibe about the way people dress up for hunts perhaps sums up their absurdity in this day and age.

I was privileged to hear a rare contribution by the hon. Member for Strangford (Jim Shannon), who seldom ventures into Westminster Hall. It was good to hear him say that he does what he preaches in relation to outdoor conservation. He has been actively involved in that work and I pay tribute to that. He also highlighted the global nature of wildlife crime and trade.

The hon. Member for Carmarthen West and South Pembrokeshire (Simon Hart) talked about the need to protect raptors, and about the prosecution of crimes. He was the only Member today to argue that there is a need for upland management and shooting. I suppose many people might not share that view, but it is good to hear someone put it forward as a matter that needs to be looked at.

The hon. Member for Islwyn (Chris Evans) introduced a new subject to the debate: egg theft and the egg trade. He pointed out that unfortunately the people involved are naturally drawn to endangered species as they build their collections, creating a vicious cycle that could wipe them out, and that makes them even more attractive to other people involved in this illicit trade. That is another crime that should be stamped out.

The hon. Member for Ellesmere Port and Neston (Justin Madders) also highlighted concerns about foxhunting and his lack of confidence in the law as it stands. His point that all should be equal under the law is pertinent, and the Minister should address the matter of how the law works in the UK.

Scotland’s wildlife is precious and a huge part of our national identity. It is also a valuable resource, because it attracts visitors and tourists who come to see dolphins or birds, for example. Not only is it humane to protect wildlife; it also makes economic sense. For that reason, the Scottish Government have been active in ensuring that Scotland’s iconic and world-renowned great outdoors is protected, and they have undertaken species management where required. Wildlife crime is being tackled in Scotland through robust legislation, the management of species reintroductions, including the return of beavers, and work with a range of partners to minimise the risks and impacts of invasive non-native species. In their programme for government, the Scottish Government committed to establishing an animal welfare commission to provide expert advice on the welfare of domesticated and wild animals in Scotland, and work is now under way to establish that.

We all have a responsibility to protect our natural environment and the wildlife that lives in it. The SNP supports any reasonable measures to ensure that bird habitats are not poisoned by man-made chemicals and that firearms and ammunition are used and stored responsibly and legally. The Scottish Government are determined to crack down on those who commit crime against wildlife. As part of that commitment they have recruited special police constables across three divisions between the highlands, Aberdeenshire and Perthshire. The additional officers will be a valuable resource in tackling rural and wildlife crime.

In a similar vein, I pay tribute to the work of Graeme Gordon, a dedicated rural police officer who is a wildlife crime officer and Rural Watch Scotland administrator in my area of Ayrshire. I can vouch for his dedication to his job. He does a tremendous amount of liaison work with NFUS and the rural community. His work varies from investigating crimes to giving people a heads-up on issues and providing valuable advice. He also provides valuable updates to elected Members, including me. It is to Police Scotland’s credit that the post is maintained
while austerity is imposed on Scotland and the UK Government steadfastly refuse to backdate the £175 million in VAT owed to Police Scotland and the Scottish fire and rescue service. That is in stark contrast to the cuts to the police that, as other hon. Members have said, the UK Government have been making. It is no coincidence that crime increases when there are cuts to the police service. Another initiative in Scotland in recent years is the investment of more than £6 million in new forensic capability, including DNA24, robotics and powerful software to obtain DNA profiles successfully, in support of the Scottish justice system.

Clearly, we would all love wildlife crime to be eradicated. I long for the day when there is an end to fly-tipping and littering, not only because it creates eyesores, but because it endangers wildlife. I cannot for the life of me understand those who seem to go to extreme efforts to get rid of rubbish that could be uplifted, or that they could deposit at nearby council facilities. They work harder to fly-tip in the countryside than they would in driving their rubbish down the road. Similarly, I go out on walks with my wife, Cyndi, and our black Labrador, Coby, and we get frustrated when we see people who profess to enjoy the great outdoors but who cannot be bothered to take their juice cans, bottles or crisp packets home with them. I cannot understand that. We have a long way to go to eradicate wildlife crime completely, and I look forward to that day.

3.29 pm

Sue Hayman (Workington) (Lab): It is a pleasure to serve under your chairmanship, Mr Rosindell. I congratulate my hon. Friend the Member for City of Chester (Christian Matheson) on securing this important debate. He spoke passionately, and I know that he feels passionately about this issue, I am aware that there is great strength of feeling in Cheshire about it.

We have heard excellent contributions from Members across the House. My right hon. Friend the Member for Delyn (David Hanson) spoke about the excellent report that the all-party group for animal welfare has produced on sheep worrying. I hope that the Minister will take note of its important recommendations. The hon. Member for Henley (John Howell) talked about the international trade and the importance of working globally. My hon. Friend the Member for Islwyn (Chris Evans) raised the issue of bird eggs, which is very important as their theft causes huge damage. The hon. Member for Strangford (Jim Shannon) highlighted the importance of conservation and raised his particular concerns. It was interesting to hear the response from the hon. Member for Kilmarnock and Loudoun (Alan Brown), who talked about the approach to these issues being taken in Scotland.

People from across the country frequently contact me to tell me their concerns about the appallingly wildlife crime in Britain today. Many have been mentioned already, including hunting with dogs, which is clearly a huge concern, hare coursing, badger baiting and raptor persecution. Last year, when I was serving on the Public Bill Committee for the Ivory Act 2018, we heard that the National Wildlife Crime Unit has only 12 members of staff to cover the entirety of its operations across the UK, and that includes administrative staff as well as enforcement officers. That level of resourcing is a great cause of concern. How can we expect wildlife crime to be tackled in our country if we do not put in place the means by which we can stamp it out? The unit’s financial future has been uncertain for many years, so will the Minister commit to guaranteeing funding for it beyond 2020?

I remind the Minister that, on Second Reading of the Ivory Bill in June last year, the Secretary of State said that, by October 2018 “we will be looking not just to ensure that we can continue to staff and support the officers who work in this field adequately, but to ensure that we go even further.”—[Official Report, 4 June 2018; Vol. 642, c. 98.]

Nine months later, we are still no clearer on the funding issue. There cannot be a repeat of the threat to the unit’s future, as happened in 2016, so we need clarity.

The six national wildlife crime priorities in Britain include poaching, the illegal wildlife trade and the persecution of badgers, bats and raptors. My hon. Friend the Member for City of Chester mentioned the persecution of raptors, and a new scientific study shows that hen harriers are disappearing on English grouse moors due to illegal killing. Natural England says that the analysis confirms “what has long been suspected—that illegal persecution is having a major impact on the conservation status of this bird”.

I take the point, made by the hon. Member for Carmarthen West and South Pembrokeshire (Simon Hart) that raptor persecution is not limited to grouse moors. It is important that wildlife crime is dealt with adequately, wherever it takes place. Labour has committed to carrying out a review in government of the environmental and wildlife impact of grouse shooting. What is the Government’s position on that, now that we have seen the new analysis?

We have heard that, unfortunately, no database is kept of reported wildlife crime in England and Wales, although the RSPB keeps a record of bird crimes. Crimes are recorded in Scotland, and figures released last week show that the number of wildlife crimes north of the border has fallen by 11% to the lowest recorded level in five years. At the same time, Scotland has a conviction rate of 96% for those found to have committed wildlife offences, which is the highest rate since 2012.

I believe that even those figures are likely to be wildly unrepresentative of the true number of wildlife crimes committed across Britain. We know that such crimes often take place in remote, rural areas and are likely to go undetected. There is simply not enough specialist knowledge and training in our overstretched police forces, which pushes the burden of covering all UK wildlife crime on to the overstretched few staff at the National Wildlife Crime Unit.

My hon. Friend the Member for City of Chester, the hon. Member for Southend West (Sir David Amess) and my hon. Friend the Members for Crewe and Nantwich (Laura Smith) and for Ellesmere Port and Neston (Justin Madders) talked extensively about the concerns about the Hunting Act 2004. The fact that so many hon. Members focused on it shows that there are serious concerns about it, which the Minister must take very seriously.

Bambos Charalambous (Enfield, Southgate) (Lab): On the National Wildlife Crime Unit, does my hon. Friend agree that, unless something is done about wild
Mr Rosindell. I know that you are passionate about animals and wildlife, so I am sure that you have enjoyed the debate.

I congratulate the hon. Member for City of Chester (Christian Matheson) on securing this important debate on wildlife crime. I know that he is particularly concerned about the events that took place over Christmas in his constituency and nearby. Following his parliamentary question in January, Department for Environment, Food and Rural Affairs officials contacted the Cheshire Constabulary, which has confirmed that an investigation into the five fox deaths is ongoing. We will be informed when or if the Cheshire constabulary decides to refer a file to the Crown Prosecution Service. As he will appreciate, I cannot comment further on that specific matter, but I assure him that I am confident that the police will ascertain whether a crime has been committed and, if so, will take appropriate action.

The Government recognise the importance of tackling all wildlife crimes, which is why DEFRA, together with the Home Office, directly funds the National Wildlife Crime Unit to support its work to investigate these crimes. The National Police Chiefs Council, the Scottish Government and the Northern Ireland Government also contribute to that funding. The National Wildlife Crime Unit is ably led by Chief Inspector Louise Hubble, whom I have met. It helps prevent and detect wildlife crime by obtaining and disseminating intelligence, undertaking analysis that highlights local or national threats, and directly assisting law enforcers in their investigations.

Across the UK, more than 500 specially trained wildlife officers across most forces support investigations in their local areas. DEFRA provided additional funding for the unit to carry out a project on internet-related wildlife crime. The unit has subsequently identified wildlife-related online criminality as a thematic threat area. I will bring to its attention the points made by the hon. Member for Islwyn (Chris Evans).

The unit’s funding structure will continue until the end of the comprehensive spending review cycle. Decisions on funding beyond 2020 will be taken at the next review, which is due to start this summer, as right hon. and hon. Members will know. I cannot say any more at this stage, but as the hon. Member for Workington (Sue Hayman) noted, my right. hon. Friend the Secretary of State is very committed to this important unit. I am pleased that wildlife crime seems to be an increasing priority for many of our police and crime commissioners across England and Wales.

There are six UK wildlife crime priorities: badger persecution, bat persecution, the illegal trade in species protected by the Convention on International Trade in Endangered Species, freshwater pearl mussels, poaching and raptor persecution. Wildlife crime priorities are set by the UK wildlife crime tasking and co-ordination group, which is chaired by the chief constable wildlife crime lead. Priority areas are those that either are assessed as posing the greatest threat to the conservation status of a species or show a high volume of crime and require a UK-wide tactical response. Each priority has an implementation plan—with plan owners identified—to prevent wildlife crime, improve intelligence gathering and strengthen enforcement of the law.

Raptor persecution is one of the UK’s wildlife crime priorities. All wild birds are protected under the Wildlife and Countryside Act 1981, and there are strong penalties...
for those committing offences. In the five years up to 2017—the latest year for which data is available—there were 107 prosecutions for crimes against wild birds and 75 convictions. The police are leading efforts to prevent the persecution of birds of prey. I praise the work done by North Yorkshire police, particularly on Operation Owl, and I commend police and crime commissioner Julie Milligan in particular. She has been fundamental not only in that work, but in chairing the rural group of police and crime commissioners. She has also made hare coursing a key priority for work across a number of forces.

In addition to activity to disrupt and deter criminality, officers of the North Yorkshire police have worked to raise awareness about raptor persecution among local landowners and members of the public. Only through working in partnership with those living and working in rural communities can raptor persecution be combated. Despite instances of poisoning and killing of birds of prey, populations of many species, such as the peregrine, red kite and buzzard, have increased. I fully recognise, however, that some species continue to cause concern.

The Government take the decline in the hen harrier population in England particularly seriously, and we are committed to securing the future of that iconic species. That is why we took the lead on the hen harrier action plan, which sets out what will be done to increase hen harrier numbers in England, including the trialling of brood management. In the recent judicial review of the lawfulness of Natural England’s decision to grant a licence for trials of hen harrier brood management, the claimants’ claims were dismissed. The proposed brood management scheme will continue. It seeks to manage the conflict between the conservation of hen harriers and the grouse shooting industry. That decision means the important work to protect and conserve the hen harrier can continue.

The hon. Member for Workington referred to an article that was published in a journal yesterday; I take that issue very seriously and will be seeking to meet the chair of the raptor persecution group, Superintendent Lyall, to go through it in detail. Although it is not for the Government to tell the police or the Crown Prosecution Service who they should be investigating and charging, we should take a proactive approach, particularly to stamp out the persecution of birds of prey.

The Government also support work to combat hare coursing, which is pursued under the poaching national wildlife crime priority. Police action against hare coursing is supported by the poaching priority delivery group, which brings together law enforcement and NGOs to improve intelligence gathering, enforcement and prevention of those crimes.

The Government recognise the distress that hare coursing causes for rural communities. I know that it is a priority of my own police and crime commissioner, Tim Passmore. Concerns are about not just the activity itself, but, increasingly, the associated violence between those involved or damage to property suffered by those whose land is blighted by the activity. There is also increasing involvement of organised crime in that particular venture. That is why I welcome the ongoing work done by police forces under Operation Galileo, which contributed to a 30% reduction in hare coursing incidents in Lincolnshire last year. I also commend the work of the six forces across the east of England, who came together to share intelligence so that they can try to stamp out that particularly heinous activity. The Hunting Act 2004 bans all hare coursing in England and Wales. Anyone found guilty of hare coursing or illegal hunting under that Act can receive an unlimited fine.

That brings me to hunting and the concerns raised by the hon. Member for City of Chester. The 2004 Act has been in force since 2005 and has fundamentally changed hunting with dogs in this country. Before that Act, between 21,000 and 25,000 foxes were killed each year by organised hunts, which accounted for only 5% to 6% of all annual fox deaths annually. As my hon. Friend the Member for Carmarthen West and South Pembrokeshire (Simon Hart) pointed out, further culling of foxes is often undertaken for predator control.

The introduction of the 2004 Act made it an offence to hunt wild mammals with dogs or to knowingly allow land to be used for fox hunting. Since the Act came into effect, many hunts have turned to trail hunting as an alternative to live quarry hunting. Clearly, trail hunting is a huge improvement on live fox hunting, while still allowing hunting groups to undertake an activity important to them and much of the rural community.

I recognise it is possible that dogs used for trail hunting may on occasion pick up and follow the scent of live foxes during a trail hunt. If that occurs, it is the responsibility of the huntsmen and other members of hunt staff to control their hounds and, if necessary, stop the hounds as soon as they are made aware that the hounds are no longer following the trail that has been laid. The Act has been used successfully to prosecute those who break the law. Between 2005 and 2017, a total of 778 individuals were prosecuted under the Act and 469 individuals were found guilty. The Government have no plans to amend the 2004 Act, but I have heard what hon. Members have said on that, and I will address sentencing guidelines. I recognise that the Labour party has changed its stance since the Act was introduced, but at the time, Parliament decided that the offence would not carry a custodial punishment. The Act allows for fines of up to £5,000. Sentencing is a matter for judges and sentencing guidelines. We would look to the independent Sentencing Council to consider that particular matter—based on correspondence that I have had with it, it absolutely and strongly defends its independence.

My hon. Friend the Member for Henley (John Howell) referred to the illegal wildlife trade. I am proud of the Government’s record on making changes, including the groundbreaking Ivory Act 2018. The Government recognise that wildlife criminals do not respect international borders, which is why the UK is committed to its global leadership in tackling the illegal wildlife trade. As has been said, we started a series of groundbreaking London conferences in 2014, the first of which secured ambitious agreements from more than 40 Governments to take urgent co-ordinated action. It was hailed as a turning point in global efforts to tackle those damaging activities, in particular in generating a response from China on its role in tackling the heinous trade. In October 2018 the conference returned to London.

The United Kingdom Government are investing more than £36 million between 2014 and 2021 to take action to counter the illegal wildlife trade, including work to
reduce demand, to strengthen enforcement, to ensure effective legal frameworks and to develop sustainable livelihoods. A good example of that is building on the successful ranger training deployments that we have already done in Gabon and Malawi. The UK is committing a further £900,000 of new funding to develop a British military counter-poaching taskforce. Its members will train park rangers to use more effective and safer counter-poaching techniques as they seek to disrupt such criminality.

I assure hon. Members of our expertise and of the way in which we work with other countries. For example, I have made several trips to African countries, and at the 2018 conference, with a particular focus on birds, for the first time we brought in people from the Americas. I am pleased that we will support one of those regional conferences this year, with that particular focus.

One of my hon. Friends referred to bird trapping in Cyprus. The Government take our responsibility to combat wildlife crime in Britain’s overseas territories seriously, which is why we have supported the sovereign base areas administration on the island of Cyprus in its work to counter illegal bird trapping. In particular, I thank my right hon. Friend the Secretary of State for Defence who made it a personal pledge when he visited the bases to ensure that it was happening, and the Minister for the Armed Forces.

That work is being done through a combination of enhanced police action, eradication of non-native habitats and enforcement of regulations. The SBA administration works closely with Birdlife, the RSPB and other NGOs. The administration is confident that the enhanced measures are delivering meaningful results. I therefore welcome the report released this month by the RSPB and Birdlife, which shows a continued decline in the number of birds being illegally killed on the bases.

On enforcement, it is important to remember that the enforcement of all offences, including wildlife offences, is an operational matter for the police. It is not only for individual chief constables to determine how their resources are deployed, but for locally elected police and crime commissioners to hold their forces to account and to set priorities, including on how they tackle the crimes that matter most to residents and businesses in rural and urban areas alike. However, the Government are taking steps to ensure that the enforcement of wildlife protection legislation achieves the best possible outcomes for wildlife through the expertise hosted by the National Wildlife Crime Unit and the involvement of the National Police Chiefs Council.

Several people talked about notifiable offences. DEFRA has supported work led by the National Police Chiefs Council and the Home Office to explore widening the range of notifiable wildlife offences, including some of those relating to foxhunting. Other offences put forward for consideration include those relevant to raptor and badger persecution, crimes against deer, and the criminal damage of protected habitats. The benefit of an offence becoming notifiable is that there is a national standard for the recording and counting of such offences by police forces in England and Wales, and reports produced by the Home Office provide a measure of demand on the police and inform the public of the scale, scope and evidence of crime in their local communities.

The National Police Chiefs Council is now considering stakeholder feedback, and a formal submission will be made to the Home Office this spring. The decision on which, if any, offences might become notifiable does not sit with my Department, but will be taken by the Home Office. I am conscious of growing interest, as is the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), who is taking a particular interest in the issue, including sentencing.

In response to the point made by the right hon. Member for Delyn (David Hanson), livestock is not wildlife so it is outside the scope of today’s debate, strictly speaking. However, I will ask my noble Friend the Minister in the other place to write to him about the questions he asked. I will ensure that that happens.

I also have an extra point to make to the hon. Member for Islwyn. I was pleased that only a couple of months ago a particularly strong sentence—more than three years—was given to someone convicted of smuggling birds’ eggs, so important changes are being made in that regard.

On sentencing, I have already tried to make the point about the maximum fine, in particular under the Hunting Act. I will work with other Ministers, and I have raised illegal wildlife trade issues before with a previous Minister for Justice. We have an opportunity, and there is interest across Government to see what more we can do, but I stress to the House that we might have to change the law specifically. There are indications about how we extend the maximum sentence for animal cruelty from six months to five years. I commit to work with fellow Ministers to see what we can do. It is down to the independent Sentencing Council to change any guidelines under existing law.

The Government will continue to support work to protect our wildlife from criminal activity, to deter people from breaking the law and to punish those who do. We are equally committed to leading international efforts to tackle the illegal wildlife trade. I believe that there has been a change in behaviour, brought in by the Hunting Act. I fully recognise the concerns expressed by hon. Members who do not believe that the Act goes far enough but, as I said, the Government do not intend to reopen it in this Parliament. I again thank the hon. Member for City of Chester for securing this important debate, and all those who contributed to it.

3.56 pm

Christian Matheson: I thank all right hon. and hon. Members who have contributed to the debate. The term “wildlife crime” has been given quite a wide exposition. I welcome the contribution of the hon. Member for Henley (John Howell), who gave us the international dimension, and my right hon. Friend the Member for Delyn (David Hanson), who gave us the rural farming dimension. I particularly welcome the contribution of the hon. Member for Southend West (Sir David Amess), from the soon-to-be city of Southend, simply on the basis that he, the right hon. Member for North Thanet (Sir Roger Gale), and indeed you, Mr Rosindell, were pioneers of the cause of animal rights in the Conservative party when—if Government Members will forgive me—it was not always a fashionable cause in that party. Those hon. Members led the way, and I am grateful for that.
I am most grateful to the Minister and the shadow Minister for their expositions. My only concern about much of what the Minister said is that, although we are now out of the foxhunting season this year, when it begins again next year and the foxes continue to be killed in that dreadful way, the calls for further reviews and tightening of the law will continue and grow louder. I thank all hon. Members from across the Chamber for their contributions.

Question put and agreed to.

That this House has considered wildlife crime.

Tourism: East of England

Will Quince (Colchester) (Con): I beg to move, That this House has considered tourism in the East of England.

It is a pleasure to serve under your chairmanship, Mr. Hollobone. Tourism is a vital industry, not only because it supports so many other industries but because it is an excellent source of direct investment into our economy from abroad. Naturally, the east of England is too vast a region, with too much to offer, to cover adequately in 30 minutes. That is why, perhaps unsurprisingly, I would like to focus on Colchester and explain why I believe it deserves the attention, investment, and support of Government.

Many people will have heard of Colchester borough, perhaps from having eaten some of Colchester’s fantastic local produce such as Wilkin & Sons of Tiptree, Fairfield Farm crisps and our world-famous oysters, eaten since Roman times. But how many will know about our incredible wealth of history and the tourist attractions our town and borough have to offer? How many know that we are Britain’s oldest recorded town and Britain’s first Roman city? Colchester castle is the largest Norman keep in Europe. We have the largest and longest intact Roman walls in the country, which can still be walked around today. We have the only Roman circus found in Britain. One of the world’s best-known nursery rhymes, “Twinkle, Twinkle, Little Star”, was written in Colchester. We are home to the Parachute Regiment and have been a garrison town since Roman times. We have the largest Victorian water tower in Britain.

I have barely scratched the surface, as Colchester is the jewel in the crown of East Anglia, especially when it comes to heritage. Whether people are discovering our Anglo-Saxon, Roman and Norman heritage at Gosbecks archaeological park, visiting Holy Trinity church, Colchester castle or the Roman Circus Centre, living like the personal physician to Elizabeth I at Tymperleys, staring up in awe at Jumbo, our Victorian water tower, visiting our stunning town hall, having dinner at the Old Siege House and seeing the musket balls still stuck in the wooden beams from the English civil war, or taking a walk around our Roman walls, built to avoid a repeat of the revolt that saw Boudicca burn the town to the ground in AD 60-61, Colchester is a town in which history truly comes alive.

Our town has so much more to offer than just heritage. We have fabulous leisure facilities, stunning parks including Gosbecks, Castle Park, Westlands and High Woods country park, and the River Colne on our doorstep. Constable country and the Dedham vale offer beautiful landscapes. For those who want something a little less peaceful, we have Leisure World, Jump Street, numerous soft play facilities, Rollerworld—Europe’s largest roller sports facility—and a wealth of new facilities planned at the new Northern Gateway leisure development sitting alongside Colchester United and Colchester rugby club, which are both going from strength to strength.

Our cultural offering is second to none, making us the cultural capital of Essex and arguably the eastern region. The Mercury theatre is going through a multimillion
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and a bright future.

our exciting and vibrant town with an incredible past

It has never been easier to visit Colchester: it is 50 minutes from the City of London by train, 30 minutes from Harwich international port and 45 minutes from Stansted airport. It could not be easier to come and see our exciting and vibrant town with an incredible past and a bright future.

Sandy Martin (Ipswich) (Lab): I note that the motion on the Order Paper reads:

"That this House has considered tourism in the East of England".

I wonder if the hon. Gentleman would be willing to be consider tourism in any part of the east of England other than Colchester. Might he recommend that people stay on the train for an additional 15 minutes in order to sample the delights of Ipswich?

Will Quince: Although my speech is somewhat Colchester-centric, of course I would advise anybody coming to sample our heritage and tourist attractions, who choose to base themselves in Colchester for all sorts of reasons, to use it as a base to go and experience other places with considerably wealthy heritage and tourist attractions. Ipswich is one of those, just a bit further up the A12.

Stephen McPartland (Stevenage) (Con): Stevenage is also in the east of England. It is a little further up the A1(M) and also on the east coast main line. We also have wonderful culture and heritage, despite being the first new town. Rooks Nest is the basis of E. M. Forster’s novel, “Howard’s End”. We also have Knebworth House, which has a great history. There is lots of culture around the whole of the east of England.

Will Quince: I used to live in my hon. Friend’s constituency, so I have sampled a number of the tourist attractions with my wife, and I hope to do so again. Knebworth House hosts a number of festivals throughout the year and is a popular attraction. Clearly, we are building on fertile ground when investing in the east of England, and Colchester in particular.

Peter Aldous (Waveney) (Con): My hon. Friend is making a persuasive case for Colchester. I could do likewise for Lowestoft. Does he agree that for the east of England as a whole we should adopt a more comprehensive rather than piecemeal approach to showcasing our glories?

Will Quince: My hon. Friend is right; even in Colchester I do not think we are good enough at taking a holistic approach to our tourism offering. I have not spent much time in Waveney but I very much hope to. Essex and the eastern region as a whole should do far more — perhaps through local enterprise partnerships — to ensure we make an attractive proposition across the board, to spend a week in East Anglia and the east of England and sample the delights of the region.

I would appreciate if the Minister outlined how we can increase Government support for Colchester and the wider east of England. Will he agree to visit Colchester to help me to promote our town as a fantastic destination to visit and invest in? Outside this debate, I have already made efforts to encourage Government investment. I am aware that this may be a matter for the Ministry of Housing, Communities and Local Government, but I would like to reference briefly the stronger towns fund and future high streets programme. I have written to the Department in support of Colchester Borough Council’s recent application to the future high streets programme. I hope the council will be successful in receiving some of that £600 million fund.

We need investment to continue Colchester’s momentum — in a tourism not a political sense — in attracting tourists from across the UK and further afield. The full potential of Britain’s oldest recorded town and its first Roman city should never be squandered. Funding from the future high streets programme or similar Government funds would go a long way to double down on our existing strengths. The building blocks for truly remarkable growth in our tourism sector are there, but Government investment is needed to keep the ball rolling.

If Colchester received some of the £1.6 billion available under the stronger towns fund, specifically the £600 million to be allocated competitively, we could significantly enhance our town’s attractions, unlock its many assets and encourage further visitors to the area. I have mentioned that investment builds on fertile ground in the east of England, but investment must lead the way if tourism is to follow.

Hon. Members will be pleased to know that this is my last reference to Colchester: upgrading the A12 between Braintree and Colchester, and the A12, is key. I ask that the Department for Transport look favourably on the bid, to get people to our town and region.

Outside the Roman walls of Colchester, we have the good fortune to enjoy truly remarkable natural sites, which continue to attract visitors from across the country and overseas. More than 10,000 hectares of land in the region are administered by the National Trust, employing approximately 140 staff members who lead a network of 2,200 local volunteers, and attracting 1.5 million visitors annually. Naturally, that provides a strong foundation for a thriving hospitality sector. The east of England’s hospitality sector has a workforce of more than 246,000 people and represents 8% of overall regional employment. That adds a staggering £5.8 billion to the region’s economy. Historic England has estimated that heritage-related trips alone generated £16.9 billion across the country in 2016. The extent to which our region is already on a firm footing is clear.

The foundation and the businesses are there, the infrastructure is largely there, and the sites are there. The east of England, with Colchester leading the way, has so much to offer. We just need investment to truly unlock our potential. I repeat my invitation to the Minister to please visit Colchester, to help me to promote our historic town and the surrounding region, and to encourage Government funding to support and develop the east of England’s appeal as a tourist destination.

Several hon. Members rose—

Mr Philip Hollobone (in the Chair): Order. A number of Members wish to catch my eye to speak. This is a half-hour debate; a Member may make a speech only if they have the permission of the Member in charge and of the Minister.
Will Quince indicated assent.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Michael Ellis) indicated assent.

Mr Philip Hollobone (in the Chair): I call Priti Patel.

4.16 pm
Priti Patel (Witham) (Con): It is a great pleasure to serve under your chairmanship, Mr Hollobone. I congratulate my hon. Friend the Member for Colchester (Will Quince) on securing this important debate. It fills all our hearts—and I would like to think those of our constituents—with joy and optimism to celebrate the culture, heritage, community and, importantly, diversity we share across the east of England. My hon. Friend is my constituency neighbour and we share the borough of Colchester. It was a real joy to hear him speak about the positive aspects of tourism in Colchester borough, many of which we share, and stand up for tourism and hospitality more widely, which, as he said, have real economic benefits.

I would like briefly to make a number of key points. The hospitality sector is pivotal to the tourism ecosystem across the east of England, including in Witham, which is urban, rural and coastal. Tourism has many guises, and hospitality comes in many forms, including pubs, clubs, bars and restaurants. We should pay tribute to the people who work sometimes very long and difficult hours in pressured circumstances in the hospitality sector. If I may say so, the hospitality sector in Essex in particular is enormous. It is based very much on seasonal work and on individuals working incredibly hard to produce great outputs and make a strong contribution to both our local economy and the national economy. That boosts tourism not only in our constituencies but in the region and the wider country.

My hon. Friend mentioned one of the finest products in the country: Wilkin & Sons Tiptree jams and conserves. That is now an international export; it is well known not only in the House of Commons but in some of the finest establishments—hotels and shops—around the world. Wilkin & Sons, which is based in the village of Tiptree in the Witham constituency and the Colchester borough, is a stunning example of a family business that has gone from success to success and expanded internationally. It contributes to many aspects of tourism; it has tea shops and farms, and it is a magnet for tourists. At the same time, it employs people in the local community and sells the great Tiptree brand internationally, boosting our standing in the world and generating tourism to the region and our country. Of course, there are many other attractions in the area, including the Museum of Power in Langford in my constituency, and Tollesbury on the coast, which are all known for the great contribution they make to the tourism sector.

Let me make two final points. I mentioned employment and seasonal work, which are pivotal to ensuring that constituencies such as mine have a thriving tourism economy. At the same time, the hospitality sector needs a flexible labour market and flexibility about how it recruits and trains workers—migrant workers in particular. The Government are testing a seasonal agricultural workers scheme, which will absolutely affect the east of England and we hope will have a positive impact on tourism, hospitality and the agriculture economy—that attracts tourism, too—in the region.

Finally, there have been many debates in Westminster Hall about infrastructure in the eastern region and in Essex. My hon. Friend rightly pivoted to the A12, the A120 and the rest of our road network. If our economy is to grow and the tourism sector is to be successful, we need much more investment in infrastructure. The Government need to lean in and influence local authorities in particular to stick to their pledges to support investment in the expansion of the A12, followed by the A120, which the Government have indicated their backing for in the past, to ensure that tourism continues to thrive and grow.

Several hon. Members rose—

Mr Philip Hollobone (in the Chair): Order. I am going to call the Minister no later than 4.20 pm, so you have three minutes each. I call John Whittingdale.

4.14 pm
Mr John Whittingdale (Maldon) (Con): Thank you, Mr Hollobone; I will be very brief. I was first elected to the House to represent a part of Colchester, so I fully endorse the remarks of my hon. Friend the Member for Colchester (Will Quince) in promoting its many attractions, which I can vouch for.

I now represent the Maldon district. We are all part of the east of England, which does not always get the attention it deserves—people talk about the Lake district and the west country—but has many attractions. My right hon. Friend the Member for Witham (Priti Patel) mentioned some of the attractions in her constituency—indeed, I used to represent some of those as well. We share what is known as the saltmarsh coast, which is an extraordinary asset for recreation, wildlife and sailing.

The other great asset I represent is a place that should be nationally famous but is not: the Stow Maries great war aerodrome, the last remaining first world war aerodrome. It is being restored, with the help of the National Heritage Memorial Fund and the Heritage Lottery Fund, but it does not attract nearly as many visitors as it should because it is not well enough known.

In Maldon and elsewhere we recognise that digital marketing is key—perhaps the Minister will touch on that—and that people now look online to see where there are attractions, but there is not enough co-ordination. The Maldon district promotes things in the Maldon district, and Colchester borough promotes things in Colchester, but there needs to be more co-ordination so that we can demonstrate all the region’s attractions to people who are thinking of visiting the east of England. I am thinking not just of Essex; I am very happy for the hon. Member for Ipswich (Sandy Martin) to participate as well to promote Suffolk. We sit on this great asset, and I do not believe we are yet doing enough to exploit it.

4.16 pm
James Duddridge (Rochford and Southend East) (Con): It is great to participate in this debate about Colchester and other small villages around eastern area principalities. The speech by my hon. Friend the Member for Colchester (Will Quince) was rightly dominated by events in Colchester. I spent three years in Colchester, but he has told me
things about it that I did not pick up in that time. I look forward to receiving an invitation to the oyster festival, which I missed while I was there. Also, as an advocate for Tiptree jam—I think Tiptree is just outside his constituency—I feel another visit in support of a colleague coming on.

Southend, which I represent alongside Rochford, is built on tourism. It receives 7.5 million visitors each year, up by half a million since 2016. More than £50 million is generated by overnight accommodation, up by £2 million since 2016. Tourism is a very big part of our economy, and it has built up over time.

I recommend that all hon. Members come to Southend. We have Adventure Island, the seafront and London Southend international airport. Southend is a great place for people to base themselves if they want to be outside central London but just 50 minutes by train to Tower Hill. We have three casinos, a number of good golf courses, kitesurfing, sailing, Southend United and nightclubs. We have prestige boutique hotels, but also guesthouses and big-ticket hotels such as Plaza, Holiday Inn and Premier Inn.

I would like to draw one of those hotels to your attention, Mr Hollobone. I am pretty sure you would be welcome at any time at the establishment of Garry Lowen, who runs Gleneagles Guesthouse. I was with him celebrating National Bed and Breakfast Week over the weekend. Fortuitously, I got two press releases out of that constituency visit, because he is our candidate in the local government elections tomorrow. If colleagues want to pop down tomorrow, they could sample the best of Southend, see the tourism and how it fits into the eastern region, and also campaign for Garry in the election.

Mention was made of social media, which is incredibly important. Southend has concentrated heavily on visitsouthend.co.uk, and in just a year it has moved from 120th to 25th in the English tourism social media index. That has really driven its promotion of what it has to offer.

All that remains is for me formally to invite everyone to Southend. Mr Hollobone gets a free stay at Gleneagles Guesthouse; I am afraid lesser mortals only get free Rossi’s ice cream, but everyone is very welcome.

4.19 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Michael Ellis): It is a pleasure to be the Minister responding to this debate. I thank my hon. Friend the Member for Colchester (Will Quince) for raising the subject and commend him for the passion with which he spoke. In fact, all Members were walking advertisements for their constituencies, and rightly so.

My hon. Friend mentioned “Twinkle, twinkle, little star” and the Parachute Regiment—that must be the only time those two have been in the same sentence. He also talked about Colchester jams, preserves, crisps and oysters. I hope that he will be sent some samples and, if so, no doubt he will share them.

Southend is a great area, going as far as Ipswich or somewhere even more exotic?

James Duddridge: At London Southend airport there are a number of private helicopters that can be hired. Could I arrange for one to pick the Minister up at the London Heliport and take him to London Southend airport, so he can go to the aerodrome and maybe tour the whole area, going as far as Ipswich or somewhere even more exotic?

Michael Ellis: My hon. Friend is very generous to offer to pay for that journey, but I could not possibly intrude in that way. We will see if we can get there by more conventional means.

There is an impressive selection of attractions in the area, including Gosbecks Archaeological Park and Colchester Zoo. The Government have provided support to lesser known attractions in Colchester. Over £5,800,000 went to projects through the Heritage Lottery Fund, including contributions to the redevelopment of Colchester castle, the restoration of the Moot Hall pipe organ and the Transforming People to Transform Museums project, which aims to develop local skills. That represents nearly £6 million of Government investment in tourism attractions in Colchester. That is not to say that there is not more that we can do, because of course there always is.

Tourism is a crucial part of our economy, and I am pleased to say that it is thriving in the UK: 2017 brought record numbers of international visitors and was our best year ever recorded. The visitors spent record amounts of money across our great nation. Tourism is an important part of our economy; it provides jobs in the most rural of areas, brings wealth and prosperity to our coasts and cities, and is a much loved activity that enriches all parts. There is more that we can do. The upcoming future high streets fund, which colleagues touched on, and the recently announced stronger towns fund will contribute towards developing our more rural and coastal visitor economies in the years to come.
Tourism is good for us as a people and as a nation; we are on the world stage, being open and inviting to visitors. It is often said—and recently oft repeated—that this country remains open for business. I have been repeating the line that we are also open for leisure. We want people to visit this country for its wonderful leisure options and attractions, including our heritage and cultural offers, which are second to none. That is a reason that as a nation we punch above our weight in many spheres, including in soft power, where we are No. 1 in the world on the Portland analysis of soft power. We gain much by visiting other places and becoming more rounded, understanding individuals. As the UK prepares to leave the European Union, we will continue to be an open and welcoming nation.

To that end, I commend VisitBritain to all my hon. Friends who mentioned their constituencies today. That organisation does a tremendous job promoting the United Kingdom to the world, using images from across the country to demonstrate the wonders we have to offer potential visitors. I also commend the Discover England fund. The east of England has benefited from a good deal of Government funding, focused on the development and promotion of tourism across the area.

As this debate is specifically about the east of England, I mention several projects that have enhanced the tourism offer there. The Passport to the Coast project seeks to encourage visitors to build their own itinerary and experience the coastline from Hull to Harwich in all its glory. The Friendly Invasion project aims to attract visitors from the United States to explore the many American air force bases in East Anglia, where approximately 180,000 US airmen were stationed during world war two. The east of England touring route will take visitors from London to Northumberland, over the length of the east of England. Those visitors can develop their own individual itineraries for their journey. These are among the options that VisitBritain has, and I recommend that hon. Members look at the Discover England fund projects, which are designed to get visitors out of London and heading to all parts of the country.

The cultural development fund is another way in which the Government have been supporting our cultural offer. We recently announced £4.3 million funding for the Thames estuary production corridor. That project will make the area a world leader in the cultural and creative industries, by investing in apprenticeships for young people from disadvantaged backgrounds, creating new jobs and workspaces in the area, and delivering Estuary 2020, an international arts festival that will draw audiences from across the world. The fund is part of the Government’s creative industries sector deal, which sees Government and industry working together to invest in the future of the sector and, more widely, the future of these locations.

Staying with the arts, there is a lot of support for the arts scene in the east of England. Arts Council England has provided £300,000 to local organisations working collaboratively in the promotion of cultural tourism, with the aim of increasing cultural tourism in Suffolk and Norfolk. The Making Waves project received funding from the Heritage Lottery Fund and Arts Council England to encourage collaborative working between the arts, culture and tourism sectors, and to encourage a greater contribution to local social and economic strategies. The ultimate goal is to make places in the east of England, such as Great Yarmouth and Lowestoft, even better places to live, work and visit, by supporting the creation of local cultural strategies, increasing cultural education for children and young people, and using heritage and the arts to drive economic growth. Heritage and the arts certainly do that, and all Members can benefit from that.

Question put and agreed to.
Suzanne Evans: I beg to move, That this House has considered legal duties on the Secretary of State to reduce health inequalities.

Lucy Allan (Telford) (Con): I beg to move, That the House has considered legal duties on the Secretary of State to reduce health inequalities.

It is a pleasure to serve under your chairmanship, Mr Hollobone. It is an important and timely debate on the issue of health inequalities, which are very real and very significant. That is exactly what is happening in my area. That injustice has been obscured by improvements in overall health outcomes—and, of course, by all the other business that has been going on in this place and distracting us from the reasons that so many of us came to Parliament. As the Government unveil the NHS 10-year plan, it is right that we make a conscious effort to revisit the question of health inequalities. I want to do so in particular because I can see unequal health spending by local clinical commissioners in my area. While decision-makers may pay lip service to tackling health inequalities, it is not the driver that it is meant to be under the law.

Of course, the primary causes of health inequalities are complex and varied, from unemployment to poor housing. While no one would suggest that healthcare spending is the answer, we must ensure that all healthcare decision-makers understand their duties and the importance of their obligation to provide access for, and direct spending toward, those most in need. Healthcare spending is the one part of the mix that Government can control, and it is right to expect healthcare spending to be focused on tackling both unequal health outcomes and unequal access to healthcare.

The allocation of funding to local commissioners, which the Minister will probably touch on, rightly includes an adjustment for health inequalities based on the mortality rate. An area with a higher mortality rate, such as my borough of Telford and Wrekin, will get more funding per head than an area with a lower mortality rate, such as neighbouring Shropshire, but that is not the end of the matter, particularly when it comes to major hospital reconfigurations, which are happening in so many places across the country.

While funding may be allocated to separate clinical commissioning groups on the basis of need, when it comes to a major reconfiguration, CCGs will group together to form a joint CCG, bringing widely disparate areas under their umbrella. The funding and resource decisions are then made by the joint CCG, without considering health inequalities between those disparate areas. That is exactly what is happening in my area.

Telford is a post-war new town, created on the east Shropshire coalfield, and it has areas that are among the most deprived in the country. It has, by every measure, significantly worse health outcomes than Shropshire, a county that has better health outcomes than the national average, and significantly better outcomes than Telford, by almost every indicator.

We are experiencing just such a hospital reconfiguration. Telford and Shropshire have combined, and funding for hospital care is allocated to the area as a whole. What we have seen is a joint CCG, representing those disparate areas, deciding to direct the bulk of its funding to the more affluent area, and to move existing resources there from an area of deprivation. That is a clear failure of the duty to narrow health inequalities.

The national health service database has figures there for all to see. When it comes to health outcomes, Telford and Shropshire are at different ends of the spectrum. For someone living in Telford, the premature mortality rate is 25% higher than for someone living in Shropshire. Children in Telford are far more likely to suffer from obesity or to be hospitalised for dental decay. Tragically, rates of suicide and cancer in Telford are significantly higher than in Shropshire. Smoking rates, inactivity in adults and other such indicators show the very same disparity. The truth is that a shire town in rural England is healthier than a new town built in a former mining area on the east Shropshire coalfield, and NHS spending allocations are required to recognise that greater need. It is that simple—but in practice, that is not what is happening.

The Health and Social Care Act 2012 makes it clear that there is a requirement to move towards greater investment where levels of deprivation are higher. Under the Act, that is a legal duty on the Secretary of State, NHS England and CCGs. The guidance makes it clear that inequalities “must be properly and seriously taken into account when making decisions”.

As a former non-executive director of an NHS trust, I know that the NHS constitution requires the NHS to pay attention to sections of society where improvement in health and life expectancy do not keep pace with that in the rest of the population.

It is not enough for the Government or NHS England to hand over the cash to a joint CCG and then say, “Job done,” as far as the health inequality duty is concerned. CCGs also have a duty to narrow health inequalities and, if they are not complying—as in my area they are not—I ask the Minister how we can hold them to account. What steps can be taken to enforce that requirement?

This is happening not only in Telford. Across the country, from Lewisham to Huddersfield, the NHS is carrying out controversial restructurings of hospital care similar to the one in Telford, where funding and resources are being targeted toward a single area. If what is happening in Telford is happening elsewhere, decision-makers are ignoring their duties to address inequalities—or maybe they are merely paying lip service to them. It is all very well to commit to narrowing health inequalities, but that commitment is manifested only on a spreadsheet when we do our allocations to CCGs; it is not happening in practice when it comes to spending that allocation of funding.

Stephen McPartland (Stevenage) (Con): I am grateful to my hon. Friend for securing this important debate. In my area, East and North Hertfordshire CCG is being
forced to merge its management and executive teams, but so that it does not have to consult with local people, it is going to keep three separate boards. As a result, we are concerned about how decisions will be taken forward and, although the spending will be going to the three separate CCGs on paper, in reality one committee will be making those decisions and getting the boards to ratify them. The concerns she is raising in her area are repeated around the country.

**Lucy Allan:** I thank my hon. Friend for his intervention, and I am aware of the position he sets out. He is absolutely right; these problems are happening elsewhere with the combination of CCGs coming together and not being able to meet the needs of the individual areas that are receiving the funding.

In Telford, the local hospital trust serving both Telford and Shropshire announced in January, after five years of bizarrely convoluted and contorted deliberation, that it was pleased to announce its investment of a total pot of £312 million in a state-of-the-art critical care unit in the leafy, affluent shire town of Shrewsbury in Shropshire, 19 miles from Telford. In addition, the trust announced that it was pleased to say it would transfer Telford’s women and children’s unit and emergency care from Telford to Shropshire.

I have repeatedly asked the revolving door of hospital management over the past five years to explain how that proposal narrows health inequalities, how that decision improves the health outcomes of the most disadvantaged groups in the area they serve and how it improves health access for the most disadvantaged group if it is moving their provision 19 miles from its current location.

The response to my questions over a significant period has been to take no notice whatever. As an MP I have found, and I know from talking to them that many colleagues have also found, that local hospital trusts and CCGs feel no obligation whatever to respond to or even take notice of elected representatives. Indeed, my colleagues have also found, that local hospital trusts feel no obligation whatever to respond to or even take notice of elected representatives. As an MP I have repeatedly asked the revolving door of hospital management over the past five years to explain how that proposal narrows health inequalities, how that decision improves the health outcomes of the most disadvantaged groups in the area they serve and how it improves health access for the most disadvantaged group if it is moving their provision 19 miles from its current location.

The response to my questions over a significant period has been to take no notice whatever. As an MP I have found, and I know from talking to them that many colleagues have also found, that local hospital trusts and CCGs feel no obligation whatever to respond to or even take notice of elected representatives. Indeed, my right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning) noted in this place just last week, in an excellent debate on his local trust, that he had “absolutely no influence” on any decisions made by the CCG in his area.

As the Shrewsbury and Telford trust felt no obligation to respond to questions on this incredibly important issue, I asked the then Secretary of State if he could seek a response on my behalf. However, even that did not bring so much as an acknowledgement that reducing health inequalities is an important issue for the hospital trust or the CCG when making spending decisions.

The trust seems to feel entirely unaccountable to anyone. The Department of Health and Social Care says that it is accountable to NHS England, and NHS England says that the trust board is accountable to the trust chairman. In reality, there is no accountability. This subject has been raised with me over and over again by local residents who strongly oppose this reallocation of funding from a disadvantaged area to a more advantaged area.

**Dr Dan Poulter** (Central Suffolk and North Ipswich) (Con): My hon. Friend will be aware that there are health and wellbeing boards at play in local authorities. How effective has her local health and wellbeing board been at holding the CCG and other parts of the NHS to account, not only for their spending decisions but for how those decisions impact on frontline patient care?

**Lucy Allan:** I thank my hon. Friend for sharing his expertise in this area. My local council and health and wellbeing board have equally not been listened to on this issue. It is a Labour council, but it has tried extremely hard; if there was an opportunity to suggest otherwise, I would perhaps take it, but that is not the case. Both tried hard and have not been listened to. Most frustrating has been that the voice of local people has not been heard. Who do we expect to enforce this statutory duty? We cannot expect constituents to crowdfund a legal process because we want to hold CCGs to account.

**Dr Philippa Whitford** (Central Ayrshire) (SNP): Does the hon. Lady share my concerns on integrated care providers? Those should be statutory bodies and not in any way open to being private companies, which can hide behind commercial sensitivity, for exactly the reasons she says.

**Lucy Allan:** I thank the hon. Lady for her comment. There was an interesting debate on that issue on Monday night in the Chamber. This is an important issue, and I have a lot of sympathy with what she says.

On the injustice of unequal health outcomes, I said at the outset that that is of course not about spending more, and that poor health is not only about healthcare but is a much wider issue. However, if the NHS overlooks its statutory, constitutional and moral duty to properly consider health inequalities when making major spending decisions, the Secretary of State has a legal duty to act; he cannot just sit on his hands and say it is down to local clinicians. That response is all the more frustrating in my case because all six voting members of the Telford CCG voted against the transfer of resource from an area of deprivation and to an area of relative affluence, whereas all six voting members of the CCG in the more affluent Shrewsbury naturally voted for the funding resource to be transferred to their area.

In our case, Telford CCG was made to vote against until it came up with the right answer and allowed that transfer of funding. [Interruption.] That is very topical, yes. This whole issue reminds me exactly of Brexit. I wish I had not come on to that point; this should be a Brexit-free zone, for a change, so that we can all maintain our sanity. However, it is similar in the way that those in power have not been listening to the people. It is extremely important to note that, if we give that sort of funding to relatively affluent areas and take resource away from the most disadvantaged, we are doing something wrong. No Government could think that that was a good idea. I am grateful to the new Health Secretary, who came to Telford to visit our Princess Royal Hospital earlier this month and took the time to see for himself the fantastic work being done in the very areas that the management is seeking to close and to transfer 19 miles away to Shrewsbury hospital.

I would like to get something else off my chest, to further illustrate the problem of unequal health spending. Six months ago the Government gave the Shrewsbury and Telford Hospital Trust £3 million for winter pressures. The trust decided to spend all of it in Shrewsbury—all
of it—despite there being no evidence that the decision reduced health inequalities between the areas that it serves and not even an indication that it had considered health inequalities when making that decision.

No Government could possibly condone transferring resources from an area of need to an area of greater affluence and better health outcomes. The Government have a legal responsibility to ensure that that does not happen. Everyone in this room will agree that NHS funding decisions must focus on the areas of greatest need, and where that is not happening, we cannot ignore it. The trust has been able to forge ahead with a plan that has never made sense to local people, that was roundly opposed by a consultation that took place, bizarrely, two years after the original decision was made, and despite MPs and councillors vocally pointing out the plan’s shortcomings and its failure to address health inequalities. The hospital trust and CCGs carried on regardless. It cannot be down to local people to enforce the Act. I can only conclude that decision-makers perhaps do not understand their duty to narrow health inequalities or—of more concern—that they do not understand the extent of the need, disadvantage and health inequality in the area they serve.

The flat-out refusal to even discuss the reconfiguration’s impact on health benefits and outcomes for the most disadvantaged has been extraordinary. I have written letter after letter for a considerably longer period than the consultation lasted and I have not received any answers. My trust treats the issue as if it was entirely irrelevant to its reconfiguration plan. If it is not able to show how its plans narrow health inequalities, it must think again.

I know that once the Secretary of State receives the relevant documentation from my local council, he will carefully consider whether to call in the Telford proposal for review by an independent reconfiguration panel. For that, I am most grateful. I hope the panel will look closely at the failure to address need and disadvantage and, on those grounds alone—there are many others—throw out the scheme. If the Government are committed to reducing health inequalities and not only focusing on better health for all, they need more than just warm words. I ask the Minister to remind hospital trusts and commissioners generally, and the Shrewsbury and Telford Hospital Trust and its commissioners specifically, to give due regard to their duty to demonstrate how their spending decisions narrow health inequalities.

In conclusion, I ask the Minister to keep focusing on this issue. It is so easy to lose sight of the reason we all came to this place, and it is too easy for the Department or the Minister to believe that health spending is allocated and targeted towards need, and that we do not have to look beyond the spreadsheet. We have to ensure that it is happening in practice on the ground. We cannot simply say that we have done our bit and that there is no need to look any further. Health inequalities are a shameful injustice of unequal lives and unequal life chances. I know that the Secretary State wants to ensure that no NHS decision-maker allocates funding in a way that exacerbates this injustice, whether in Telford or any other area.

Mr Philip Hollobone (in the Chair): The debate can last until 5.30 pm. I am obliged to call the Front-Bench spokesperson no later than 5.07 pm. The guideline time limits are five minutes for the Scottish National party spokesperson, five minutes for Her Majesty’s Opposition’s spokesperson and 10 minutes for the Minister, with the mover of the motion having two minutes at the end to sum up the debate. The next 18 minutes will be for Back-Bench Members. You can all contribute if you speak for no more than four and a half minutes each.

4.49 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Telford (Lucy Allan) on bringing this issue to the House. I am always very pleased to support her on any issues that she brings to the House. They are always ones that I am interested in, and that is why we are all here—because we are all interested in this issue.

The issue of health inequalities is of grave concern to me, as I hail from what too often feels like the poor relation when it comes to health issues—Northern Ireland. Our NHS is stretched beyond capacity and without access to many services that the UK mainland has. I suspect that when we hear from the spokesperson for the Scottish National party, the hon. Member for Central Ayrshire (Dr Whitford), she will tell us how things are progressing in Scotland, and I always feel envious of things that are being done there. I wish that we could replicate them in Northern Ireland.

People in Northern Ireland do not have access to children’s heart doctors. Parents and their sick children have to fly to the mainland or travel to the Republic of Ireland. Over the years, a number of my constituents have fallen into that category. It is because we do not have enough demand on paper to keep a paediatric cardiology team in place, yet in practice far too many children are having to travel, with no family support, out of Northern Ireland to London or to the Republic of Ireland. They are treated unequally because, let us be honest, they come from Northern Ireland. The access that they have is not the same as people have on the mainland. The fact that they are going to London or to the Republic of Ireland is an indication of the problem.

Then there are those who suffer from rare diseases, who feel the inequality of suffering from something that is not common enough for there to be a focus on it or for funding to be put into it. That is heartbreaking. When we consider that 54% of UK cancer deaths are from rare and less common cancers, we suddenly realise that it is so wrong that there is such inequality in funding across areas including policy, services and research. In particular, symptoms of rare and less common cancers can be less well recognised or vague and, as a result, too many people are diagnosed late or through a presentation at an accident and emergency department, which generally means that outcomes will be much poorer.

I am not sure whether anyone here reads The Times, but there is a lovely photograph on the front of that newspaper today of a wee lassie who went to America to get proton beam therapy. It was a success, and that was one of the first ever examples of this. It is one of those heart-warming stories. It gives us encouragement when technological advances are made and there is an opportunity for health services elsewhere in the world to progress in such a way. It was good news that that young girl, who is now nine, was able to be back home with her family and her cancer was away.
We must address training on symptoms and publication and awareness of information to stop the inequality for those who know what to look out for with breast cancer but have no idea that the early symptoms of fast-spreading pancreatic cancer can seem like gallstones. Sometimes the issue is diagnosis and knowing the right symptoms. We must address the inequality of coverage and funding for rare diseases in the UK.

Those are not the only areas where I see inequality. I recently asked a further question regarding concerns that I have. I asked what steps the Department of Health and Social Care was taking to ensure that provisions relating to health inequalities and the life expectancy of people with learning difficulties and autism were included in the prevention Green Paper. It is important to address inequalities for those who have complex needs. Every one of us, as an elected representative, is each and every day impacted by cases involving complex issues—constituents who have not one ailment or problem, but multiple problems. That is the life we live. This was the response from the Under-Secretary of State for Health and Social Care, the hon. Member for Winchester (Steve Brine):

“"The ambition of the Green Paper focuses on both reducing health inequalities and increasing healthy life expectancy. We are currently considering policy options, and will be mindful of impacts on people with learning disabilities and autism.”

I look to this Minister to perhaps provide more enlightenment on that question.

We need a more proactive approach for vulnerable people and more of a focus on the inequalities that exist for those who are slightly different healthwise and who process things slightly differently. It is safe to say that currently we operate in a postcode lottery for health. I understand the budgetary constraints and they are a fact of life, but it is imperative that there is UK-wide access to healthcare that is not impacted by someone’s address, illness or ability or inability to communicate. I say this gently to the Minister: simply put, we must do better.

4.53 pm

Derek Thomas (St Ives) (Con): I congratulate my hon. Friend the Member for Telford (Lucy Allan) on securing the debate. This is such an important subject. A Cornish MP absolutely understands health inequalities and the lack of funding to target them. In Cornwall, there is no shortage of examples of health inequalities. I will mention just a few issues: vascular disease, including diabetes, kidney disease, dental health problems, skin cancer, diagnosis times for people with severe conditions, including ankylosing spondylitis—I chair the relevant all-party parliamentary group for that—and mental health services. It is clear that in Cornwall there are inequalities in all those areas.

My hon. Friend was right to address the need to allow funds to be targeted towards health inequalities. As a Member for Cornwall, which has long been underfunded compared with the rest of England, or at least the English average, I fully support that. However, in the short time that I have this afternoon, I would like to address a different aspect of health inequality—dementia. Dementia is a disease, but it is not primarily treated by the NHS. It is a Government commitment to provide NHS services free at the point of use. If someone has a stroke, heart problems, cancer or flu, the NHS will treat them free of charge. If someone has dementia, a recognised disease, it can cost tens of thousands of pounds—I learned today that it can cost up to £100,000—to get the care that they need.

I am suggesting that it would be in the interest of the Government, the Department of Health and Social Care and certainly those who are concerned about social care budgets to make dementia an NHS problem, rather than a problem for social care. According to the Alzheimer’s Society, which is about to launch a call for a fund for dementia, 50,000 avoidable hospital admissions happen simply because we do not adequately care for those with dementia or for those who care for them. Failing dementia care services could be avoided. According to independent reports, 23% of all services for dementia are failing. That sounds quite dramatic, and it is dramatic when one sits with a person who has cared for a loved one and who has also been in hospital because she cannot cope with being awake every night and trying to ensure that her husband does not turn on the stove, fall out of bed or fall down the stairs. Where we have failing services, because the issue is not properly dealt with within the NHS family, we really have problems and we cannot fully understand how severe the problems are.

People who treat dementia patients would be adequately trained if this disease were brought within the NHS window, the NHS envelope. We would be able to ensure that everyone who cared for someone with dementia was adequately trained. Independent reports say that 38% of carers who care for people with dementia have not been trained in the disease or all the things associated with Alzheimer’s or dementia.

I have welcomed and am so pleased with the commitment to the 10-year plan for the NHS. It is time, and this is an opportunity, to address health inequalities and to treat dementia as a disease within the NHS and one to be treated by the NHS. I would therefore like us, as we develop the plan, to create a recognised pathway of care for those with dementia and to ensure that all those providing care are adequately trained in dementia care and all that goes with it. Clearly, that will have a cost, but I believe that it is the right way to care for people, many of whom have served this nation for such a long time during their lives.

My father-in-law suffered full frontal dementia for many years—for 10 years—and it was such a battle to get the support that he needed. Even when he was completely dependent and could not do anything for himself, he was still cared for within social care and not the NHS. That was the case right up to the day he died, even though he died of pneumonia. That was a few years ago, but it is one example of how we do not fully understand dementia. Stories are hidden at the moment, but by dealing with dementia within the NHS as a disease, we could really help people to reduce so much of the harm and the inequality that we have talked about. We could do something fantastic and make better use of the money that is available to care for those we all care about.

4.58 pm

Debbie Abrahams (Oldham East and Saddleworth) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone.
I congratulate the hon. Member for Telford (Lucy Allan) on securing the debate. She was absolutely right to say that, as important as our NHS is in treating and caring for us when we get ill, reducing health inequalities—in my Oldham East and Saddleworth constituency, there is an 11-year life expectancy gap between rich and poor—goes beyond the NHS and the Government’s 10-year plan.

The term “health inequalities” refers to the increasing mortality and morbidity that occur with declining socioeconomic position. This is the systematic, socially reproduced, differential distribution of power in relation to income, wealth, knowledge, social status and connections. There is overwhelming evidence that those factors are the key determinants of health inequalities, influenced by written and unwritten rules and laws across our society. Those things, rather than biological and behavioural differences, drive these inequalities. No law of nature decrees that the children born to poor families should die at three times the rate of children born to rich families, but that is the reality in 21st-century Britain.

Given that those health inequalities are socially produced, they are not fixed or inevitable. If the Government were committed to tackling those burning injustices—let us face it, what could be more unjust than knowing you are going to die earlier because you are poor?—a starting point would be to tackle their regressive, unfair economic and social policies.

Countries that have a narrow gap between rich and poor have not only higher life expectancy rates, but better educational attainment, social mobility, trust between communities and so on. Fairer, more equal societies benefit everyone. Unfortunately, the concentration of power in tiny elites is happening more than ever in the UK.

Just four weeks ago the Office for National Statistics published data with more evidence that these inequalities are on the increase, with income inequalities increasing in 2018. The average income of the poorest fifth of the population after inflation contracted by 1.6% in the last financial year, while the average income of the richest fifth rose by 4.7%. This followed “fat cat Friday” in January when it was revealed that top executives were upwards of 6% better off than the previous year. This was on top of a 4.7% rise in the financial year, while the average income of the richest 1% was up 4.7% and that of the richest 0.1% was up 10.4%.

The report published last September, “Reducing Health Inequalities Through New Models of Care: A Resource for New Care Models”, is really worth reading. Sometimes I despair when I hear Members of Parliament saying that we do not want new models or changes in the health service, because this is what happens and that is how it should be. In fact, the Institute of Health Equity provides some great guidance that we could all learn from, in terms of what should or should not be done.

One issue highlighted in that report is that the Public Services (Social Value) Act 2012 came into force in 2013, across the public sector. The report says:

“The Act states that for public bodies procuring service contracts over a certain threshold”—
both examples given are below £200,000—
"the authority must consider: a) how what is being proposed to be procured might improve the economic, social and environmental wellbeing of the relevant area, and b) how, in conducting the process of procurement, it might act with a view to securing that improvement."

That is exciting, at one level. However, on the next page, regarding take-up of those considerations, the report states:
"Social value contracting is still relatively underdeveloped within the NHS, even though it is a legal requirement. Only 13 per cent of CCGs were able in recent research to evidence active use of the Act."

Under those circumstances, it seems to me—it is not just the NHS, but the rest of the public sector—that we need to concentrate our minds, as a nation, on how we get through this issue. It is an issue not only of health, but of many other things.

The report talks about using
"social prescribing to create action on social determinants".

The Minister—in her life before being elected—comes from close to the borough of Rotherham. Rotherham Social Prescribing service has won national awards for how it works with different communities. Voluntary Action Rotherham also works with different voluntary groups—not groups that deliver health services as such—to ensure that people get the help that they need now. Social prescribing, in my view, is a way to get away from the health service and into the wider communities, and it is an avenue that this House should encourage. I hope the Minister agrees with that.

5.7 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): Obviously, we are discussing the duty to reduce health inequalities, but as other hon. Member have mentioned, the increase in life expectancy is stalling and healthy life expectancy is falling. There is an exact linear correlation with deprivation. Women in poorer areas will have 26 years of poor health compared with 13 years for the least deprived. That all generates health pressures in the health service and in social care. Last year, the Scottish Government passed the Fairer Scotland Duty, which puts an obligation on all public bodies to work towards reducing inequality.

There are different aspects to this issue, including access to healthcare, which the hon. Member for Telford (Lucy Allan) talked about. In Scotland, we now spend £185 a head more on health and £113 a head more on social care than in England. That allows us to offer free personal care, which allows people the luxury of staying at home if they need the support mentioned by the hon. Member for St Ives (Derek Thomas).

A key issue of access to healthcare is free prescriptions. They are not available in England, other than for a very limited number of conditions, not including asthma. Asthma UK has conducted surveys showing that, at some point, half of all patients have not collected their prescription, and that three-quarters of asthma patients struggle to pay for their prescription. Of those who did not collect their prescriptions during that period, 13% were admitted to hospital. That is not cost effective.

The long-term plan talks about access to a digital GP, video access and healthy people being able to buy genomic testing. I am sorry, but all that will feed the inverse care law of increasing demand from the better-off instead of tackling unmet need among poorer people. Those are the people who do not attend appointments for screening, who live far away from services and who do not have access to decent healthcare.

On the public health and prevention side, obviously Scotland was the first to enact the smoking ban, followed by England. We have introduced minimum unit pricing to try to tackle alcohol, which is another one of the scourges. That policy has yet to be enacted here. I welcome the UK Government's sugar tax, but I would like to see some action on advertising junk food to children before 9 pm. Scotland has also signed up to the World Health Organisation's global action plan, which tries to improve physical activity and participation in sport, particularly among women, girls and the elderly.

It is particularly important to invest in children and we try to do that in Scotland through the Best Start grant, the Baby Box and the fact that our early years education is available to all children and does not just depend on parents’ circumstances or work pattern. If we do not invest in children, we inevitably end up spending more later to pick up the pieces.

As has been said, Professor Marmot highlighted in his report the fact that increasing poverty means increasing inequality. The welfare cuts, particularly the benefit freeze, have driven an increase in every group in poverty over the last number of years. Poverty in England is at 22%, it is 24% in Wales and it is down at 20% in Scotland. However, if we look at the disabled, pensioners and children, we see that they are particularly vulnerable. Child poverty was falling, but the Institute for Fiscal Studies says that it will climb by another 7% before 2022. In England, child poverty is now over 30%, in Wales it is 28% and in Scotland we had got it down to 21% but it has climbed to 24%. That is due to the impact of welfare cuts on families.

For the last several years in Infant mortality has risen in England. That is a measure that we use to look at health on a worldwide basis in developing countries. The Scottish Government mitigate policies such as the bedroom tax and they have measures such as the Scottish welfare fund, which is why we have the lowest levels of child, disabled and pensioner poverty. However, in all those classes poverty is still increasing and we are having to use £100 million a year on it.

The Government talk about tackling worklessness, but 70% of children have a working parent. What we have is the working poor. The International Monetary Fund says that a more equal society is a healthier society, which brings better economic growth, so what we need to do is promote the real living wage, to make work pay. We need to tackle poverty. It is the biggest driver of ill health, which means we need a “health in all policies” approach. The NHS alone cannot fix this problem.

5.12 pm

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): It is a pleasure to serve under your chairmanship today, Mr Hollobone.
Health Inequalities

This has been an excellent debate, and I start by thanking the hon. Member for Telford (Lucy Allan) for securing it and for her excellent contribution. Sadly, many areas across the UK face similar issues to those affecting Telford, as we have heard. As we know, our NHS was built for everyone. The original leaflet explaining the NHS to households across the country read:

“Everyone—rich or poor, man, woman or child—can use it or any part of it.”

Seventy years on, we cannot forget that ethos, which is why this debate is so important. I also thank all other hon. Members for their contributions to the debate. Due to time, I will not name them all.

Health inequalities are avoidable, but they still persist so clearly, both nationally and locally, within our communities, as we have heard. It cannot be right that in England men and women from the most disadvantaged 10% of areas on average now die 9.3 and 7.3 years respectively sooner than those in the 10% least disadvantaged areas. And those living in the most deprived areas not only die much earlier than those living in the most affluent areas but they also live much longer in bad health. For example, between 2014 and 2016 women in the most deprived areas could expect to live for 51.8 healthy life years, meaning that their remaining 27 years would be spent in bad health. That is compared, for instance, to women in the least deprived areas, who could expect to live for 70.7 healthy life years, with only 15.5 years in bad health.

It has to be said that there is also a persistent north-south divide in both life expectancy and healthy life expectancy, with people in the southern regions of England on average living longer and with fewer years in poor health than those living further north. For example, 2015-17 figures show that men and women in the north-east—my region—have the lowest life expectancy at birth in England, at 77.9 years and 81.6 years respectively. That is compared to the south-east, where men can expect to live for 80.6 years and women for 84 years.

However, health inequalities also exist within local authorities. For example, the longest life expectancy in the country is in the richest borough, Kensington and Chelsea; I am not surprised. Nevertheless, the most disadvantaged people in that London borough can expect to live for 14 years less than their most advantaged counterparts. Such a stark difference is completely unacceptable.

Also, children living in poverty are more likely to die before the age of one, become overweight, have tooth decay or even die in an accident. Parents living in poverty are also more likely to smoke, experience mental health difficulties, be a young parent, be a lone parent, experience domestic violence and other negative outcomes, all of which also increase adverse childhood experience risk factors that impact children’s health, too.

So, after a century of decline the number of deaths in childhood in the UK has risen for two consecutive years, with the highest mortality rates evident in the poorest communities. Life expectancy in the UK had already increased slightly year on year, for over a century, largely due to improvements in nutrition, hygiene, housing and control of infectious diseases. However, it seems that that is not happening any more.

What are we going to do? Labour is committed to a new health inequalities target, to improve life expectancy, mortality rates and children’s health. The target would be independently assessed, and as the hon. Member for Telford called for, the Health and Social Care Secretary would be held accountable to Parliament and would produce an annual health inequalities report.

The four biggest risk factors that affect health—smoking, excessive alcohol consumption, poor diet and lack of exercise—also affect the poorest in our communities. Public health services support those people. However, there have been public health cuts to the tune of £800 million between 2015 and 2021, and local authorities have been put in untenable positions, where they have to make difficult decisions.

I believe that the Government already have a moral duty to ensure that health inequalities are reduced, but unfortunately they have not taken that duty seriously enough, so I would like the Minister not only to set out her commitment to reducing health inequalities but to lay out details of how the Government will reduce them, and I urge her once again to reverse the cuts to public health budgets.

Mr Philip Hollobone (in the Chair): If the Minister concluded by 5.28 pm, that would allow Lucy Allan time at the end of the debate to sum up.

5.18 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): It is a pleasure to serve under your chairmanship, Mr Hollobone, and to respond to the debate. I feel that it is a major challenge and an absolute responsibility for Ministers in the Department to do everything we can to tackle inequalities. Frankly, that is why all of us got involved in politics and stood for public office, because we want to do the best for everyone in our society.

I pay tribute to my hon. Friend the Member for Telford (Lucy Allan) for her very persuasive argument in opening the debate. She has been an absolutely fantastic champion for her constituents, at a time when difficult decisions are being made about how to reconfigure health services in her area. She has not been backward in coming forward to make her case, because this is the second time that I have responded to her on it. I know that she will continue to make her case.

I will just say something about some of the concerns that my hon. Friend has raised. When the NHS makes decisions on how best to deliver health services for a local community, clearly those decisions are made locally and should be locally responsive. However, it is equally the case that the public become very nervous about the potential downside of any decision. It is therefore absolutely crucial that engagement is constructive, with dialogue and transparency, so that the public can have confidence that the right decisions are being made.

My hon. Friend articulated her case with clear reference to inequalities in the area that is served by that configuration. It is important that we have a way of addressing those points, because there is a perception that the pointy-elbowed middle classes are better at fighting for themselves than everyone else is. We all have a duty to ensure that everyone can have confidence in the decisions that are made. I encourage my hon. Friend to continue to give
challenge, because it is only when we provide her with answers that she can give her constituents reassurance. I know that she will continue to give that challenge.

On that basis, I would give a gentle prod to some organisations within the NHS. We often find that some areas are better at consultation than others, but we are elected representatives who are here to give challenge on behalf of our constituents, and I would like to send a message that the NHS needs to be more transparent in its decision making throughout.

I thank all Members for their contributions to this debate, and I will try to address most of the points that have been raised. Turning to the legal duties on the Secretary of State, we have regard to the need to reduce health inequalities. That requires concerted effort across all our health services. That is a priority for us, and it is a particular priority for me. Clearly, other factors contribute to poor health outcomes and inequalities, which go beyond the gift of the NHS and the Department of Health and Social Care, meaning that we need to take a cross-Government approach to the problem. Housing is clearly an issue; we know that poor-quality housing can be a driver of ill health and health inequality. We have heard about employment and income, and clearly education is a factor as well. We need to equip everyone with the tools to live a healthy lifestyle and look after themselves well. Equally, this issue is about access to services, and we know that there is much we can do within the NHS and the wider healthcare system.

Debbie Abrahams: Is the Minister aware that there was an interdepartmental public health group specifically to look at the wider determinants of health and how each Department could do its bit? Would she consider re-establishing that group to address the important issues that have been raised?

Jackie Doyle-Price: We have a number of inter-ministerial groups looking at particular areas of inequality, such as rough sleeping and the first 1,001 days. The hon. Member for Central Ayrshire (Dr Whitford) spoke about the importance of early intervention; if we could get that right, that would be a real way of addressing inequality. My short answer to the question asked by the hon. Member for Oldham East and Saddleworth (Debbie Abrahams) is that we pick up public health in a number of ways, but my priorities are the first 1,001 days and particular pinch points where there are real inequalities. We will continue to look at those areas, not least because supporting those individuals is not just better for them, but makes financial sense. If we can tackle some of these issues earlier, not only do individuals live longer and healthier lives, but there is a reduced cost for the health system.

Dr Whitford: Many of us have spoken about the fact that poverty drives ill health. Can the Minister tell us whether any discussion is taking place between the Department and the Department for Work and Pensions about the impact of welfare changes over the past few years, and how to tackle them?

Jackie Doyle-Price: I have been in close consultation about that issue with the recently departed Minister of State for Disabled People, Health and Work, my hon. Friend the Member for Truro and Falmouth (Sarah Newton). She has really challenged the DWP to look after people who are vulnerable, and put in place safeguarding policies for them, so I confirm to the hon. Member for Central Ayrshire that that discussion is taking place.

My hon. Friend the Member for St Ives (Derek Thomas) raised the issue of dementia. Clearly, dementia has a big impact on the number of years in which people can enjoy a healthy life, and we must get that right. For that reason, we have introduced the ageing society grand challenge, which is focused on narrowing those inequalities. My hon. Friend is right that we must have better integration with social care; there have been a lot of moves towards better integration between local authorities and the NHS, and that must continue.

The hon. Member for Washington and Sunderland West (Mrs Hodgson) referred to public health cuts. We have tackled those through the NHS forward plan, and have said that this is an area in which we expect the NHS to focus and work collaboratively with local government, specifically highlighting health visitors and the wider public health agenda. My answer to the hon. Lady’s point is “watch this space”, but we recognise that we spend less if we spend wisely, which has to be about getting the system to work better.

Derek Thomas rose—

Dr Whitford rose—

Jackie Doyle-Price: I have limited time, and I would like to get through this.

We have made it clear that the long-term plan will be focused on reducing inequalities. The hon. Member for Strangford (Jim Shannon) mentioned people with learning disabilities and autism, and I can tell him that those people are a real priority for me. When we consider inequality, the life expectancy of people with those conditions is massively less than it ought to be, and we need to fix that. This year we expect all local health systems to set out how they will reduce health inequalities by 2023-24 and by 2028-29. Through that, we are targeting specific areas. NHS England will highlight areas in which it can do specialist commissioning. One example is people who are rough sleepers, who have low levels of life expectancy.

I absolutely agreed with what the right hon. Member for Rother Valley (Sir Kevin Barron) said about social prescribing. How we deliver health services depends not only on medicalised professions and clinical support; when tackling inequality, a lot of the wrap-around and de-medicalised support can deliver better health outcomes. I am very excited to hear about what is happening in Rotherham, so I might pay a visit next time I go to see my mum. That would be quite nice.

Turning to the specific points made by my hon. Friend the Member for Telford about her local trust and the impact on inequalities, she has clearly articulated the issues that she is concerned about. The decision is clearly a local one; but it is within the gift of the council to make an appeal to the Secretary of State, and I gather from my hon. Friend’s comments that that will happen. I obviously cannot prejudge the outcome of that case, but I assure her that when it arrives on the
Secretary of State’s desk, he will consider it impartially. She has articulated the concerns from her constituents’ perspective extremely well.

I am under no illusion about the fact that tackling inequality requires commitment and leadership, energy and focus, and national and local accountability. Let us look at the plans that come from clinical commissioning groups later this year and interrogate them to make sure that they will tackle inequality. We will make sure that we stand fully behind them to ensure that they deliver.

5.27 pm

Lucy Allan: I thank all Members for participating in the debate this afternoon. I am grateful to have heard not only their contributions but their passion for the subject, which I share. The Minister has been very kind in making a commitment to transparency and better communication by decision makers when it comes to major changes in local areas, and I will hold her to that commitment.

Health inequality is such an important issue, which we do not talk about enough in this place. We must do better, as the hon. Member for Strangford (Jim Shannon) said. I loved that the hon. Member for Oldham East and Saddleworth (Debbie Abrahams) mentioned that there is hope for improving life chances and opportunities for those most in need. We all have to keep focusing on this issue and keep it on the agenda, despite the whirlwind of everything else that is going on around us. It has been refreshing to talk about something that we are all passionate about and will change lives. I again thank the Minister. I will gladly continue to work with her to ensure that the issues in Telford are addressed.

Question put and agreed to.

Resolved,
That this House has considered legal duties on the Secretary of State to reduce health inequalities.

5.29 pm

Sitting adjourned.
Westminster Hall

Thursday 21 March 2019

[Evidence-based Early Years Intervention]

1.30 pm

Norman Lamb (North Norfolk) (LD): I beg to move,

That this House has considered the Eleventh Report of the Science and Technology Committee, Evidence-based early years intervention, HC 1006, and the Government response, HC 1898.

It is a pleasure to serve under your chairmanship, Mr Davies—for the first time, I think. We are spending this afternoon talking about a subject that has absolutely nothing to do with Brexit, and which I hope might unite us.

Last year, the Science and Technology Committee held an inquiry into childhood adversity and trauma and the early-intervention approaches that can be used to address those problems. As I said in a statement in November in Westminster Hall, following the publication of our report, this issue is of significant national importance. Around one in two adults in the UK has suffered at least one adverse childhood experience. That may include abuse, neglect or growing up in some other difficult situation, such as a household where someone suffers substance abuse or domestic violence.

Interestingly, the website of NHS Health Scotland includes a list of typical adverse childhood experiences: “domestic violence, parental abandonment through separation or divorce, a parent with a mental health condition” — often that can have a significant impact on the child in the household. It continues: “being the victim of abuse (physical, sexual and/or emotional), being the victim of neglect (physical and emotional), a member of the household being in prison” — again, that has a significant potential impact.

Dr Paul Williams (Stockton South) (Lab): I apologise for interrupting the right hon. Gentleman’s list. He mentioned that being a child of someone in prison is considered an adverse childhood experience. Has he seen the excellent report published this week by Crest Advisory, which identifies that there are many more children of prisoners than previously expected? It recommends that as part of the criminal justice process, those children should be identified and local authorities should be notified to provide them with enhanced support, because they may be at risk.

Norman Lamb: I would be grateful if the hon. Gentleman could refer me to that report; it sounds very interesting, but I have not seen it. That prompts the interesting point that many people in prison experienced bad things in their childhood that led to exclusion from school, involvement in the criminal justice system at an early age, low educational attainment and worklessness. There is an awful risk that the cycle will repeat itself. That sounds like a wise set of recommendations, and I would be interested to explore them further.

The final item in the list from NHS Health Scotland is “growing up in a household in which there are adults experiencing alcohol and drug use problems.” One in 10 adults has suffered four or more adverse childhood experiences—a disturbingly high statistic that often goes completely unnoticed. I remember visiting Philadelphia and hearing about the impressive work that was being done to confront the problems of trauma that children experience, often as a result of gun crime, in that quite troubled city. Mapping that city shows up areas of concentration where a substantial proportion of children have experienced repeated traumas, which have a clear effect on them.

The trauma that those experiences cause a child is tragedy enough, but we now know that they are also associated with long-term problems such as mental or physical ill health, worklessness and involvement in the criminal justice system. The prevalence of those problems increases with the number of adverse experiences that a person suffers in childhood. Those associated serious problems make the case for tackling childhood adversity as effectively as possible all the stronger.

In last week’s spring statement, the Chancellor said that he was “in favour of early-intervention approaches where they can be shown to be effective.”—[Official Report, 13 March 2019; Vol. 656, c. 370.]

I welcome the evidence-based approach. From the inquiry undertaken by the Science and Technology Committee, which I chair, I know that the evidence for the effectiveness of early intervention to address adversity is strong. I encourage the Minister to make the case for such intervention to the Chancellor, along with other ministerial colleagues. The hon. Member for Stockton South (Dr Williams) has written—together with me and the Chair of the Education Committee, the right hon. Member for Harlow (Robert Halfon)—to the Chancellor to ask for a meeting to discuss the clear evidence to support the case for investing in early intervention.

The Early Intervention Foundation—the What Works centre for early intervention that the Government established to promote evidence-based policy in this field—reviewed the evidence for more than 100 early intervention programmes and found that 51 had robust evidence of a positive impact. Several of those have received the Early Intervention Foundation’s highest rating for proven effectiveness, having demonstrated “a long-term positive impact through multiple rigorous evaluations.”

We have heard from organisations that champion the success of the early intervention programmes that they have delivered locally. One example is the Children and Parents Service in Manchester, led by the immensely impressive Dr Caroline White, who gave evidence to our Committee. Because we were so impressed by the evidence she gave, she ended up acting as an expert adviser to the Committee in the shaping of our report. The service accepts parents and pre-school children with early social and emotional problems. Those parents and children are referred to the service by multi-agency staff from across the early years workforce—for example, by health visitors. The service provides thorough psychological assessment and offers intervention as appropriate.
The service can demonstrate evidence of its positive impact since it started almost 20 years ago, including improvements in child behaviour, parental stress and depression and, critically, the risk that a child will face ongoing abuse or neglect. That is a prize worth grasping. The interesting thing about Manchester is that, despite very strained local government financial resources, it has chosen to prioritise the service. Of course there is an argument about the need to invest more in early intervention, because that is where we can be really effective, but lack of money is no excuse not to target resources in effective interventions. Manchester has shown that it is possible to do that in the most impressive way.

It is of relevance to the spending review that effective early intervention offers the opportunity to save precious public resources and help those who have suffered adversity. Tackling the problems associated with adversity as a child—ill health, domestic or substance abuse, low educational attainment and so forth—costs public bodies enormous sums of money over the course of a person’s life. Imagine someone who has low educational attainment, perhaps after being excluded from school, and ends up as an adult without work and potentially in the criminal justice system. Just imagine the total cost to the public purse of maintaining and supporting that person through their life. Just imagine what they could contribute to society if those problems were addressed at source, stopping the trauma becoming entrenched and giving them the chance of a good, productive life that contributes to the common good.

It is estimated that the annual cost of late intervention is at least £16.6 billion, but that does not capture the economic benefit of people living more fulfilled and successful lives. This is a clear case of investing to save—over the long term, but between 2010-11 and 2017-18, local authority spending on early intervention fell from £3.7 billion to £1.9 billion. That coincided with an increase in spending on late intervention, which rose from £5.9 billion to £6.7 billion. It seems daft to me that we spend more on coping with the fallout from children being excluded from school, which of course is associated with the horrific violence we are seeing on our streets. Surely it would be so much better to invest early to prevent those problems from happening in the first place.

Regrettably, we have heard that the provision of effective, evidence-based early intervention is not uniform across the country. Pockets of good practice exist—such as that mentioned Greater Manchester—but the Early Intervention Foundation told us that there are “lots of examples where we see a gap between what we know from robust, peer-reviewed literature and what happens in local services and systems.”

Given that early intervention is left to local authorities to deliver, without any clear national support or scrutiny or even data collection, that is perhaps unsurprising.

Bluntly, we have no idea as a nation how substantial sums of public money are spent and whether that has any impact at the most critical stage of a child’s life. We are in an extraordinary position, as a country. We collect lots of data from the point at which a child goes to school, but for their most critical, formative years, we have no national data of any substance that we can scrutinise to understand how money is spent nationally and whether it is having any impact.
and its training reviewed, to ensure it has the knowledge it needs. We spend a lot of time talking about the prevalence of mental ill health among children and young people these days, but we do not spend nearly enough time talking about its causes. If we focused more on the causes, we might be more effective at reducing the prevalence of the problem, which is very disturbing.

Dr David Drew (Stroud) (Lab/Co-op): I am struck by the fact that each of the various counselling organisations in my constituency has stressed to me how much worse children's mental health has become since we lost the children's network, particularly in rural areas. Those organisations are picking up a deluge of children who previously would have received at least some early support. That is not there anymore. It is a great tragedy that the last Labour Government did very well—has been lost. Does the right hon. Gentleman agree that we are seeing the consequences of that?

Norman Lamb: I guess the hon. Gentleman is talking about Sure Start centres.

Dr Drew: Children's centres in general.

Norman Lamb: I will come on to that, but the hon. Gentleman makes an extremely important point. I mentioned earlier that investment in early years preventive services has fallen. That does not seem very wise in the long run.

Dr Williams: I thank the right hon. Gentleman for giving way again. Will he comment on the Government's prevention strategy? Last November, the Government launched a consultation document on that strategy, saying that prevention was better than cure. Will he reflect on the adequacy or otherwise of the Government's proposed approach to the kind of primary prevention in the early years that he talks about?

Norman Lamb: I welcomed the fact that the Secretary of State had identified the importance of prevention, although I noted that there was not much reference to mental health in the prevention strategy, and I have raised that with him. As I understand it, he plans to publish a Green Paper on prevention sometime in the spring, although the concept of seasons is elastic in Whitehall. I welcome that, but of course it has to have substance to it. We have to think about the social determinants of ill health, on which there generally is not sufficient focus. Poverty, poor housing and so forth are also critical factors, not only in our physical health but in our mental health.

I was going to mention that the Secretary of State has identified prevention as something that he wants to prioritise. It is up to us to guide and encourage him along a route that could reap real rewards, not only for individuals but for Government, in the longer term.

The next part of the proposed national strategy would be the collection and analysis of appropriate data. We believe that can help to identify families who would benefit from early intervention, to provide insight into how well different early intervention approaches are working, to drive continual improvement and to allow local authorities to be held to account. The national strategy should identify what data should be collected and support local authorities in delivering data-driven services. If a service is based on data and its analysis, it is more likely that evidence will be applied effectively and that we will make better use of public money. If we use public money in a way that is not based on evidence, we waste it; we cannot justify that to taxpayers, for whom the amount that they are expected to pay is often a strain. They demand that money be spent effectively in government.

The strategy should make use of the growing field of implementation science—a point that we were struck by in Dr Caroline White's evidence. She focused on not taking an off-the-peg evidence-based programme and assuming that it will work effectively, and made the point that any programme should be properly implemented by trained staff who are supervised effectively, and that data should be used to monitor performance. Those factors are critical in ensuring that a programme can be effective in its application.

Martin Whitfield (East Lothian) (Lab): I am grateful to the Chair of the Science and Technology Committee for giving way. The Secretary of State has identified the importance of prevention, but will he comment on the Government's consultation document? It was launched in December, although the concept of seasons is elastic in Whitehall, and the consultation ended last February. It is a great tragedy that the Labour Government did so well. How much worse has children's mental health become since we lost the children's network? Does the right hon. Gentleman agree, and did he discover something about that?

Norman Lamb: I thank the hon. Gentleman; it is an enormous pleasure to have him as a member of the Select Committee, when he is not tied up with High Speed 2. He is absolutely right. The point was made earlier about the importance of data and how well different early intervention approaches are working. I welcome the fact that the Secretary of State has identified the importance of data, but he needs to think about the adequacy or otherwise of the Government's proposed approach to the kind of primary prevention in the early years that he talks about.

The strategy should shift the balance of funding from late intervention, which we know is less effective, to early intervention, which we know can be more effective. The spending review should establish how best this can be achieved. If the inter-ministerial group and the Government more generally reviewed the evidence base for early intervention and took us call for a national strategy on these lines, it would make a massive difference to children across our country, now and in the future.

Dr Drew: One of the groups that I feel most sorry for now is health visitors. To be fair to Prime Minister Cameron, he identified health visitors as one of the key elements in early years intervention, yet all the health visitors who I talk to say that they are very much under pressure. They are struggling to do their statutory work, let alone some of the other things they do. Would the right hon. Gentleman agree, and did he discover something about that?

Norman Lamb: The hon. Gentleman must be psychic; I was just about to talk about the programmes that health visitors implement. He is right that the number of health visitors is falling after a significant rise during the coalition years. There was a target set for extra numbers, and they were recruited, but those numbers are now falling back.
The Government must also review some of the programmes that support the provision of early intervention. Foremost among these is the healthy child programme, which is delivered by health visitors and under which every child should receive five mandatory health visits before the age of three. However, Public Health England statistics show that only around 80% of children receive these visits, aside from the newborn visit, which means that 20% do not. That is despite the fact that Public Health England itself acknowledges that without health visits, “it is possible for children not to be seen by any professional until they start school or not at all if they are home educated.”

I understand the importance of the role of the parent, but if a parent is neglecting a child’s needs and no professional is able to identify and pick that up during those critical early years, that is storing up huge problems for the future and massively letting down that child.

The Government’s response to our recommendation to increase coverage was silent on how that might be done; in fact, it was even silent about whether the Government aspired to achieve that at all. The Minister implied that so long as coverage was better in more deprived areas, it was not an issue to worry about too much, but we know that adversity can happen in any family, regardless of affluence. The Government must now set out a clear strategy for how they intend to increase coverage of the five mandated health visits to 100%, and must also make sure that that strategy does not simply increase the strain on the health visitor workforce, which was mentioned by the hon. Member for Stroud (Dr Drew), diluting health visitors’ impact on each family. I ask the Minister, are the Government really content with the patchy coverage of the five mandated health visits being achieved, and if not, what concrete steps are they taking to improve the situation?

We also call on the Government to address the issue of Sure Start children’s centres—the first point that the hon. Member for Stroud raised. Back in 2015, it was announced that there would be a consultation on the future of Sure Start centres. Four years on, we are still waiting for that consultation to take place, let alone any decision. In the aftermath of the announcement of the consultation, Ofsted announced that it would suspend inspections of children’s centres, so for four years we have had no inspections, either. That is surely a dreadful neglect of responsibility. Local authorities have no idea what the Government’s view is about children centres. Do they support them? Do they believe that they are valuable? Are they choosing to abandon them? Surely it is not unreasonable to expect a decision four years after the consultation was announced.

By now, the Department for Education should have developed an improved framework; it should not have left local authorities to tackle the situation when they do not have any clarity about the Government’s plans for these centres. Delegating quality assessment to local authorities, in the absence of central support or guidance, risks leading to the same fragmentation we see across all other aspects of early intervention. Local authorities are crying out for clarity on the future role of Sure Start centres. Will the Government hold a consultation on children’s centres inspections, or will they not? Sadly, we are seeing a gradual drift of closures around the country. In my county of Norfolk, a 50% cut in funding for children’s centres has been announced, so many of them will close down, without any clear plan of what the alternative should be. Surely that is unacceptable. Is it now established Government policy that the quality assurance of children’s centres has been devolved from Ofsted to individual local authorities, or is that still a stop-gap measure? Are we still waiting for a final permanent conclusion to this?

Returning to the wider scope of my Committee’s inquiry, early intervention used to tackle and ideally prevent childhood adversity can transform lives and reduce costs to Government. That is the great double prize to be won. There continues to be a pressing need for a fundamental shift in the Government’s approach to early intervention, targeting childhood adversity and trauma. The Government should match the ambition of the Scottish and Welsh Governments, and build on the example set by certain English councils, to make early intervention and childhood adversity a priority, and set out a clear, new national strategy to empower and encourage local authorities to deliver effective, sustainable, evidence-based early intervention. The new inter-ministerial group spans multiple Government Departments and has obvious authority. I call on that group to review our report, and to seize the opportunity offered by effective, evidence-based early intervention by making it a focus of its recommendations later this year.

2 pm

Darren Jones (Bristol North West) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies, and to speak as a member of the Science and Technology Committee. I pay tribute to our Chairman, the right hon. Member for North Norfolk (Norman Lamb), for providing the leadership and allowing us to undertake this work on the Select Committee, and to draw conclusions from a wide-ranging gathering of evidence.

I am sure this is not a party political issue. Everyone will agree that it is right to intervene when there are adverse childhood experiences. The evidence, as we have heard today and as we stated in our Select Committee report, is very strong on that point. We know that many of the problems that lead to adverse childhood experiences, whether increasing domestic violence, drug or alcohol misuse, mental health problems or financial stress and money worries, are part of the cycle of harm that can lead to a multi-generational impact of these heartbreaking situations.

In my view—as a member of the Labour party, this is inherent to my political decisions—that is linked to poverty and inequality. That is why, whether on adverse childhood experiences, Sure Start and children’s centres, or any form of investment in the early years, I keep finding myself back in this place talking about those issues, because they are the nub of the cause for many young people, who, through no fault of their own, suffer in their life as a consequence of the poverty in our country.

I congratulate the Chair of the Select Committee on making it clear that evidence, the use of data and investment in prevention are the way to go. I am sure the Science Minister will agree with that, given that he is the Science Minister, but I rather hope that he might share that conclusion with colleagues in his new cross-departmental group.
This is not only an issue of concern to me at a national level; I have a strong constituency interest in the matter, too. Bristol City Council, for example, is leading in innovation in this area of work. On 17 January 2019, my colleagues in City Hall held a conference on adverse childhood experiences in Bristol and how the council’s new vision statement could bring partners together to help tackle the causes. The event was held by the council in partnership with Avon and Somerset police and our clinical commissioning group.

Norman Lamb: I am grateful to the hon. Gentleman for his work on this subject on the Committee. He mentioned the police; I do not know whether he is aware of it, but there is some really good, innovative work going on, linking police to schools. When the police identify a situation of domestic violence overnight, they will alert the school first thing, so that a child arriving at school who has perhaps experienced the most horrific trauma overnight is given proper support and protection the following day, rather than perhaps being told off for being a naughty child, which can easily happen in ignorance of what has happened to them.

Darren Jones: The right hon. Gentleman is absolutely right. Partnership working is a phrase that we often hear in local government, and sometimes it is a bit amorphous, but that is a classic example of why it is so important. I have had cases where constituents have told me stories of when they would go to school, albeit a long time ago now, and end up being treated as if they were ill and having to sleep in the nurse’s room at the school as opposed to taking part in classes, because of the experiences they were dealing with at home. As a consequence they missed out on their education, when instead the support should have been put in place at that time to help them in the best possible way.

The involvement of Avon and Somerset police is important because we know, and the evidence shows, that for children who suffer adverse childhood experiences, especially those who suffer multiple ACEs, the outcomes associated with that cycle of harm include mental health problems and drug or alcohol misuse—criminal activity is therefore connected with that. The police have a role not only in tackling criminal activity but, as I said at the outset of my speech, in helping to deal with the causes.

Martin Whitfield: Does my hon. Friend agree that it is not a question of simply identifying children who have suffered or are vulnerable to suffering such experiences, but that the real importance and the real financial saving is in the interventions that follow; and that the good practice that has been shown in many areas, if it were shared across the country, would prevent this from becoming a tick-box exercise by professionals that does not address the problem?

Darren Jones: I agree with my hon. Friend; that was why the conference we held in Bristol was so popular—so popular, in fact, with over 400 delegates wanting to come, that they had to run the conference twice, because they could not fit everyone into the setting to do it together. More than 50 partner organisations across education, policing, probation, the voluntary sector, health, social care, public health and the Mayor’s office have signed up to our vision in Bristol.

This is also a question of political leadership, because Bristol knows that multiple ACEs lead to other factors that make for a negative environment in the communities in which we live. We know they will have an impact on problems such as knife crime and gang activity, and that they cause problems with mental health for people and therefore a lack of positive environment in the community, but also problems for economic productivity. That is why, in our “One City Plan” in Bristol, we have a clear and specific target of ensuring that children, “grow up free of adverse childhood experiences having had the best start in life and support through their life.”

That particular strategic target for the council is linked to other targets, such as reducing knife crime and gang activity, dealing with period poverty and ensuring affordable childcare.

However, the access point is really important—returning to the comments by my hon. Friend the Member for East Lothian (Martin Whitfield). We cannot just rely on police or a school; we need a way to ensure that intervention, support or just someone being there when you need them are available. I reiterate the comments that the Chair of the Select Committee made about the lack of delivery on the health visitor programme where, as has been said, many people have no intervention or access point for much of their early years.

That is why, in Bristol, we have been able to protect all our children’s centres. The financing has clearly been cut because of austerity funding from central Government, and the services that can be made available have gone down to the bare minimum, but we have kept them all open for that reason. I pay tribute, as I have on previous occasions, to my friends the Mayor of Bristol, Marvin Rees, and the cabinet member for children and young people’s services, Councillor Helen Godwin, for ensuring that sustainability in Bristol.

In a previous debate in this place on the funding of maintained nursery schools, my hon. Friend the Member for Bristol West (Thangam Debbonaire) made a powerful point about a constituent of hers who said that she was in a domestic violence situation and the only way that she could get access to support was by taking her child to the children’s centre, because it was not seen to be going to the police or going to get intervention for the abuse she was suffering from her partner. She was taking the kids to nursery, but because the services were co-located in that environment, she was able to get support.

Dr Drew: It is good to hear that children’s centres still exist in some parts of the country. In my constituency we only have two left. Does my hon. Friend agree that the problem is that it is locking the NHS in? That may be only a Gloucestershire phenomenon, or it may happen further afield as well. We seem to have failed with the idea that it should be education, police and children’s services in general; it always seems that the NHS is the weak link. Is that true in his part of the world, or is it just a Gloucestershire phenomenon?

Darren Jones: All I know in my part of the world is that the health service and our schools are having to pick up more and more of the work that others used to do in the past. Certainly, if I talk to headteachers in some of the more challenging parts of my constituency, they tell me that they are having to invest more and
more in family support staff, who work with families and young pupils in a way that schools were never placed to do in the past. We all know that school budgets are extremely tight, so that particular school is using some of its pupil premium funding to help children in those scenarios. I am pretty sure that the original intention of pupil premium funding was not to offset cuts to children's centres or local councils; it was to give an extra hand to pupils from poorer backgrounds to get on and do well in life. In fact, it is just covering cuts made from the centre, and is therefore ultimately not having a positive impact on the bottom line, either for individuals or for the country.

However, this is not only about council leadership, because we also often rely on the charitable sector for the delivery of services. In my constituency is the Southmead Project, led by a chap called Dr Mike Pierce, who received an MBE for his work in this space. Mike was born and bred in Southmead and was himself the victim of adverse childhood experiences, and he speaks powerfully on the issue. I have done so before, but I again pay tribute to him. His leadership over the 24 years that the project has supported young people in that area has been quite remarkable.

However, Mike is not optimistic about the future. He relies on generous charitable fundraising, philanthropic donations and sponsorship from local businesses in order to keep his project afloat, in the face of cuts not only to the council but to organisations such as clinical commissioning groups and the police, which previously supported his charitable organisation. At the same time, demand is increasing. The project has a waiting list of young people in households where domestic violence or drug or alcohol misuse—or worse—are present, and it cannot get around to giving those young people the support that they need because it does not have the capacity to do so.

As a consequence—this is often the case when there are cuts to public services—residents end up coming to see their MP because there is nowhere else to go. It really is heartbreaking when constituents are in front of me in tears, with no access to support. Quite frankly, there is very little I can do, as the Member of Parliament, other than raising issues such as this in the House. We must understand that the decisions we make on public policy, funding and national strategies flow through directly to the lives of these young people, whose potential is being lost.

**Evidence-based Early Years**

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**Intervention**

Evidence-based Early Years

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However, our current political system invests a fortune in reacting to problems later on in life but is currently disinvesting in early years, leaving a gaping void where we should be warriors and champions for a healthier society. During the first 1,000 days of life, from when a baby is conceived until the age of two, more than 1 million new brain connections are made every single second. Imagine that: a million new brain connections made every single second.

Brains are shaped by their interactions with society, but tragically, more than 8,000 babies under the age of one in this country live in households where the trilogy of domestic violence, alcohol or drug dependency and severe mental illness are all present. More than 8,000 developing brains under the age of one—a crucial age—are exposed to that environment. More than 200,000 children under the age of one live with an adult who has experienced domestic violence or abuse. We have already heard powerful arguments for intervening to reduce that cycle of abuse. Two million children under the age of five live with an adult with a mental health problem.

We know that many children who experience such adversity become happy and healthy adults, but adversity in childhood is strongly linked to almost all health problems and many social problems. Children exposed to adverse childhood experiences such as those that my hon. Friend the Member for Bristol North West (Darren Jones) talked about are much more likely to get physical health problems, such as heart disease. Exposure to ACEs as a child increases the chances of getting heart disease, cancer and mental health problems in adulthood.

Norman Lamb: And obesity.

Dr Williams: And obesity.

Children exposed to four or more ACEs are 30 times more likely to attempt suicide at some point in their life. They are 11 times more likely to end up in prison. They are even three times more likely to smoke in adulthood than people who did not experience any ACEs. Our politics is currently failing many of these children, and it is failing other families in which children and young people are still living in poverty.

My belief is that we need to devote more attention to and provide more protection during the early years. As we have seen today, many people from across the political divide share that belief, even though we do not seem to have a politics that ends up delivering more resources in this area. It is an area in which politicians should be working together. It was really encouraging to see the announcement last year of the early years family support ministerial group, led by the Leader of the House. That has the potential to take forward some of the Science and Technology Committee’s recommendations.

To conclude, I would like to reflect on some of the parallel and supporting recommendations made by the Health and Social Care Committee following our inquiry. We also, and independently, identified the lack of a long-term cross-departmental strategy for the early years. The lack of strategy means that it is extremely difficult for local authorities to know what they should be doing. That results in some local authorities excelling, and it may well be that they are the ones that most come to the attention of Government, but many local authorities really would appreciate more central direction on this and would welcome it if the Government set some demanding goals to reduce ACEs, improve school-readiness and reduce infant mortality and child poverty. We have to consider all this in the context of increasing levels of child poverty, too.

Our report recommended that a Cabinet-level Minister, possibly the Minister for the Cabinet Office, should have specific Cabinet-level responsibility for the oversight of a national early years strategy. However, it is not enough just to have strong central leadership, although that is necessary; the Government are right to say that all the delivery must be local. The Committee that I chaired heard evidence of fantastic local community collaboration—the NHS, local authorities, the voluntary and community sector, and normal members of local communities working together. They should be the people bringing the Government’s national strategy to life at local level, inspiring improved support for children, parents and families in their areas.

However, that requires money and it requires organisations to pool budgets. We have seen health services and local authorities pool budgets into the better care fund in order to deliver on shared objectives for older adults. I think that we should have a better start fund, whereby local authorities, health services and the voluntary and community sector are pooling all their financial but also human resources around a set of shared objectives for the start of life.

There should also be a named, nominated individual in every local authority who is accountable to Government for that, because without accountability there is a real difficulty in ensuring that every local authority is meeting the required standards. There needs to be accountability and ring-fencing of money. There will always be urgent problems that demand attention and resources. We need to be able to secure this strategic shift from reaction to prevention, from constantly dealing with the urgent problems that are in front of us to investment in tackling the important problems that will reduce the urgent problems in subsequent years.

The Health and Social Care Committee’s report also calls for the existing and very good healthy child programme to be improved and given greater impetus. We think that it should be expanded to focus on the whole family, including fathers, rather than just the child, and that it should begin before conception. At the moment it does not begin until there is a child developing in a mother’s womb, but more work could be done before conception. The science of epigenetics is teaching us that what happens before conception can have a lifelong impact. The healthy child programme also needs to deliver more continuity of care for families. Having a different point of contact every time often leaves vulnerable families feeling isolated and confused. Health visitor engagement should be extended beyond the age of two and a half to ensure that all children are school-ready.

Our Committee heard from Scotland, Wales, Northern Ireland and other parts of the United Kingdom that had enhanced the healthy child programme. However, as the right hon. Member for North Norfolk has identified, there are many parts of the country where the healthy child programme is inadequate. At the moment there are five mandated contacts, and we heard that for some families that contact involves just sending a letter. How can a mum who is experiencing mental health problems, with all the associated stigma and the difficulty of disclosing that, possibly disclose it in the context of
filling in a form rather than of having a supportive and engaged individual who is building a relationship with her? We were also told that 65% of families do not see a health visitor after the six to eight-week check. That clearly is not good enough.

Like the Science and Technology Committee, the Health and Social Care Committee identified the need for much better information sharing. Information needs to be shared among the different organisations. One problem is that there are often many different organisations helping to support a family and they are not talking to one another and do not use the same computer systems. Information governance rules can be an issue. Even though we know that the seventh Caldicott principle—sharing information when that is in someone’s best interests—is often the most important one, individuals working in those organisations often think that they are doing the right thing by not sharing information.

We also need to share information to make it possible for the long-term impact of interventions, perhaps in pregnancy or in early childhood, to be tracked to measure their effectiveness. At the moment, because we do not use a single identifier such as the NHS number, we cannot see whether a pregnancy intervention is having a desired outcome.

Norman Lamb: On the point about information sharing, it always strikes me that the tragedies that happen, such as that of Baby P, often happen because of a failure to share information and never because too much information has been shared. It is vital to change the culture, so that people understand the principle of the Caldicott rules about the importance of sharing information.

Dr Williams: I agree wholeheartedly. The right hon. Gentleman is right to use the word “culture”, because even though the guidance and rules are clear, and there are many circumstances in which it is in a person’s best interests for information to be shared, and actually the public expect us to be sharing information, the culture in health and care services is often one in which very well-intentioned and well-meaning professionals feel that they are acting in a patient’s interests by not sharing information. Perhaps the leaders of organisations are not permissive enough and encouraging enough about such sharing.

Last but certainly not least, the workforce are crucial to this. There must be a workforce strategy to tackle the reduction in the number of health visitors. I do not think that was a deliberate strategy, with the Government saying, “Let’s cut the number of health visitors by 2,000.” I think it has happened by accident. I think it has happened because the commissioning of the healthy child programme for the 0-to-19 age group was taken away from the NHS and given to local authorities, and that happened to coincide with a time when we had a Government who perhaps had less central control of that, and austerity. Of course, austerity was deliberate, but I do not think that anyone ever sat down and said, “It would be better for our country to have fewer health visitors.” Nevertheless, the consequence has been that there are fewer health visitors, and we need to make sure that those massive gaps are plugged.

We also need to make sure that the skills and knowledge of existing health visitors are improved. That is not to say that they do not have high levels of knowledge, but I have met many health visitors in the past year who had only recently become aware of the concept of ACEs, and who perhaps still lacked some skills around motivational interviewing and the ability to put themselves in another person’s shoes—to move towards where people are, rather than following the traditional, slightly more paternalistic approach of health services, which has been to try to persuade people to move to where we are.

If we get early years right, there will be huge benefits for everyone in our society. As politicians we should try to get them right, not just because it makes financial sense, but because every one of us knows that the evidence shows that doing so will create a better society. We should do it because we have a moral responsibility to our country’s children. Every child deserves the best start in life.

2.31 pm

Martyn Day (Linlithgow and East Falkirk) (SNP): It is a pleasure to serve under your chairmanship, Mr Davies, in what has been an interesting, informative and wide-ranging debate. I am grateful to the Science and Technology Committee for its work on the report, and to the right hon. Member for North Norfolk (Norman Lamb) for opening the debate on the Committee’s behalf. He gave a thorough presentation, particularly on the importance of the data that was used. I am grateful for his reference to the work of the Scottish and Welsh Governments; I will give some Scottish examples later.

The hon. Member for Bristol North West (Darren Jones) linked the issue to poverty and inequality, which are themes that I will return to. The hon. Member for Stockton South (Dr Williams) talked about the parallels with the report of the Health and Social Care Committee on the first 1,000 days, and the importance of early intervention for the child in that period. They are all good lessons that we should take messages from.

As I have mentioned a few times in Parliament, I have never been a fan of acronyms, but I will frequently refer to ACEs. As acronyms go, however, ACE is quite a good acronym. As a point of information, however, ACE is quite a misnomer, considering the sad catalogue of stressful events that make up adverse childhood experiences, which range from psychological, physical and sexual abuse to a whole range of household dysfunctions.

Earlier, reference was made to the effect that a family member being in prison can have on a child. One thing we have done in Scotland—I am busking here, as the subject takes me back to my council days—is multi-agency working. In those days, the Lothian and Borders Police—but Police Scotland has continued the same theme—worked with local authorities to time their raids on houses so that they could be less stressful, and a support package was in place. That ties in with a presumption against shorter sentences, so that less time is spent in prison for relatively minor offences.

What happens to us as children can have a huge impact on us throughout our lives. We all agree that adverse childhood experiences can have a significant impact on people; indeed, a reasonable body of evidence demonstrates that. We have heard about how many adults in England have suffered at least one ACE, and while Scottish figures do not exist, they are
believed to be similar. I am grateful to the right hon. Member for North Norfolk for pointing out that one in 10 have experienced four or more ACEs, which is truly frightening. I went through the chart of 10 tests, and I am pleased to say that I came up with zero, but many of my constituents did not have as fortunate an upbringing as I did, so there are real pressures out there.

I put on record that the SNP welcomes the publication of the report and will study its findings and recommendations. The Scottish Government have consistently recognised the importance of early years interventions and have prioritised that approach across our public services. NHS Health Scotland says:

“While ACEs are found across the population, there is more risk of experiencing ACEs in areas of higher deprivation. ACEs have been found to have lifelong impacts on health and behaviour and they are relevant to all sectors and involve all of us in society.”

In 2016, the Scottish Public Health Network produced a wonderful report, “Polishing the Diamonds: Addressing Adverse Childhood Experiences in Scotland”, which summarised the research available at the time and set out a number of areas for action in Scotland. The report highlights the link between ACEs and deprivation. The experience of four or more ACEs is reported by 4.3% of those in the least deprived quintile and 12.7% in the most deprived quintile, which brings it home that that is three times as likely in the most deprived areas.

Having looked at the data from English and Welsh studies, the report suggests that the Scottish health and economic impacts and the potential economic savings of reducing health-harming behaviours are likely to be “very large indeed”. Preventing ACEs, rather than dealing with the consequences after the damage has been done, makes sound financial sense, as well as moral and societal sense.

As a result of that report, the Scottish Government set out their commitment to preventing and mitigating ACEs in their 2017-18 programme for Scotland, which highlights:

“We now know through research and experience that preventing adverse childhood experiences where we can and tackling their impact where they do happen, can change a child’s life and, importantly, their life chances.”

The programme committed to “embed a focus on preventing ACEs and supporting the resilience of children and adults in overcoming early life adversity across all areas of public service, including education, health, justice and social work.”

Sadly, while all children are equal in society, not all have the same opportunities. Tackling child poverty is therefore one of the most effective early interventions, and ensures that every child has the opportunity to prosper. Child poverty across the UK was dropping, but the Institute for Fiscal Studies has recently shown that it is increasing again. England is now at 30%, Wales is at 28% and Scotland, which has the lowest figure, is at 24%. As I say, all were falling, but all are now rising again. Scotland may have the lowest figure of the UK nations because the Scottish Government mitigate austerity and welfare cuts, such as the bedroom tax, and have a Scottish welfare fund of £100 million. The UN special rapporteur, Philip Alston, was a critic of the benefits freeze. As we know, 70% of children who are in poverty have a working parent, so it is not about worklessness. There are some real issues that we need to get to grips with.

The Scottish Government’s “Every Child, Every Chance” plan commits to concrete action from across Government portfolios to tackle the key drivers of poverty, including by providing intensive employment support for parents; using new social security powers in an enhanced best start grant, a carer’s allowance supplement and the development of a new income supplement; and tackling food insecurity during school holidays.

I have no doubt about the ability of early intervention to transform lives while reducing costs to the public purse. It is a truly virtuous circle. Childhood experiences shape who we are and how we respond to events in our lives, especially if those experiences have, unfortunately, been adverse. There is much that we can learn from examples from around the UK of good practice in tackling ACEs, and I am grateful to the Committee for highlighting that and for its considered recommendations. I finish with a lesson from Scotland, however: although it would be good to have more detailed information and data, we should not let that delay action.

2.37 pm

Tracy Brabin (Batley and Spen) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Davies. I, too, thank the right hon. Member for North Norfolk (Norman Lamb) for securing the debate. I am grateful to have the opportunity to debate early intervention. We have heard some fantastic contributions.

I particularly note the experience of my hon. Friend the Member for Stockton South (Dr Williams) with the Health and Social Care Committee. As a GP on the frontline, he understands the impact that early intervention can have on the outcomes for the most vulnerable. I was blown away by the startling statistic of 1 million brain connections being made every second.

My hon. Friend the Member for Bristol North West (Darren Jones) made a good contribution about partnership working, which is certainly something we need to look at from all angles. My only concern is that, in my constituency, there is the ambition for partnership working but it does not always happen. For example, if a child has seen domestic violence the night before, the school is not told. We need to ensure that there is great partnership working across the board. I will certainly steal his idea for the event, so I thank him for sharing the information about that.

My hon. Friend the Member for Stroud (Dr Drew), who is no longer in his place, talked about mental health. We need to get on with the Green Paper and see where we are. My hon. Friend the Member for East Lothian (Martin Whitfield) said that this was about the data, which is the point of the report. Once we have the data, we can respond.

I thank the hon. Member for Linlithgow and East Falkirk (Martyn Day) for his contribution. He spoke about child poverty and said that we needed to ensure that combating it is at the forefront of everything we do, because how can we improve a child’s life chances if they go back to terrible housing, unemployment, debt concerns and so on? We absolutely need to tackle child poverty, and there are some excellent pilots and ideas coming out of Scotland and Wales that England and the Government should look at very carefully.

Having heard the contributions, I think it is fair to say that early intervention is a diverse matter and a cross-party concern; it is of great importance to politicians
[Tracy Brabin]

and families. I put on the record our appreciation of the Science and Technology Committee for its work in producing this report. It is thorough and informative, and makes a number of interesting points. In particular, the idea of using data more efficiently—a theme that runs through the report—is certainly food for thought for me, for local authorities and hopefully for the Government, because without the data, nothing will change. That certainly proved true when we were looking at the gender pay gap; only with data, so that we know where we are falling behind, can things change.

Adverse childhood experiences are often linked to an increased risk of health and social problems as adults. Early intervention seeks to resolve problems as early as possible, to stop them happening before they become too difficult to resolve. Although I was very happy to see money going to the police and fighting knife crime, as it should, so many of the problems of the young people affected by knife crime could have been addressed much earlier—when they were under five, even. If we get things right under five, so much else will fall into place for those families and those children.

While it is generally accepted that high-quality early intervention improves a child’s outcomes, programmes are entirely the responsibility of local authorities, and effective national data does not exist. The overall thrust of the Committee’s report about gathering local evidence to support nationwide strategies is welcome, but we must also be sensitive to local authorities’ unique knowledge of their communities and build on that knowledge to create a national strategy.

I will speak to some of the Committee’s proposals that really stood out for me, and will note the response received from the Government. The numbered paragraphs quoted will be from “Evidence-based early years intervention: Government’s Response to the Committee’s Eleventh Report of Session 2017–19”.

In the strongest possible terms, I would like to associate myself with the Committee Chair’s remarks about Sure Start in the report, which are cited in paragraph 10 of the response. The lack of clarity from the Government on Sure Start is nothing short of an outrage. We have been holding on for a consultation, or even an announcement that the consultation has been cancelled, for far too long. Instead of the Government providing that answer at any stage—there have been plenty of opportunities for them to do so through written questions, oral questions, Select Committee questioning and even in their response to this report—they have still not given us a clear, definitive answer.

Today we are joined by the Minister for Universities, Science, Research and Innovation, who is probably the only Minister in the Department for Education whom I have not asked about this issue. Perhaps he could let us know if it is still the policy of the Department to hold an investigation. Was one ever started and, if so, when was work last done on it?

The loss of so many children’s centres and Sure Start centres is truly devastating for so many communities, and the way that this issue has been bundled and passed around the Department for Education is indicative of its overall attitude towards children’s centres. When I challenged the Minister for School Standards, whom I shadow, he emphasised that this issue should not just be all about buildings. My hon. Friend the Member for Bristol North West made the point that sometimes the building is the point, because people can go in to find a multitude of services on offer to them. Women in crisis, for example, can go to a centre on the pretext of getting their baby weighed, but use the opportunity to talk about domestic violence. Buildings are important.

As for early intervention, these centres had open doors and they were at the heart of their communities, and staffed by professionals. Their ability to ensure that families were aware of childhood experiences and to signpost services, where necessary, was so important. I was very lucky to spend a whole day at a number of the Sure Start centres in the constituency of the right hon. Member for North Norfolk, and I heard for myself about the impact that those centres have had on the outcomes of the children attending them.

I have said before how moved I was by hearing from the people who used the Sure Start centres. There was one woman in particular who was illiterate, but was taught to read by workers at a centre, so that she could read to her children. We know that literacy has a massive impact on the outcomes of young children; it improves their confidence, their articulacy and so on. I weep for the many closures in North Norfolk, and I hope that, under a Labour Government, perhaps that situation will be reversed. These centres do incredible work.

Regarding Ofsted inspections, I would be interested to know why the responsibility for maintaining and ensuring the quality of children’s centres is an issue for local authorities. Why is that appropriate for children’s centres, but not, say, nurseries or colleges? What distinguishes children’s centres from everything else that comes under Ofsted’s remit is not completely clear.

Paragraph 13 suggests: “The Government should work with researchers and practitioners to examine how new specifications on the free childcare it funds could increase the use of evidence-based programmes”.

That is an interesting point and it deserves further investigation. Funding for childcare hours has been generally very simple; eligible parents apply, and the providers receive the money from local authorities. However, there has been very little obligation on the provider, having provided the hour of childcare, to disclose anything about the families or the children going there. This is an interesting point; is there an obligation on nurseries to collect data on their children and their outcomes?

I caution that the budgets for delivering free hours are already very tight, and having worked with practitioners for some years, I know that training opportunities are reducing, so staff capacity to capture data is potentially limited, so further thought would have to be given as to where the funding would come from to upskill the staff in these centres. Also, at what stage would that training be carried out? I would suggest that it is quite complex and sensitive training. Is it level 3, degree level or somewhere in between?

We need to be honest with ourselves: successful early intervention happens when local authorities are strategic and resource programmes properly. However, we cannot hide from the fact that the climate has been made far more challenging in recent years by savage local authority budget cuts. Early intervention programmes have been cut so severely that often children are referred multiple
times before help is offered. Parents who reach out for help go round in circles, desperately asking for support, only to be disappointed.

This firefighting approach is costly; dealing with a crisis is obviously far more expensive than taking preventive measures. Addressing the issue when it first appears would save the Government money in the long term. However, local authorities are under increasing pressure to slash budgets after a decade of austerity.

The National Children’s Bureau has reported that more than one in three councillors are warning that cuts have left them with insufficient resources to support children, and it was recently revealed that 41% of children’s services are now unable to fulfil their statutory duties. These cuts have consequences. Early intervention grants—the very grants that keep children from entering care—have been slashed by up to £500 million, with almost £200 million of cuts still to come. Early intervention budgets are down by £743 million in the last five years. Over 1,200 Sure Start centres have been closed, and other children’s centres have had their offers reduced and hollowed out. The budgets for children’s centres across England have decreased by 42% in the last five years.

In my constituency of Batley and Spen, headteachers have told me how cuts to their school budgets—a part of cuts of 8% across the country—have meant that the staff who would normally do early intervention and spot children’s needs have had to go on staff cuts. The most highly paid member of staff in the building, which is often the headteacher, is the one who has to do the early intervention—who sits with the child who has anorexia to make sure they eat their lunch; who takes the disabled child swimming; or who even helps to get a child out of bed and ready for school. That cannot be right and is obviously not sustainable. We need to reverse these cuts to our school budgets, to support teachers in doing their job.

That is the reality of the situation that local authorities and schools face. For all their talk about local leadership, the Government need to accept that no matter how good that leadership is, funding cuts are tying one arm behind their back. As the right hon. Member for North Norfolk said in his opening remarks, this issue is about political will, and the incentive and commitment to turn around the lives of the most vulnerable.

In conclusion, this report is broad and far-reaching, cutting across many Departments and ministerial responsibilities. I commend the Science and Technology Committee for its tenacity in pursuing this issue, and I am sure that we will all use its report as a basis for our parliamentary questions and interventions. The data in the report is excellent, and I congratulate the Committee on it. It has certainly had an impact on me, and I hope it will have an impact on the Government as well.

2.50 pm

The Minister for Universities, Science, Research and Innovation (Chris Skidmore): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate the right hon. Member for North Norfolk (Norman Lamb) on securing this important debate on behalf of the Science and Technology Committee. I know this is an area that he cares passionately about, and I pay personal tribute to the work he did in a previous Parliament as Minister of State for Community and Social Care between 2012 and 2015.

I also thank other hon. Members who have participated in today’s debate. Their contributions have shown not only clarity of thought about these issues, but real passion about what is taking place in their local areas. It is a tribute to those Members’ local commitment that they have worked with their communities to address these issues. We have heard from the hon. Members for Bristol North West (Darren Jones), for Stockton South (Dr Williams), for Linlithgow and East Falkirk (Martyn Day) and for Batley and Spen (Tracy Brabin), and there have also been important interventions from the hon. Members for Stroud (Dr Drew) and for East Lothian (Martin Whitfield). I am grateful for the opportunity to set out the Government’s approach to addressing early childhood adversity and trauma, and the actions we are taking to improve children’s life chances through early intervention.

The Government are strongly committed to effective early intervention in childhood. That means not only effective prevention, identification and support for children and families in need, but building a strong evidence base to underpin those things. The hon. Member for Bristol North West asked whether I, as Science Minister, would commit to ensuring that we take forward an evidence-led approach. I passionately believe that the investment we make in research must not only go into healthcare research, but into the social sciences.

Norman Lamb: I appreciate the point that the Minister is making, but does he recognise that without collection and national analysis of data, we have no idea how public money is being spent across the country and whether it is being spent effectively?

Chris Skidmore: I appreciate the right hon. Gentleman’s point, and I agree with what he has said about data collection; I will return to that topic later on. I am also a new Minister in the Department for Education, covering the universities sector. I recently set up a higher education data advisory committee, because I value the importance of such evaluation at both local and national level—for example, when we look at university access and participation. We have also set up the Evidence and Impact Exchange in partnership with King’s College London and Nottingham Trent University, to examine the methodology behind encouraging more disadvantaged pupils to have access to, and opportunities at, university. That is at one end of the scale, but today we are talking about what we need to do at a far earlier stage of a child’s education.

When it comes to scientific research, and early years research in particular, we must ensure that we listen to the scientific community when it comes to neuroscience and cognitive behaviour; that we are careful about how we use that scientific research to make public arguments and develop public policy; and that we work with those scientists. I am sure that they will develop new innovations and scientific research, which may even challenge our understanding of these policies. It is important that we work together as a community, understanding that evidence base and drawing on the good work already conducted at national and local level.

I welcome the recent establishment of the early years ministerial group on family support, which is reviewing how to improve the support available to families in the first two years of a child’s life, identifying opportunities
for co-ordination and improving cost-effectiveness. I look forward to the valuable contribution of that group, which will provide specific recommendations to the Secretary of State. I am unable to provide a timetable for that, as the hon. Member for Batley and Spen asked me to, but I will ensure that the group is aware of today’s debate. I am sure that its members will all wish to engage with the Science and Technology Committee regarding specific issues raised in its report, and on any future work that the Committee does. The Government value the work of that Committee and recognise its place in public discourse. As we proceed, we will make sure that we engage with some of the recommendations that the Committee has made.

Turning to the role of Government in early intervention, the model for adverse childhood experiences gives us a helpful focus for action on early intervention. We must also ensure that there is an overarching model for care and support. Fundamental to that is the belief that local areas are best placed to understand the needs of their local communities, and to commission early intervention services that best meet those local needs as part of a whole systems model. We have heard about some excellent examples of local innovation, such as the one given by the hon. Member for Bristol North West, who talked about the work of Bristol City Council. The fact that the council had to hold its conferences twice clearly demonstrates the demand for those services. We also heard about the work in Greater Manchester. It is important that we allow that innovation and creativity to flourish as part of future work, but, importantly, we should not expect local areas to do that work alone. The matter is a serious and complex one, and our approach, which reaches across all Departments and Governments, reflects that.

Our approach is based on a number of principles, which are as follows. First, early rather than late intervention is key; secondly, the role of central Government is to support, facilitate and work with local government; thirdly, the role of local government is to commission, and to commission early intervention services that best meet those local needs as part of a whole systems model; and fourthly, our solutions should be focused on outcomes and underpinned by evidence; and fourthly, successful strategies should be identified and shared widely within the sector. With that in mind, we have prioritised three key areas for central Government focus to build resilience to adversity and trauma. Those are: physical and mental health in pregnancy and childhood; protecting vulnerable children through effective children’s social care; and improving social mobility, supported in the early years by high-quality early education settings and learning in the home. That is underpinned at all levels by our work to improve services and partnerships locally, and to build the evidence base for what works.

I will address each of those areas in turn. First, when it comes to supporting physical and mental health in pregnancy and childhood, the Government recognise the serious impact that adversity in early childhood can have on children as they grow up; the hon. Member for Stockton South set out some striking examples. Support must begin as early as possible, and maternity services have a central role to play. The NHS long-term plan will make the NHS one of the best places in the world to give birth by offering mothers and babies better support. It will also expand the provision of quality mental health support for new and expectant mothers and their families. The evidence shows that this is a key opportunity to improve outcomes for mothers and children.

Dr Williams: I thank the Minister for highlighting the importance of maternal mental health, in particular. However, the National Childbirth Trust has identified that half of all women who experience mental health problems during the perinatal period say that they were never asked about their mental health, and that their mental health problems remain undiagnosed. Given what the data and evidence show, will the Minister commit to looking at that issue and making representations to the Department for Health and Social Care? Although the Department has acknowledged the problem, it has failed to adequately adhere to the National Institute for Health and Care Excellence guidance, which states that all new mums should have routine assessments in their general practices at six to eight weeks, to better identify perinatal mental health problems.

Chris Skidmore: I thank the hon. Gentleman for raising that issue, which I am happy to raise with the relevant Minister. I am meeting the Minister with responsibility for mental health shortly to discuss mental health issues surrounding students, and I will make sure the issues are placed on the agenda for my discussion with her.

Tracy Brabin: Although we welcome the recent announcement of 5,000 additional health visitors, can the Minister say whether there will be an opportunity to collect data on how many visits a child has? To increase the number of visits from the statutory five, we need the data to enable us to know whether the extra health visitors are having the impact that I know the Government want.

Chris Skidmore: I will come to the question of health visitors later in my speech, but I will be more than happy to pass on the hon. Lady’s point about the collection of data and look at what evaluations might be possible. I will certainly make sure that hon. Members’ contributions are reflected in my discussions with the Department.

Local authorities are receiving £16 billion between 2015 and 2021 to spend on public health functions, which includes funding to support the healthy child programme and the mandated five health visits, which the hon. Lady mentioned, for children between the ages of nought and five. We are seizing the opportunities presented by such moments with families. A key piece of partnership working between the Department and Public Health England will see the Institute of Health Visiting train up to 1,000 health visitors in 2019 to identify and support children with speech, language and community needs early. The health visitors will then cascade the training to provide even greater reach. It is important to make sure that an evaluation takes place to make sure it is as effective as possible.

On the recruitment of additional health visitors and the quantity of visits, health visiting services are commissioned by local health authorities, and health visitors are employed by the local health service provider. However, the Government will continue to work with partners, child development experts and professional organisations representing health visitors to ensure that
the healthy child programme remains an effective and evidence-based framework providing good health, wellbeing and resilience for every child.

On the wider issues around early intervention and making sure it is adversity-targeted among the early years workforce more broadly, it is crucial that early years practitioners are well trained to protect young children from the impacts of adversity and trauma. As part of the early years foundation stage statutory framework, service providers are obliged to ensure that all staff have up-to-date knowledge of safeguarding issues and are equipped to identify and address signs of abuse and trauma. We want to equip the early years workforce to deliver outstanding services, to adopt evidence-based approaches, to learn from best practice and to deliver quality outcomes. The Government are supporting that with a professional development fund and similar programmes, such as the newly established Social Work England, which will ensure that social workers receive the highest quality initial education access and continuing professional development.

Norman Lamb: It is helpful to hear what is happening now. Does the Minister see value in defining a national strategy—the approach taken in Scotland and Wales—to try to drive the good things that he says he wants and make sure they happen everywhere, or does he resist the idea? It is important for us to understand whether there is an opportunity to work together with the Department to try to achieve something that is greater than the sum of its parts. Is he up for that and could he persuade his colleagues, or does he positively resist what we are arguing for?

Chris Skidmore: The right hon. Gentleman has stolen the latter part of my speech. When it comes to the broader point, I recognise that the Committee’s work, for which the Government are extremely grateful, reflects on the development of a national strategy. Currently, the Government do not consider the formal publication of a national strategy to be necessary. However, the Government will seek to review the approach through the spending review and the upcoming prevention Green Paper, which will build on the November 2018 Department of Health and Social Care report “Prevention is better than cure”, and its priorities. Also, we will look forward to the value that the early years family support ministerial group will add to the Government’s approach. Although I cannot commit in today’s debate to taking forward a national strategy, the Government are certainly working on a future Green Paper and the approach might change.

It is important to reflect on a balanced collection of the evidence that demonstrates what works, which will then inform any future approaches as part of the future prevention Green Paper. I realise that my response does not entirely answer the right hon. Gentleman’s question, but I want to reflect on the fact that the present does not necessarily rule out a change of direction in future.

Various Members mentioned children’s centres. The Government believe that children’s centres have an important role to play in early intervention, but it is right that local councils continue to decide how to use their part of the wider system of local services. As part of our local government programme, local authorities are looking into how early years services can be improved. The right hon. Gentleman raised the question of Ofsted inspections. When inspections of children’s centres were suspended, there was at the time an agreement that they were not fit for purpose. However, children’s social care services and all registered early years prevention, including that delivered in children’s centres, remain subject to robust and regular Ofsted inspections.

When it comes to the consultation that has been mentioned and the delay in moving forward, the Department still needs to understand how local authorities effectively use centres to improve outcomes as part of their broader strategy before we go further. That is why we will be investing in What Works, which I will talk about later in my speech, working with the Education Endowment Foundation and delivering the £8.5 million local government programme. The programmes will inform the next steps in our strategy, including any future consultation. We need to look at the evidence from the programmes before deciding whether a consultation is indeed the correct way ahead.

Tracy Brabin: The Minister probably will not be able to answer this, but is there a timeframe for the consultation on What Works? Is it a two-year strategy? How long will local authorities have to wait to get something out of the Government for their children’s centres?

Chris Skidmore: I will talk later in my speech about issues around evaluation, What Works and the Education Endowment Foundation. As for the timeframe that the hon. Lady asked about, if I am unable to provide an answer in this debate, I will ensure that the Department writes to her and the Committee about it.

On the free hours provision that the hon. Lady mentioned, the proportion of disadvantaged two-year-olds taking up a Government-funded place continues to increase and has risen to about 72%—higher than ever before—so the entitlement is still successfully reaching the families who need it most. The 30 hours provision continues to help a wide range of families, and a lone parent has to earn only around £6,500 a year to access the 30 hours of free childcare. Parents are also eligible if they are self-employed or on a zero-hours contract. We will continue to provide local authorities with lists of potentially eligible parents in order to support them and directly target hard-to-reach families. It is important to reflect on that when we look at the evidence. There is an opportunity for positive data sharing and using data to inform local authorities.

Tracy Brabin: The Minister is being incredibly generous with his time, and I am grateful. I know that this is not necessarily his brief, but I want to flag up that I hear from maintained nurseries that eligibility for access to the 30 hours for two working parents is resulting in a widening of the disadvantage gap between children who access 15 hours as statutory and children whose parents work. Although it is a positive step to provide childcare for working parents, the disadvantage gap cannot be allowed to continue.

Chris Skidmore: The Government’s independent evaluations of early delivery showed that with 30 hours of free childcare about 78% of parents report greater flexibility in their working life, and a quarter of mothers can now work more hours. That is one aspect of the evaluation, but it is important that we continue to
[Chris Skidmore]

monitor all areas of the policy’s impact. We will continue to monitor the impact of the offer closely. I will ensure that the Department reflects on the comments that the hon. Lady has made about the 30 free hours issue.

On the question of protecting vulnerable children through effective children’s social care, we know that many children in need have experienced adversity and trauma, which is why we are strengthening children’s social care to ensure that it is effective and that it protects vulnerable children. The Department for Education children’s social care innovation programme has invested almost £200 million in 98 projects to develop, test and scale new approaches to supporting children in the social care system. We have also committed £45 million to the partners in practice programme, where we are working with 20 of the best local authorities to deepen our collective understanding of what excellent children’s social care services look like, while providing practical support to the sector. We are spending around £3.5 billion in total on our early education entitlements this year alone—more than in any previous year under any Government. We are supporting parents to improve the quality and quantity of adult-child interactions, as positive adult-child relationships are key protective factors against adversity and trauma. Following our successful home learning environment summit in November, we continue to work with businesses and other partners and are developing a campaign to launch later this year.

Looking beyond parents, we know that a skilled early years workforce is also key. Alongside our training for health visitors, we are investing £20 million in our early years professional development fund, which will offer training to practitioners in disadvantaged areas, particularly for the support of early language, literacy and numeracy outcomes. As I have already outlined, local areas have a key role to play in commissioning and delivering effective early intervention services to meet complex and specific needs locally. The Government want to support them in that task, as they should. I will give three examples, the first of which is the troubled families programme, where a multi-agency, whole family approach is advocated, in work with local areas to transform the way services are delivered. We committed £920 million to the troubled families programme between 2015 and 2020; we achieved significant, sustained progress with 130,000 families; and we aim to achieve a similar improvement for 400,000 families by 2020. Forty-nine per cent. of families on that programme have at least one child under the age of five.

The second example is the reducing parental conflict programme, which works with councils across England to integrate approaches and services to address parental conflict. It is supported by £6 million that we are investing to improve the outcomes of children of alcohol-dependent parents, because we know that alcohol misuse has a severe impact on parental conflict and childhood adversity.

The third example is the Department’s early years local government programme, which I mentioned earlier, which will focus on how local services work together across health, education and early help, to improve outcomes, which is why we are strengthening children’s social care. The Department for Education peer reviews will support councils to identify reforms to services and to our early outcomes fund, which will provide £6.5 million of grants to local authority partnerships to improve the delivery of services. That programme will also look at what works, including effective models of service provision, and spread that learning across the sector.

As I have said, the Government remain strongly committed to the What Works initiative, embodied in three What Works centres—the Early Intervention Foundation, some of whose data analysis the right hon. Member for North Norfolk has mentioned, the Education Endowment Foundation and the centre for children’s social care. To improve the way organisations create, share and use high quality evidence for decision making and implementation, those centres are already producing a diverse range of important materials and support for local commissioners. Part of Government’s funding for the Early Intervention Foundation is being used to establish an early years transformation academy, which will provide a framework for sharing learning, including events and online material for leaders, commissioners and other stakeholders. More intensive academy work will begin in June 2019 and provide further opportunities to pool learning.

The Government will also, as we refresh individual Departments’ areas of research interest, consider including further research into early intervention methods for addressing childhood adversity. Some of the Departments’ published research aims for 2018 and 2019 already seek to tackle issues raised in today’s debate. For example, the Department for Work and Pensions will continue to investigate how best to support families in distress to reduce parental breakdown and separation. The Ministry of Housing, Communities and Local Government is taking forward work to support effective local government, which is key to delivering effective early intervention strategies. The Department of Health and Social Care is focusing on research on mental health. I have outlined the work that is being done to support children’s mental health and wellbeing in schools, which will help to build resilience to adversity and trauma. Interventions in the health system more generally will be tested to maximise effectiveness and cost-effectiveness. Finally, the Department for Education investigates the early years and seeks to foster childhood development for those with disadvantaged backgrounds, who are at higher risk of experiencing adversity and trauma in childhood.

Separately from departmental research budgets, UK Research and Innovation funds research and innovation across all disciplines and sectors, including disciplines directly relevant to this area. Funding for the Economic and Social Research Council has included co-funding a project with the Early Intervention Foundation. UKRI will continue to consider what future funding is most appropriate in that research area.

The right hon. Member for North Norfolk raised the issue of national data collection. There are currently two separate data collection and national reporting systems for universal health visitor review data. Data is collected via Public Health England’s interim process, which is a voluntary submission of aggregate data provided by local authorities that covers universal health visitor service delivery metrics and outcomes. However, that method of data collection is due to be superseded by a record-level collection through the community services dataset, for which NHS Digital has published the information standards and established the technical infrastructure.
It is also important that we reflect on the use and sharing of data at a local level. I mentioned the troubled families programme in connection with co-ordinating local approaches for North Norfolk. The programme has also taken forward an early help service transformation model and toolkit, which provide practical advice on service transformation, explaining what it means, how it can be developed and how to measure and monitor progress locally. That will be shared with local partners. The local government programme will also allow local authorities to spend on digital advancements in data collection. As part of the peer review programme, best practice on data collection and sharing will then be disseminated nationally.

As to increasing the use of evidence-based programmes in free childcare, the Government are supporting early years settings to put in place high-quality evidence-based provision. I mentioned the £20 million professional development fund; the Government are also investing £4 million in trials focused on interventions that improve the home learning environment, delivered by the Education Endowment Foundation. Results from the trials will be available over the next two years and will be used to inform future policy for commissioning decisions.

Tracy Brabin: I am very interested in staff training. To return to a question that I asked in my speech, at what point—level 3, university, or whatever—would the relevant training be included? I would be very interested to hear the answer, because high-quality staffing is certainly at the heart of closing the disadvantage gap. It is about not just childcare, but education, so we need to ensure that all staff have all the tools at their fingertips.

Chris Skidmore: I have touched on some of the Government programmes that have been taken forward for staff training. The hon. Lady is absolutely right that we need to ensure that staff training takes place at every level, from those starting off in the early years workforce right through to continuous professional development for early years workforce leaders. I will have to write to her on her specific point about timing, as well as on the points she raised earlier. I hope that that is satisfactory.

As I mentioned, the Department for Education is reforming the early learning goals at the early years foundation stage. The first stage of these reforms will be followed by an external evaluation of the pilot, helping to generate learning in this area and allow reforms to be refined ahead of full roll-out.

The Government are absolutely committed to What Works and improving how the Government and other organisations create, share and use high-quality evidence for decision making alongside the What Works centres, including the Education Endowment Foundation and the What Works centre for children’s social care.

The Early Intervention Foundation has an important role to play in testing and communicating what works to improve outcomes through early intervention. The EIF has played a key role in bringing evidence and rigour to the early intervention debate. The Government have provided funding of £7.3 million to the EIF until 2020, and the Government will review funding for the EIF in the forthcoming spending review. The right hon. Member for North Norfolk mentioned the Chancellor of the Exchequer’s spring statement, and I am sure he will make representations to the Chancellor. I will ensure that this debate and its text are communicated to the Treasury so that it is aware of the points raised by the Committee in its report and by the debate today about the importance of continuing funding for the EIF going forward into the spending review.

I assure Members that the Government take the Committee’s report and the issues it raises incredibly seriously. I have set out our approach to childhood adversity and trauma, which includes the actions taken through programmes that are run and funded centrally. It is also about supporting local areas to ensure they are commissioning and delivering evidence-based early intervention services.

I have mentioned the specific issue of the strategy. The Government do not consider the formal publication of a national strategy to be the best approach at this time, and I have set out our current approach through the various programmes. The Government are confident that those programmes will bear fruit, but we will seek to review that approach through the spending review and the upcoming prevention Green Paper, which will build on the November 2018 Department of Health and Social Care report, “Prevention is better than cure”, and its priorities, which I set out earlier.

I have also mentioned that the early years ministerial group on family support will add to the Government’s current approach. I am sure that the Leader of the House, given her passionate commitment to this specific area and to taking forward cross-Government work, will take a keen interest in reviewing the contributions made in this important debate.

It is the role of Government to provide guidance on local approaches to early intervention, but there is a fine balance to be struck between local direction and central Government oversight. The Government believe that it is fundamentally for local authorities to determine how their services best meet the complex demands of their area, not central Government, but we will nevertheless continue with our responsibility to support What Works initiatives and ensure that local systems are working well. The Government will also consider including further research into early intervention methods for addressing childhood adversity as we refresh individual Departments’ areas of interest. The issues that make up childhood adversity and trauma, such as verbal, physical and sexual abuse, parental separation, mental illness and alcohol abuse, are at the core of the work of numerous Departments and major programmes.

We want to ensure that we build long-lasting protective factors against adversity and trauma in the early years. The Government have invested in the early years. By 2019-20, we will be investing around £6 billion a year in early education and childcare support to cover free entitlements, tax-free childcare and the childcare element of universal credit. The Government see effective early intervention as essential to our work to bring about cost efficiency in public services and, above all, to ensure that the human factor is there to improve people’s lives and that children are not put at risk. The factors that Members have mentioned help to ensure that children have strong and healthy lives. As I have already outlined, the Government are putting research funding investment into early intervention initiatives.

Finally, as Members can probably see, I am the Minister for Universities and Science, so I wish to put on record the apologies of the Minister for Children, my hon. Friend the Member for Stratford-on-Avon.
for being unable to speak in the debate. He will happily meet the hon. Member for North Norfolk to reflect on the report and take forward any issues of concern that have been mentioned in the debate.

The Government are keen to continue to engage fully, as I do—wearing a different hat, as Science Minister—with the Science and Technology Committee. We are very grateful for the conclusions the Committee came to in its report.

3.24 pm

Norman Lamb: It is very good to see you in the Chair, Mr Gapes, and it is a pleasure to serve under you for the last part of the debate. I do not want to detain people for long, but I thank the Minister, particularly given that this is not his portfolio, for engaging in the discussion. He made an interesting point at the end about the Government’s £6 billion investment in early years. How extraordinary it is that we are making that investment without really having any idea about how it is being spent and whether it will be in any way effective.

The shadow Minister, the hon. Member for Batley and Spen (Tracy Brabin), made the very good point that we are committing more Government resource to children whose parents are both in work than we are to the most disadvantaged children. I understand the value of that from a work perspective, but the Government have to understand that that increases the divide between the most disadvantaged and all the rest.

I thank the hon. Member for Bristol North West (Darren Jones), who has stayed to the bitter end, for all his work on the Committee. I thank the Scottish National party spokesperson, the hon. Member for Linlithgow and East Falkirk (Martyn Day), and the shadow Minister for their contributions. The striking thing was that everybody who contributed to the debate, including the hon. Member for Stroud (Dr Drew), was making the same points to the Minister.

Perhaps I am being over-optimistic in seeing a little chink of light. Although the Government’s approach is wholly inadequate and passive in response to such significant evidence, I note the point that the Minister made in response to my intervention. He said that we have three key things coming up: the inter-ministerial working group, the Government’s Green Paper on prevention, and the spending review. Combined, they provide us with an opportunity to follow the evidence, to start spending money in a way that applies evidence about what works, and to monitor what is happening around the country. It is not about directing local areas and imposing things on them from the centre, but holding them to account because we have the data nationally to do that.

We have an opportunity that, as has been said, is completely non-party political; it is just about the effective use of public money, and investing at the moment when it is of most value and impact—early, rather than later, when the damage has already been done. There is an opportunity here, and I urge the Minister and his colleagues to grasp it, rather than to continue in a way that fails too many children across our country.

Question put and agreed to.

Resolved.

That this House has considered the Eleventh Report of the Science and Technology Committee, Evidence-based early years intervention, HC 506, and the Government response, HC 1898.

3.27 pm

Sitting adjourned.
Written Statements

Monday 11 March 2019

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Financial Reporting Council: Independent Review

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): The Government have published their public consultation in response to the independent review of the Financial Reporting Council (FRC).

The UK has always been a world leader in audit and accounting services, with world-class frameworks for corporate reporting, corporate governance and regulatory oversight. Our modern industrial strategy sets out our vision to ensure that the UK is the best place to start and grow a business and is an attractive place to invest. The Government see a tough and robust regulator, and an audit sector with the highest standards, as a key part of that strategy. Stronger regulation of audit will benefit all, giving shareholders, investors, and the wider public every confidence in company reports and audited accounts.

In April 2018, I commissioned Sir John Kingman to undertake a root and branch review of the FRC to ensure the UK continues to stand as a beacon, with a first-class regulator of audit and corporate reporting. The review published a comprehensive set of challenging recommendations in December 2018, designed to transform the regulation of these important functions which underpin the economic life of our country.

The Government welcome and shares the review’s vision for a new regulator with a new mandate, leadership, and stronger statutory powers. The Government intend to move swiftly to implement these reforms, replacing the FRC with a new regulator called the “Audit, Reporting and Governance Authority”. This new body will build on the UK’s status as a great place to do business and will form an important part of strengthening public trust in businesses and the regulations that govern them, ensuring that the UK maintains and advances its status as a beacon, with a first-class regulator of audit and corporate reporting, corporate governance and regulatory oversight.

The consultation document will be placed in the Libraries of both Houses and available on the www.gov.uk website. The consultation will run for 12 weeks and I look forward to the continued contribution of interested parties.

[HCWS1397]

EU Emissions Trading Scheme

The Minister for Energy and Clean Growth (Claire Perry): Today, the Government will publish legislation for a short extension to the deadline for UK operators participating in the EU Emissions Trading Scheme (ETS) to surrender their emission allowances for the 2018 scheme year.

The Government remain committed to meeting their target to reduce its greenhouse gas emissions by at least 80% by the year 2050, relative to 1990 levels. The UK also remains strongly committed to achieving the climate goals of the Paris agreement. This includes our commitment to carbon pricing as an emissions reduction tool, while ensuring energy and trade intensive businesses are appropriately protected from any detrimental impacts on competitiveness.

Our participation in the EU ETS has shown the benefits of carbon pricing, which gives emitters a choice to reduce their emissions where it is economic to do so, achieving our environmental goals in the least-cost way to society. The EU ETS covers around 1000 installations and approximately 140 aircraft operators in the UK. Across the EU ETS, the scheme covers around 45% of the EU’s greenhouse gas emissions.

EU ETS participants are required to monitor their emissions during each calendar year, and at the end of each reporting year, surrender one emissions allowance for every tonne of carbon dioxide equivalent (C02e) they have emitted, to meet their ETS obligations. This legislation would extend the deadline for UK operators to surrender allowances from 15 March 2019 to 26 March 2019. The deadline for UK operators to report their 2018 emissions to their regulator remains 11 March 2019.

This short extension to the deadline to surrender allowances would allow all UK operators additional time to meet their EU ETS compliance requirements. UK operators would still be able to surrender allowances to meet their 2018 compliance obligations on any date before 26 March 2019. This extension does not change the requirement for all UK operators to comply fully with their obligations under the EU ETS.

[HCWS1393]

DEFENCE

Recruiting STEM Graduates into Defence

The Minister for the Armed Forces (Mark Lancaster): The Ministry of Defence is strongly committed to recruiting and developing the brightest and best young people it can to support our armed forces and wider defence requirements. In an increasingly complex and technologically driven world, the need for talented
individuals with a wide variety of science, technology, engineering and mathematics (STEM) skills has never been greater. They will be central to developing, maintaining and exploiting our current and future military capabilities, to help defence stay at the leading edge of technological change. Through their contribution to innovation and experimentation, to harness new technologies, we will be better prepared to meet the challenges and threats of today and tomorrow.

Defence has been reviewing its STEM graduate requirement and will put in place a new, targeted scheme to recruit undergraduates in related subjects; the STEM graduate inflow scheme (SGIS). This scheme has been designed to significantly increase the number of STEM graduates brought into defence and the variety of STEM disciplines they are from. It will be open to undergraduates across all UK universities and be supported by a competitive financial package. The new scheme will also be more flexible and enable defence to adapt quickly to future changes in requirement.

The new scheme will replace the current defence technical officer and engineer entry scheme (DTOEES), which has produced some excellent young graduates but is not meeting defence’s requirements or providing sufficient value for money. Ending the current scheme will also mean that the Defence Sixth Form College (DSFSC) at Welbeck will close, with a final intake in September 2019. The DSFSC was set up in 2005, providing STEM focused education opportunities for 16 to 18-year-olds prior to going up to university as defence bursars. But defence needs to increase numbers well beyond the current scheme’s ability to deliver, and it needs to be more responsive and agile to succeed in an increasingly competitive market for STEM graduates in the UK and globally.

Full transition to the new scheme will take place incrementally over the next five years, during which the current intake of students will be fully supported. For the final two years Welbeck remains a going concern. That time will be used productively to work with local authorities and stakeholders to seek the best possible future use of this impressive school, including within the education sector or an alternative use within defence.

[HCWS1396]

FOREIGN AND COMMONWEALTH OFFICE

Implementation of International Humanitarian Law at Domestic Level: Voluntary Resort

The Secretary of State for Foreign and Commonwealth Affairs (Mr Jeremy Hunt): I am delighted to inform the House that the Foreign and Commonwealth Office (FCO) has today published the United Kingdom Government’s first “Voluntary Report on the Implementation of International Humanitarian Law at Domestic Level”.

The publication of this report reflects the UK Government’s determined commitment to the proper implementation of, and compliance with, International Humanitarian Law (IHL). This is a vital responsibility of all States. IHL is the manifestation of the long-standing determination of the international community to limit the effects of armed conflict. In an age where IHL continues to be violated frequently by both States and non-State parties to conflict, it is critical to reinforce these fundamental humanitarian rules that form an integral part of the international order in times of conflict. We are proud of our strong record of IHL implementation and compliance.

The voluntary report aims to explain in a single document the key steps that the United Kingdom has taken at a domestic level to implement IHL. Publishing specific examples of our practice to implement IHL is intended to help improve understanding of IHL, and encourage and inform dialogue on IHL issues both at home and abroad. We hope it will encourage other States to publish details of their activities to implement IHL at the domestic level, to better identify best practice and ultimately to improve implementation and compliance with IHL.

I am grateful to the United Kingdom National Committee on International Humanitarian Law for leading the compilation of this voluntary report. The British Red Cross, in its capacity as an auxiliary to the UK Government, deserve special thanks for assisting the FCO with the production of this voluntary report.

The voluntary report will be available on the: www.gov.uk website. I will also place a copy in the Library of the House.

[HCWS1394]

HEALTH AND SOCIAL CARE

Dental Charges

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): Dental charges remain an important contribution to the overall cost of the NHS budget. We have taken the decision to uplift dental charges for those who can afford it, through a 5% increase this year.

This means that the dental charge payable for a band 1 course of treatment will rise by £1.10 in 2019-20, from £21.60 to £22.70. The dental charge for a band 2 course of treatment will increase by £3.00 in 2019-20, from £59.10 to £62.10. The charge for a band 3 course of treatment will increase by £12.80 in 2019-20, from £256.50 to £269.30.

The uplift continues with the aim of finding an appropriate balance between the costs paid by service users and those met by the NHS through the contributions of taxpayers.

Those who qualify for free dental treatment will remain entirely exempt from charges. Those under the age of 18, those under the age of 19 and in full-time education, pregnant women or those who have had a baby in the previous 12 months, and those on qualifying low income benefits will not be impacted by these changes.

Even those not entitled to exemption from dental charges, but who are on low incomes, are eligible to receive full or partial help with dental charges through the NHS low income scheme.

This policy will allow us to continue to protect the most vulnerable through exemptions and the NHS low income scheme. We therefore consider that the proposed uplifts in charges are fair and proportionate and will support NHS front-line services.
Details of the revised charges for 2019-20 can be found in the table below:

<table>
<thead>
<tr>
<th>Band</th>
<th>Description</th>
<th>2019-20 (proposed patient charge)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>This band includes examination, diagnosis (including radiographs), advice on how to prevent future problems, scale and polish if clinically needed, and preventative care (e.g. applications of fluoride varnish or fissure sealant)</td>
<td>£22.70</td>
</tr>
<tr>
<td>2</td>
<td>This band covers everything listed in band 1, plus any further treatment such as fillings, root canal work or extractions</td>
<td>£62.10</td>
</tr>
<tr>
<td>3</td>
<td>This band covers everything in bands 1 and 2, plus course of treatment including crowns, dentures, bridges and other laboratory work</td>
<td>£269.30</td>
</tr>
<tr>
<td>Urgent</td>
<td>This band covers urgent assessment and specified urgent treatments such as pain relief or a temporary filling or dental appliance repair</td>
<td>£22.70</td>
</tr>
</tbody>
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[HCWS1395]

**PRIME MINISTER**

**Exiting the European Union**

The Prime Minister (Mrs Theresa May): This is a statement, for the purposes of section 13 of the European Union (Withdrawal) Act 2018, that political agreement has been reached. I am of the opinion that an agreement in principle has been reached in negotiations under Article 50(2) of the Treaty on European Union on the substance of:

- the arrangements for the United Kingdom’s withdrawal from the European Union, and
- the framework for the future relationship between the European Union and the United Kingdom after withdrawal.

This agreement reflects the result of further discussions with the European Union subsequent to the debate in the House of Commons on the motion under subsections 13(6) and (11) of the European Union (Withdrawal) Act 2018 on 29 January 2019. This statement therefore supersedes the statement of 26 November 2018 made in my name.

A copy of the draft withdrawal agreement which, in my opinion, reflects the agreement in principle so far as relating to the arrangements for withdrawal, including provisions for the implementation period, has been laid before the House of Commons on Monday 11 March 2019 with the title “Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community”.

Two additional documents relating to the withdrawal agreement which were not included in the documents laid before Parliament under section 13 on 26 November 2018, have also been laid as annexes to the statement that has been laid before the House of Commons on 11 March 2019.

These are:

A legally binding joint instrument relating to the draft withdrawal agreement, with the title, “Instrument relating to the agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community”; and a unilateral declaration by the United Kingdom in relation to the operation of the Northern Ireland Protocol, with the title, “Declaration by Her Majesty’s Government of the United Kingdom of Great Britain and Northern Ireland concerning the Northern Ireland Protocol”.

At this stage, the withdrawal agreement represents a version of the text which has been agreed, but has not yet been formally signed. As set out in my statement of 26 November 2018, the withdrawal agreement laid before Parliament following political agreement being reached in November represented “a version of the text which has been agreed, but has not yet been formally signed. Before this formal signature takes place, the agreement must complete the European Union’s jurist-linguist translation process. During that time, minor technical corrections will be made to the text, though these changes will not affect the substance of the agreement”.

In line with that, the text has since been subject to minor technical corrections, for example to correct stylistic or grammatical errors. In addition, it has been put on to the EU’s standard template for international treaties as part of its publication in the EU’s Official Journal which has led to further formatting changes. The Government’s intention is to sign the agreement after it is approved by the House of Commons under section 13(1)(b). The laying of the withdrawal agreement before Parliament at this stage does not trigger any procedures under the Constitutional Reform and Governance Act 2010.

A copy of the framework for the future relationship which, in my opinion, reflects the agreement in principle so far as relating to the framework for the future relationship between the EU and the United Kingdom has been laid before the House of Commons on Monday 11 March 2019 with the title “Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom”.

In addition, a further document which was not included in the documents laid before Parliament under section 13 on 26 November 2018, a supplement to the framework for the future relationship, with the title, “Joint statement supplementing the Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom of Great Britain and Northern Ireland” has also been laid as an annex to the statement that has been laid before the House of Commons on 11 March 2019.

This statement, and the associated documents, will also be laid before the House of Lords on 12 March 2019.

The documents associated with this statement are also available online at: https://www.gov.uk/government/publications/11-march-withdrawal-agreement-and-political-declaration-laid-before-parliament-following-political-agreement.

[HCWS1398]
Written Statements

Tuesday 12 March 2019

ECOFIN 12 March 2019

The Council will hold a follow-up policy debate on the location of the InvestEU Investment Committee secretariat.

**Excise duties**

The Council will be invited to agree a general approach on the directive on general arrangements for excise duty (recast), the regulation on administrative co-operation of the content of electronic registers, and the directive on the structures of Excise Duty of alcohol and alcoholic beverages.

**Digital services tax**

The Council will be invited to reach a political agreement on the EU-wide digital services tax proposal.

**Early morning session**

The Eurogroup President will brief the Council on the outcomes of the 11 March meeting of the Eurogroup, and the European Commission will provide an update on the current economic situation in the EU. Ministers will then discuss the location of the InvestEU Investment Committee secretariat.

**Current financial services legislative proposals**

The Romanian presidency will provide an update on current legislative proposals in the field of financial services.

**European semester**

Following a presentation by the Commission on its 2019 country reports, the Council will hold an exchange of views on the implementation of country-specific recommendations focusing on investment in member states.

**EU list of non-co-operative jurisdictions for tax purposes**

The Council will be invited to adopt Council conclusions revising the December 2017 EU list of non-co-operative jurisdictions for tax purposes.

**Status of the implementation of financial services legislation**

The Council will discuss the status of the implementation of financial services legislation.

**Coalition for climate action**

The Finnish Finance Minister will update the Council on plans to launch the coalition for climate action in the context of the World Bank and International Monetary Fund spring meetings in April.

[HCWS1403]

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**DEFENCE**

**Armed Forces Pay Review Body: Reappointment**

The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood): On 20 December 2018, I announced that my right hon. Friend the Secretary of State for Defence had appointed Vice Admiral (Retired) Sir David Steel as the next ex-military member of the Armed Forces Pay Review Body (AFPRB). His appointment was due to commence on 1 March 2019 and run until 28 February 2022. However, Vice Admiral (Retired) Sir David Steel has subsequently been unable to take up this position. A further recruitment campaign will be launched in due course by Department officials.

To provide the AFPRB with important continuity during this interim period, I am pleased to announce that I have invited Rear Admiral (Retired) Jonathan Westbrook to continue to serve as a member of the Armed Forces Pay Review Body for a further 12 month term of office, commencing on 1 March 2019, and he has accepted. This extension has been conducted in accordance with the guidance of the Office of the Commissioner for Public Appointments.

[HCWS1402]

**EDUCATION**

**New Model in Technology and Engineering**

The Minister for School Standards (Nick Gibb): My noble Friend the Parliamentary Under-Secretary of State for the School System (Lord Agnew), has made the following written ministerial statement:

It is the normal practice when a Government Department proposes to make a gift of a value exceeding £300,000, for the Department concerned to present to the House of Commons a minute giving particulars of the gift and explaining the circumstances; and to refrain from making the gift until 14 parliamentary sitting days after the issue of the minute, except in cases of special urgency.

The Department for Education intends to provide a 50-year lease of the former Robert Owen Academy site (Blackfriars Street, Hereford) to the New Model in Technology and Engineering (NMiTE). The lease is valued at £900,000 and will be subject to a premium of only £1,000. The sub-lease therefore represents a gift to NMiTE worth £899,000.

The NMiTE aims to secure university status and is supported by national and local government, the University of Warwick, and industry, to transform engineering education in Britain. They are in receipt of grant funding from the Department for Education to support their start-up and development. NMiTE will invest substantially in the site to bring it back into use and deliver specialist higher education.

We believe this lease represents good value, supporting the development of the new organisation aiming to secure university status and avoiding the vacant site holding costs that the Department for Education would otherwise have to bear.
The Treasury has approved the proposal in principle. If, during the period of 14 parliamentary sitting days beginning on the date on which this minute was laid, a Member signifies an objection by giving notice of a parliamentary question or a motion relating to the minute, or by otherwise raising the matter in the House, final approval of the gift will be withheld pending an examination of the objection. [HCWS1404]

FOREIGN AND COMMONWEALTH OFFICE

British Council: 2019 Tailored Review

The Minister for Asia and the Pacific (Mark Field): I am announcing today the publication of the recent tailored review of the British Council, an arm’s-length body of the Foreign and Commonwealth Office.

The British Council was established in 1934 and awarded a Royal Charter in 1940. It builds relationships and understanding between the people of the UK and other countries, and makes a significant contribution to promoting the English language, education and British culture overseas. It is a key soft power lever.

As a non-departmental 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 full report can be read on gov.uk: https://www.gov.uk/government/publications/tailored-review-of-the-british-council.

This review involved consultation with a broad range of stakeholders across the UK and beyond, including British Council staff, the board of trustees, over 700 stakeholders and heads of mission. It provided an opportunity to better understand the British Council’s contribution to the core business of the FCO, HMG, and the interests of a wide range of stakeholders across the UK and overseas, as well as assessing the British Council’s performance, and readiness to respond and adapt to future challenges.

The review concluded that the British Council fulfils an important and unique role, remaining a world leader in its field. The British Council’s operating model is effective, however work is needed in order to strengthen evidence of this effectiveness, and how it provides value for money for the taxpayer. It also notes that more needs to be done to remain fit for purpose, including improving organisational effectiveness and increasing financial resilience. Overall, it made 29 recommendations including:

- The FCO’s single departmental plan should include a high-level British Council objective;
- The British Council should have clear criteria for deciding when it will develop its own products, and publicise this to the English language and education sectors;
- The British Council should continue its current model of growing its commercial surplus to support cultural relations activities; and
- The British Council’s activities should focus on its core strengths of promoting English language, education, and British culture.

The review has also recommended that the FCO and the British Council strengthen their strategic dialogue and co-ordination. The British Council should also strengthen its reporting of impact, while ensuring that it operates with the appropriate level of independence. A joint implementation plan is being developed by the FCO and British Council, with most of the recommendations expected to be implemented by mid-2020.

Copies of the review will be placed in the Libraries of both Houses.

Attachments can be viewed online at: http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-03-12/HCWS1401/.

[HCWS1401]

WORK AND PENSIONS

Employment, Social Policy, Health and Consumer Affairs Council

The Minister for Employment (Alok Sharma): The Employment, Social Policy, Health and Consumer Affairs Council will take place on 15 March 2019 in Brussels. I plan to represent the UK.

The Council will be invited to agree a partial general approach on a regulation of the European Parliament and the Council that continues the European globalisation adjustment fund (EGF).

Under the European semester agenda item, the Council will adopt the joint employment report for 2019, along with conclusions on the 2019 annual growth survey, and the Commission will present its country reports for 2019. The Romanian presidency has chosen the social dimension of Europe post 2020 as the theme for debate.

Under other business, the presidency will give updates on six current legislative proposals: a regulation establishing a European labour authority; revision of the regulations on the co-ordination of social security systems; revision of the directive on carcinogens and mutagens (third batch); and directives on work-life balance, on accessibility requirements for products and services and on transparent and predictable working conditions.

The presidency will also provide information on its recent conference on an EU framework on national strategies for Roma inclusion. The Commission will present information on the tripartite social summit which will take place on 20 March, and the Chairs of the Employment Committee and the Social Protection Committee will present the committees’ work programmes for 2019.

[HCWS1400]

Universal Credit: Managed Migration Pilot

The Secretary of State for Work and Pensions (Amber Rudd): Universal credit is a vital reform. It overhauls a legacy system which trapped people out of work. The next stage, managed migration, will move claimants of legacy benefits on to universal credit without a change of circumstances. As we have previously committed, the Department will pilot this approach, following the passing of an affirmative statutory instrument, from July 2019; starting with small numbers with no more
than 10,000 claimants. This is expected to take around 12 months. We will report on our findings to Parliament and bring forward legislation for the wider roll out of managed migration. We will, as planned, complete full roll out of universal credit by the end of 2023.

I am updating Parliament to announce that we have selected Harrogate in North Yorkshire to be our initial site for the managed migration pilot.

Harrogate has a mix of benefit claimants with a varying range of needs, in both rural and urban areas. Harrogate has also had universal credit since 2016 which is earlier than many other places. In that respect it does very much reflect the situation we will face across the country as we begin the broader process of moving people from the old system to the new universal credit system. This means the lessons we learn here will be directly applicable to places that start moving claimants from the old system to the new system in 2020 and beyond who will have started with UC in 2017 and 2018.

We will take a careful approach to delivering managed migration. Claimants will be informed of their move in advance, receive full information and support from the Department to move, including through home visits where appropriate.

We do not intend to stop anyone’s benefit during the pilot. In the pilot phase, our intention is to learn how to effectively assist people on to universal credit and to develop processes to deliver that help. This is particularly important for vulnerable and hard-to-reach claimants, who the Department will help to move across to the new system.

Managed migration will open up the world of work for thousands and deliver financial support for those whose circumstances have not changed. The process will eventually provide over £3 billion total transitional protection for 1.1 million families. Transitional protection will be available and we will help people who need it access discretionary payments which could be used, for example, to pay the equivalent of the two-week run on. Eligible claimants who received the severe disability premium under the legacy system will receive transitional payments as a result of the regulations bringing them into effect.

The Department is working with stakeholders to develop our approach to managed migration, with support for the most vulnerable in at the forefront of our minds. We will continue to do this as we deliver.
**Written Statements**

*Wednesday 13 March 2019*

**TREASURY**

**Spring Statement 2019**

*The Chancellor of the Exchequer (Mr Philip Hammond):*

Today I have delivered the spring statement to the House of Commons. This written ministerial statement provides more detail on some of the announcements in the spring statement, and sets out details of other forthcoming Government policies.

**Public spending**

Public value framework—later this year we will conduct a spending review that will focus on public value outcomes. Today, the Government will publish a revised version of the public value framework along with accompanying guidance on how to use it most effectively. The revised framework reflects the learning from our public value pilot programme.

National leadership centre—the new national leadership centre, which will support senior leaders from across public services in England, will welcome its first cohort in September. The Government have committed £21 million to the centre.

**Infrastructure**

Today I can also make the following announcements that will help to deliver the physical and digital infrastructure the UK needs:

- Borderlands growth deal—up to £260 million for this innovative deal to strengthen the deep ties that bind these communities within the United Kingdom. On top of the £102 million announced recently for the Carlisle southern link road from the housing infrastructure fund, this means up to £362 million of UK Government investment into the borderlands area.

- Transforming cities fund—£60 million of investment in 10 cities across England, from the fund announced at Budget 2017. This will fund 30 new schemes such as bus station upgrades, new cycle lanes and road improvements, supporting the wider programmes being delivered by city regions as part of the industrial strategy. The 10 cities were selected for the competitive fund in September 2018, and are as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Derby and Nottingham</td>
<td>£7.2 million</td>
</tr>
<tr>
<td>Leicester</td>
<td>£7.8 million</td>
</tr>
<tr>
<td>Portsmouth</td>
<td>£4 million</td>
</tr>
<tr>
<td>Sheffield City Region</td>
<td>£4.2 million</td>
</tr>
<tr>
<td>West Yorkshire CA</td>
<td>£2.2 million</td>
</tr>
<tr>
<td>Southampton</td>
<td>£5.7 million</td>
</tr>
<tr>
<td>North East CA</td>
<td>£10 million</td>
</tr>
<tr>
<td>Norwich</td>
<td>£6.1 million</td>
</tr>
<tr>
<td>Plymouth</td>
<td>£7.6 million</td>
</tr>
<tr>
<td>Stoke-on-Trent</td>
<td>£5.6 million</td>
</tr>
</tbody>
</table>

Local full fibre networks: wave 3 allocations—£53 million of funding, for nine local areas who have successfully bid since Budget, from the third wave of the local full fibre networks challenge fund—enabling next-generation full fibre connections to key public buildings, and nearby homes and businesses. The locations of the nine local areas are as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colchester</td>
<td>£3.5 million</td>
</tr>
<tr>
<td>Isle of Wight</td>
<td>£0.8 million</td>
</tr>
<tr>
<td>Norfolk</td>
<td>£8 million</td>
</tr>
<tr>
<td>North Wales</td>
<td>£8 million</td>
</tr>
<tr>
<td>Northern Ireland</td>
<td>£15 million</td>
</tr>
<tr>
<td>Rutland Islands</td>
<td>£2 million</td>
</tr>
<tr>
<td>South Essex</td>
<td>£4.5 million</td>
</tr>
<tr>
<td>Stoke-on-Trent</td>
<td>£9.2 million</td>
</tr>
</tbody>
</table>

- Toton development vehicle—Sir John Peace will oversee the development of proposals for a new delivery vehicle at Toton, which will include considering the case for a development corporation.

- Apprenticeship levy—Budget 2018 announced that the co-investment rate will be halved from 10% to 5%, and the amount employers can transfer to their supply chains would increase to 25%. These changes will now take effect from April 2019.

In the coming months, the Government will publish:

- Planning for future high streets—a consultation exploring potential changes to help local areas make better use of planning tools to support their local high streets, including through compulsory purchase orders, local development orders, and other innovative planning measures.

- Future of mobility: urban strategy—a publication setting out the Government’s approach to putting the UK at the forefront of mobility, and responding to the significant changes taking place in transport technology—such as the growth in electric vehicles, the development of self-driving vehicles and advances in data and internet connectivity.

**Living standards**

National living wage (NLW)—the Government can confirm the Low Pay Commission’s remit for 2019, and later this year we will set a new remit beyond 2020. We have today published the terms of reference for Professor Arindrajit Dube’s review of the latest international evidence on minimum wages. This review will report to HM Treasury and the Department for Business, Energy and Industrial Strategy. As these terms set out, Professor Dube will engage closely with the Low Pay Commission, drawing on its expertise and deep knowledge of the UK’s labour market.

**Openness and competitiveness**

It is vital that the UK remains an open and competitive place to do business. To support this ambition, today I can announce:

- Financial services legislation—following consultation later this year, the Government will legislate as necessary to ensure that in the immediate period after we leave the EU, the UK can maintain world-leading financial services regulatory standards, remain open to international markets, and realise new trading opportunities.

- Future financial services regulatory framework—ahead of the summer, the Government will set out their approach to consulting on how to ensure our financial services regulatory framework adapts to our new constitutional position outside the European Union. This includes the need to ensure financial stability is delivered through an effective regulatory framework, with the responsiveness necessary for a dynamic and open financial services sector and an appropriate level of democratic accountability.
Access to finance and EU exit—the Government stand ready to deliver their commitment in all circumstances to provide additional funding to the British Business Bank for venture and growth capital, as we leave the European Union and our relationship with the European investment fund changes.

Scientists and researchers—from autumn 2019, PhD-level occupations will be exempt from the tier 2 (general) cap, and at the same time the Government will update the immigration rules on 180-day absences so that researchers conducting fieldwork overseas are not penalised if they apply to settle in the UK.

New UK export finance (UKEF) general export facility—UKEF will introduce a new general export facility to provide more flexible short-term support to UK exporters. UKEF will make the new product available over the coming months and will publish further details once they become available.

Competition and Markets Authority (CMA) research on the impacts of regulation on competition—the CMA is announcing today that, subject to an orderly exit from the European Union and therefore resources, it will carry out a review to assess how regulation affects competition in the UK business environment.

Today the Government will publish:

Offshore oil and gas decommissioning industry—a call for evidence, as announced at Budget 2018, seeking to identify what more should be done to strengthen Scotland and the rest of the UK’s position as a global hub for safe, environmentally-friendly decommissioning that meets the Oil and Gas Authority’s ambitious cost reduction targets.

In the coming months, the Government will publish:

International education strategy—a strategy, to be launched by the Departments for Education and for International Trade, which will help to strengthen our position at the forefront of global education.

International research and innovation strategy—a strategy setting out the Government’s ambition to ensure the UK retains its place as a global partner of choice for science and innovation collaboration. As a first step in implementing this, the Government have launched an independent review to assess how regulation affects competition in the UK business environment.

Today, I am allocating over £200 million in cutting-edge infrastructure to support our world-leading scientists, innovators and industry. These investments, which underpin the Government’s ambition to raise economy-wide investment in R&D to 2.4% of GDP by 2027 and drive progress against the grand challenges, such as healthy ageing and the AI and data revolution, include:

- Photonics—allocating £81 million to a national extreme photonics application centre in Oxfordshire. This centre will help researchers and industry better understand the composition of new materials and how they behave in different conditions.
- Bioinformatics—investing £45 million in a critical upgrade to data storage cloud computing infrastructure at the European Bioinformatics Institute in Cambridgeshire, to support researchers using big data to drive genetic research.
- Supercomputers: Archer funding—allocating £79 million to a new UK supercomputer (ARCHER 2) which will replace the current national high-performance computing platform (ARCHER), providing researchers with a fivefold increase in computing capacity.
- Joint European Torus (JET) funding (fusion)—setting aside up to £60 million to confirm funding is guaranteed for the facility over 2019-20.

**Housing**

At autumn Budget 2017, the Government set out a comprehensive package of new policies, including at least £44 billion of financial support over a five-year period, to raise housing supply by the end of this Parliament to its highest level since 1970 and put us on track to reach 300,000 a year on average. To move us towards that target, today the Government can announce further progress on planning reform, as set out in more detail in the accompanying written ministerial statement laid by the Secretary of State for Housing, Communities and Local Government. In the coming months, the Government will:

- Independent report on build-out rates—introduce additional planning guidance to support housing diversification on large sites. Sir Oliver Letwin concluded that greater differentiation in the types and tenures of housing delivered on large sites would increase build-out rates.
- Response to consultation on planning reform—introduce a package of reforms including allowing greater change of use between premises, and a new permitted development right to allow upwards extension of existing buildings to create new homes.
- Accelerated planning Green Paper—publish a Green Paper setting out proposals on how greater capacity and capability, performance management and procedural improvements can accelerate the end-to-end planning process.

**Clean growth**

The Government are determined that we will be the first generation to leave the environment in a better state than we found it. The UK leads the world in tackling climate change and delivering clean growth, preserving the planet for future generations. In the coming months the Government will set out further detail on the following:

- Review on the economics of biodiversity—a new global review, led by Professor Sir Partha Dasgupta, to assess the economic value of biodiversity and to identify actions that will simultaneously enhance biodiversity and deliver economic prosperity. The review will report in 2020, ahead of the 15th meeting of the conference of the parties to the convention on biodiversity in Beijing in October that year.
- Future homes standard—a future homes standard, to be introduced by 2025, future-proofing new build homes with low-carbon heating and world-leading levels of energy efficiency. The new standard will build on the Prime Minister’s industrial strategy grand challenge mission to at least halve the energy use of new buildings by 2030.
Greening the gas grid—accelerating the decarbonisation of our gas supplies by increasing the proportion of green gas in the grid. To meet our climate targets, we need to reduce our dependence on burning natural gas to heat our homes. The Government will consult on the appropriate mechanism to deliver this commitment later this year.

In the coming months, the Government will publish:

Biodiversity and conservation in overseas territories—a call for evidence inviting creative ideas from stakeholders on how the Government can safeguard the biodiversity found in the overseas territories.

Red diesel: response to call for evidence—a summary of responses to the May 2018 call for evidence on red diesel and air quality.

Public finances

Debt management report 2019-20 and NS&I financing remit 2019-20—today, the Government publish the financing remit for 2019-20, which sets out the planned financing that will be raised by the Debt Management Office through issuing gilts and via NS&I’s retail financing products.

Retail prices index

House of Lords Economic Affairs Committee report on the retail prices index (RPI)—the Economic Affairs Committee made several recommendations both to the Government and the UK Statistics Authority (UKSA). The Government are considering the report, and the complex issues it raises. The Government are discussing the relevant issues with the UKSA and will respond to the Committee’s report in April.

Tax avoidance, evasion and non-compliance

Since 2010, the Government have secured and protected over £200 billion of tax that would otherwise have gone unpaid, introduced over 100 measures to reduce avoidance, evasion and other forms of non-compliance, and continued to support taxpayers to get their tax right. Today the Government will publish:

“Tackling tax avoidance, evasion and other forms of non-compliance”—a policy paper setting out the Government’s achievements.

Offshore tax compliance strategy: “No Safe Havens 2019”—a policy paper setting out the direction for HMRC’s updated strategy for offshore tax compliance, bringing together the Government’s response to all forms of offshore non-compliance. This reflects the substantial progress that the UK has made since the last strategy was published in 2014 and complements the paper on avoidance and evasion activity to date.

In the coming months the Government will publish:

Preventing abuse of the R&D tax relief for small or medium-sized enterprises (SMEs)—a consultation on the measure announced at Budget 2018, as part of the package on tax avoidance. This consultation will focus on how the measure will be applied, to minimise any impact on genuine businesses.

Insurance premium tax operational review—a call for evidence on where improvements can be made to ensure that insurance premium tax operates fairly and efficiently.

VAT administration in the Isle of Man—HM Treasury’s findings and recommendations to ensure the right VAT continues to be paid and collected in the Isle of Man.

Following the Paradise papers allegations, the Isle of Man Government invited HM Treasury to review its VAT administration processes for the importation of aircraft and yachts.

Maintaining the tax system

Making tax digital (MTD)—mandatory digital record keeping for VAT for businesses over the VAT threshold (with turnover over £85,000) comes into force from 1 April. This is an important first step in this modernisation of the tax system to which the Government remain committed. The Government can confirm a light touch approach to penalties in the first year of implementation. Where businesses are doing their best to comply, no filing or record keeping penalties will be issued. The focus will be on supporting businesses to transition and the Government will therefore not be mandating MTD for any new taxes or businesses in 2020.

Today the Government will publish:

Structures and buildings allowance—draft legislation, published for comment, on introducing a new, permanent allowance for investments in non-residential structures and buildings to create a more competitive tax regime for businesses—as announced at Budget 2018. The Government intend to lay this legislation early this summer.

Aggregates levy review—a discussion paper launching a review of the aggregates levy, including the terms of reference, information on timing and scope of the review as well as membership of an expert working group.

In the coming months the Government will publish:

Offshore receipts in respect of intangible property—draft regulations to ensure the provisions apply as intended, and draft guidance relating to the practical application of the measure.

Hybrid and other mismatches—draft regulations to update the definition of regulatory capital instruments that are entitled to an exemption within the hybrid mismatch rules.

General anti-abuse rule (GAAR) amendments—a technical note alongside draft legislation on minor procedural and technical changes to the GAAR legislation to ensure that it works as intended.

National insurance contributions (NICS) employment allowance draft regulations—a document inviting technical comments on the draft regulations implementing the reform, as announced at Budget 2018, of the NICS employment allowance to restrict it to businesses with an employer NICS bill below £100,000.

Child trust funds (CTF): consultation on maturing CTFs—draft regulations to ensure that CTF accounts can retain their tax-free status after maturity.

VAT simplification and the public sector—a policy paper exploring a potential reform to VAT refund rules for central Government, with the aim of reducing administrative burdens and improving public sector productivity.

VAT partial exemption and capital goods scheme: simplification—a call for evidence on potential simplification and improvement of the VAT partial exemption regime and the capital goods scheme—ensuring they are as simple and efficient for taxpayers as possible. This follows on from the recommendations of the Office of Tax Simplification, which has looked in detail at our VAT system and possible areas for improvement.
Worldwide harmonised light vehicles test procedure (WLTP) and vehicle taxes—a Government response following the review into the impact of the WLTP on vehicle excise duty and company car tax.

Consultation on the use of diesel by private pleasure craft—a consultation seeking evidence on the likely impact of the Government’s proposal to require diesel-powered private pleasure craft to only use full duty paid heavy oil (white diesel) for propulsion, replacing the existing system where private pleasure craft use marked gas oil (red diesel) but pay the white diesel rate of fuel duty.

Review of time limits—a report, as required by section 95 of Finance Act 2019, comparing the time limits for the recovery of lost tax involving an offshore matter, with other time limits, including those provided for by schedules 11 and 12 to the Finance (No. 2) Act 2017. In the report the Government will set out the rationale for the charge on disguised remuneration (DR) loans legislated in Finance (No. 2) Act 2017 and its impacts. The report will be laid by 30 March 2019.

Social investment tax relief (SITR)—a call for evidence on the use of the SITR scheme to date, including why it has been used less than anticipated and what impact it has had on access to finance for social enterprises.

Enterprise investment scheme (EIS) approved funds guidelines—draft guidelines for comment alongside draft legislation. The document will contain guidelines stating HMRC’s proposed policy and practice for approving funds. The legislation will include powers for HMRC to set appropriate conditions and approve funds.

CGT private residence relief—a consultation on the changes announced at Budget 2018 to lettings relief and the final period exemption, which extend private residence relief in capital gains tax.

We will also publish summaries of responses to the following documents, launched at recent fiscal events:

Structures and buildings allowance—a technical note on the introduction of this allowance.

“Protecting your taxes in insolvency”—a consultation launched in February 2019, following the announcement at Budget 2018 to make HMRC a secondary preferential creditor for certain tax debts paid by employees and customers on the insolvency of a business.

“Corporate Capital Loss Restriction”—a consultation on a change announced at autumn Budget 2018 to restrict, from 1 April 2020, the amount of carried-forward capital losses a company can offset to no more than 50% of the chargeable gains arising in a later accounting period.

“Stamp Taxes on Shares Consideration Rules”—a consultation on aligning the consideration rules of stamp duty and stamp duty reserve tax and introducing a general market value rule for transfers between connected persons.

“Digital Services Tax”—a consultation on the detailed design and implementation of the digital services tax that will take effect from 1 April 2020.

“Amendments to tax returns”—a call for evidence on simplifying the process of amending a tax return.

[HCWS1407]
all developments. My focus is on evolving the existing system of developer contributions to make them more transparent, efficient and accountable and my Department is gathering evidence to explore the case for further reform.

I will keep the need for further interventions to support housing diversification and faster build out, including amendments to primary legislation, under review. My Department will also work closely with Homes England to identify suitable sites and will look for opportunities to support local authorities to further diversify their large sites. Once again, I am very grateful to Sir Oliver and his panel for their important analysis and recommendations, and for their hard work over the course of the review.

My priority now is to ensure faster decision making within the planning system. My Department will publish an accelerated planning Green Paper later this year that will discuss how greater capacity and capability, performance management and procedural improvements can accelerate the end-to-end planning process. This paper will also draw on the Rosewell review, which made recommendations to reduce the time taken to conclude planning appeal inquiries, while maintaining the quality of decisions. I will also consider the case for further reforms to the compulsory purchase regime, in line with our manifesto commitment.

Permitted development rights

The consultation, “Planning Reform: Supporting the high street and increasing the delivery of new homes” closed on 14 January 2019. As confirmed in the spring statement it is our intention to bring forward a range of reforms. To support the high street we intend to introduce additional flexibilities for businesses. This will be to amend the shops use class to ensure it captures current and future retail models, which will include clarification on the ability of (A) use classes to diversify and incorporate ancillary uses without undermining the amenity of the area, to introduce a new permitted development right to allow shops (A1), financial and professional services (A2), hot food takeaways (A5), betting shops, payday loan shops and launderettes to change use to an office (B1) and to allow hot food takeaways (A5) to change to residential use (C3). Additionally, to give businesses sufficient time to test the market with innovative business ideas we will extend the existing right that allows the temporary change of use of buildings from two to three years and enable more community uses to take advantage of this temporary right, enabling such premises to more easily locate on the high street. I will also shortly publish “Better Planning for High Streets”. This will set out tools to support local planning authorities in reshaping their high streets to create prosperous communities, particularly through the use of compulsory purchase, local development orders and other innovative tools.

We will take forward a permitted development right to extend upwards certain existing buildings in commercial and residential use to deliver additional homes, engaging with interested parties on design and technical details. We would want any right to deliver new homes to respect the design of the existing streetscape, while ensuring that the amenity of neighbours is considered. We will also make permanent the time-limited right to build larger single storey rear extensions to dwelling houses and to introduce a proportionate fee. I do not intend to extend the time-limited right for change of

use from storage to residential. This right will lapse on 10 June 2019. Alongside this I intend to review permitted development rights for conversion of buildings to residential use in respect of the quality standard of homes delivered. We will continue to consider the design of a permitted development right to allow commercial buildings to be demolished and replaced with homes. We will also develop a “future homes standard” for all new homes through a consultation in 2019 with a view, subject to consultation, to introducing the standard by 2025.

Finally, we intend to remove the permitted development right and associated advertising deemed consent in respect of new telephone kiosks, reflecting that mobile technology has changed the way people access telephone services since the right was introduced in 1985; amend the existing right to install off-street electric vehicle charging points to allow for taller charging upstands to address advances in rapid charging technology; and will look to bring forward a draft listed building consent order which will grant a general listed building consent for works to listed waterway structures owned, controlled or managed by the Canal and River Trust.

I intend to implement an immediate package of permitted development right measures in the spring, with the more complex matters, including on upward extensions, covered in a further package of regulations in the autumn.

[HCWS1408]

INTERNATIONAL TRADE

Leaving the European Union: Temporary Tariff Regime

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): The Government wish to inform the House about plans to implement a temporary tariff regime in the event that the UK leaves the EU without a deal on 29 March 2019. The Government will bring forward the necessary secondary legislation in the light of the votes in Parliament this week.

The temporary tariff would apply equally to all countries where the UK does not have a trade agreement or other preferential agreement in place. In the event of no deal, this would include the EU.

The temporary tariff will apply for up to 12 months. At the end of the temporary period, the Government will introduce a long-term tariff regime. This will be developed over the course of the coming months following a full public consultation process.

The Government faced a choice:

We could maintain our current external tariff regime and apply it to the EU, imposing new tariffs on EU imports and driving up prices for consumers and disrupting business supply chains. We could maintain the open trade that we have with the EU, but we would then have to extend this to the rest of the world. This would minimise disruption to EU trade but would fully open the UK to competition from other countries.

The Government do not believe either of these options on its own is the right approach. Instead, the temporary tariff would take a balanced approach to support the UK economy as a whole. It would maintain open trade on the majority of UK imports, to support consumers and business supply chains, but retain necessary tariff protection for particular sectors of the UK economy.
Under the temporary tariff, 87% of total imports to the UK by value would be eligible for tariff-free access. Therefore, tariffs would apply on 13% of total UK imports:

- in some agricultural sectors which have been historically protected from non-EU producers through high EU tariffs. Producers in these sectors would face significant adjustment costs should these be immediately liberalised. Therefore, for beef, sheep meat, poultry, pigmeat, butter and some cheeses a mixture of tariffs and quotas will be used, with the aim of being broadly neutral in their impact on production and consumption patterns.

- in sectors where tariffs help provide support for UK producers against unfair trading practices. This includes products such as certain ceramics, fertiliser and refinery products.

- a set of goods, including bananas, raw cane sugar, and certain kinds of fish, where preferential access to the UK market is important for developing countries.

- a number of finished vehicles will retain their tariff in order to support this sector and in the light of global market conditions.

Information on specific tariff rates that would apply under the temporary tariff has been made available through the Government website.

In developing the temporary tariff, the Government have given regard to the five principles set out in the Taxation (Cross-border Trade) Act 2018:

- the interests of consumers in the UK;
- the interests of producers in the UK;
- the desire to maintain and promote external trade of the UK;
- the desire to maintain and promote productivity in the UK;
- the extent to which goods are subject to competition.

Throughout the temporary period, the Government would also consider exceptional changes where clear evidence is provided by stakeholders against the criteria set out in the Taxation (Cross-border Trade) Act 2018 and would provide a mechanism to hear business and consumer feedback.

This statement should be read in conjunction with the written ministerial statement laid in parallel on the Northern Ireland border.

[HCWS1405]

NORTHERN IRELAND

Leaving the European Union: Northern Ireland Border

The Secretary of State for Northern Ireland (Karen Bradley): The unique social, political and economic circumstances of Northern Ireland must be reflected in any arrangements that apply in a no-deal scenario.

This Government are committed to the Belfast agreement and to doing everything in our power to ensure no return to a hard border between Northern Ireland and Ireland.

Today we are confirming a strictly unilateral, temporary approach to checks, processes and tariffs in Northern Ireland. This would apply if the UK leaves the EU without a deal on 29 March.

The UK Government would not introduce any new checks or controls on goods at the land border between Ireland and Northern Ireland, including no customs requirements for nearly all goods.

The UK temporary import tariff announced today would therefore not apply to goods crossing from Ireland into Northern Ireland.

We would only apply a small number of measures strictly necessary to comply with international legal obligations, protect the biosecurity of the island of Ireland, or to avoid the highest risks to Northern Ireland businesses—but these measures would not require checks at the border.

Because these are unilateral measures, they only mitigate the impacts from exit that are within the UK Government’s control. These measures do not set out the position in respect of tariffs or processes to be applied to goods moving from Northern Ireland to Ireland.

We recognise that Northern Ireland’s businesses will have concerns about the impact that this approach would have on their competitiveness. That is why we remain determined to secure a deal and an orderly exit from the EU.

A negotiated settlement is the only means of sustainably guaranteeing no hard border and protecting businesses in Northern Ireland. This is why we are, first and foremost, still committed to leaving the EU with a deal. In a no-deal scenario, the UK Government are committed to entering into discussions urgently with the European Commission and the Irish Government to jointly agree long-term measures to avoid a hard border.

We also recognise that there are challenges and risks for maintaining control of our borders, monitoring the flow of goods into the UK, and the challenge posed by organised criminals seeking to exploit any new system. That is why we are clear that this approach will only be strictly temporary.

The specific changes proposed are set out below:

Compliance with international legal obligations

To fulfil essential international obligations, there would be new requirements for importers and exporters to declare trade with the EU on a very limited set of goods.

These are the only new processes which would be introduced in order to meet the UK’s international legal obligations. There are no other products that would require new checks or processes.

Specifically:

- Electronic notifications would be required for trade in dangerous chemicals, ozone depleting substances and F-gases;
- Belfast International airport would be the designated point of entry for endangered species and rough diamonds entering Northern Ireland;
- Dual-use or torture goods would require a licence for exports to the EU.

Protecting the biosecurity of the island of Ireland

To protect human, animal, and plant health, animals and animal products from countries outside the EU would need to enter Northern Ireland through a border inspection post and regulated plant material from outside the EU would require certification and risk-based checks at trader premises.

High-risk plant material entering Northern Ireland from the EU would require electronic pre-notification, replacing the current EU plant passport scheme.

Avoiding the highest risks to Northern Ireland businesses

To prevent unfair treatment of Northern Ireland businesses, goods arriving from Ireland would still be subject to the appropriate VAT and excise duty as today and the UK
Government would continue to collect these taxes on Irish goods in future. VAT registered businesses would continue to account for VAT on their normal VAT returns.

Small businesses trading across the border, not currently VAT registered, would be able to report VAT online periodically, without any new processes at the border.

Irish businesses sending parcels to Northern Ireland would need to register with HMRC in order to ensure VAT was paid on these goods—but anyone in Northern Ireland receiving a gift sent from Ireland would not pay VAT.

As in Great Britain, businesses currently registered on the EU excise system would register on a UK equivalent. These measures would not require checks at the land border.

Dependent on the outcome of the votes this week, we may then bring forward a package of secondary legislation to implement these arrangements which Parliament must approve for these temporary arrangements to come into force.
Written Statements
Thursday 14 March 2019

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Energy Council, March 2019


Tyre labelling regulation

The presidency sought a general approach on the updated regulation on tyre labelling. The Commission, represented by Carlos Moedas (Commissioner for Research, Science and Innovation), stressed the importance of this file, citing that road transport was responsible for 27% of final energy consumption and 22% of emissions in the EU.

Some member states raised concern about the proposed label not including consumer information on tyre abrasion. In its intervention, the UK supported the text, highlighting that the proposed tyre label will be more effective and overall provide better information for consumers. The UK also noted the seriousness of the environmental and health impacts from tyre particles caused by abrasion which the UK Government are actively reviewing and considering options to reduce. However, as suitable testing methodologies were not yet in place that could accurately and fairly measure abrasion rates, the UK agreed that the information on tyre abrasion should not yet be included on the label. The presidency concluded that it had reached a general approach.

Clean planet for all: strategic long-term vision for a climate neutral economy

The Ministers discussed the Commission’s long-term strategy for a climate neutral economy, for which the presidency had asked member states to provide views on three questions, relating to the structural changes needed to reduce greenhouse gas (GHG) emissions, the impact of new technologies and how to facilitate a “fair transition”.

The Commission highlighted that the strategy was necessary to ensure compliance with the Paris agreement while also focusing on the social dimension and job creation.

In its intervention, the UK welcomed the publication of the strategy, highlighting the UK clean growth strategy and its role in increasing the use of renewables. It also noted the importance of international partnerships in achieving the stated goals, in addition to the importance of North seas energy co-operation. Some other member states echoed this point.

While all member states spoke to welcome the proposals, there was a wide variety of responses, both in terms of EU priorities and the level of ambition needed. While some member states called for the Commission to work on an additional scenario of 100% renewable energy by 2050, other member states raised concern over any 100% net-zero target by 2050. Member states also highlighted the importance of involving the public in the “just transition”, and ensuring that growth and wellbeing of citizens was addressed alongside environmental transition. All member states raised the need for improved research and development, in particular with regard to hydrogen and energy storage.

Any other business items

The Council discussed the recently agreed revision to the gas directive. The UK, alongside a number of member states, welcomed the agreement.

The presidency updated member states on ongoing negotiations on the Connecting Europe Facility, for which it hoped to reach a deal with the European Parliament on 7 March.

Additional activities

The Ministry also met with multiple other counterparts in the margins of the Council to give reassurances regarding EU exit, discuss our ambitions on energy co-operation and highlight the UK’s bid to host the COP26 climate summit in 2020.

DEFENCE

Defence Prosperity Programme

The Secretary of State for Defence (Gavin Williamson): Ministry of Defence (MOD) direct spending with industry supports 115,000 jobs throughout the UK. Our investment in training benefits both defence and the wider UK economy. The armed forces are one of the largest apprenticeship providers with over 20,000 personnel on our apprenticeship programme. Each year several thousand people leave the armed forces and help to fill skilled professional or technical jobs in the private sector. The UK is the second largest exporter of defence equipment, with recent successes including the Department for International Trade-led Type 26 campaign. In 2016-17 we invested £1.6 billion in research and development, the majority of which is spent with UK businesses.

The 2015 strategic defence and security review, introduced a new national security objective to promote UK prosperity. We have subsequently launched the defence innovation initiative and published strategies for shipbuilding and future combat air. We have refreshed our defence industrial policy with a new emphasis on supporting growth and competitiveness. Last March, I invited my right hon. Friend the Member for Ludlow (Mr Dunne) to review opportunities for “Growing the Contribution of Defence to UK Prosperity”. His report, published in July, represents a major piece of work, which has been welcomed by both Government and industry. It contained over 40 substantive recommendations. Some of these are already being incorporated into the Department’s overall defence prosperity programme. We will continue to review our response to the outstanding recommendations, but I wanted to take this opportunity to update Parliament on the progress made since the publication of the Dunne review. I am delighted that my right hon. Friend has agreed to work with the Department to review the response to his report in due course.

We have designed our approach to prosperity to ensure that, while growing our contribution to the economy, we do not put at risk our objective of delivering defence capability at the best value for money. We have
grouped the recommendations from the Dunne review and the defence industrial policy Refresh into four major areas of work set out below:

**Embedding prosperity into the Department’s policy, process and culture**

We intend to ensure that people across the Department understand our prosperity objectives and have access to the training and guidance needed to deliver these in a consistent and coherent way. Each of our main budget areas and frontline commands has now nominated a senior-level “Prosperity Champion” to help embed change, share lessons learned and identify best practice. We have put additional central resources into this area and we are working jointly with industry to develop common training material and case studies. We are publishing a defence prosperity guide which will help staff across the Department, civilian and military, understand their role in growing defence’s contribution to UK prosperity. We are striving to make it easier to do business with Defence, something we recognise is especially important for small and medium-sized enterprises (SMEs). We are working with prime suppliers to increase their engagement with smaller businesses, improving how we advertise both direct and sub-contracted opportunities, and have held defence suppliers forum SME conference to understand barriers to working in the defence supply chain. Beyond this, we are working to simplify our tendering process, and will publish our SME action plan this month.

**Quantifying the defence contribution to the UK economy**

Defence has a complex and diverse supply chain, spanning companies of all sizes and spread throughout the UK. The Dunne review highlighted the difficulty of measuring the economic benefit of defence and the need for better data to inform our decision-making processes. It recommended the development of a common MOD/industry approach and format for collecting data on the defence supply chain. In response, we have been working together with the Defence Growth Partnership and the Department for Business Energy and Industrial Strategy (BEIS) on a proposal for a new joint economic data hub within the UK Defence Solutions Centre (UKDSC) at Farnborough. The UKDSC has world-class expertise in managing data on export markets and will apply these skills to collect and aggregate economic data from across the sector. The Government will provide guidance and support from defence economists together with advice from the Office of National Statistics. The output from this work will be overseen by an independent advisory board to ensure that both the Government and industry have confidence in its quality and impartiality. The review also highlighted the need for greater academic research into the economic value of defence. We recognise that the academic base in this area is small in comparison to the scale and importance of the UK’s spending on defence. We are working with academic institutions to look at how we can encourage greater debate and engagement in this area of public policy, including the potential for sponsoring an international conference later this year.

**Sustaining an internationally competitive and productive defence sector for the UK**

The UK has a world-leading defence sector, but if we are to sustain capability and continue to achieve export success, we need both the Government and industry need to work together to drive innovation and improvements in productivity and efficiency. The Government have invested in a range of supply chain development initiatives across different sectors and helped established facilities such as the high value manufacturing catapult network. I am grateful to being awarded £500,000 from the defence innovation fund for a pilot project to develop, test and validate how defence can make better use of this infrastructure in the design, manufacture and support of future equipment and to help create more resilient and efficient supply chains. There are benefits both to the defence customer and to industry from taking this forward and part of the pilot will involve trialling the approach on a number of our acquisition programmes.

We understand it can be particularly challenging for smaller companies to access the expertise and resources to bring their good ideas to market. Working with industry, BEIS has already established a successful national aerospace technology exploitation programme (NATEP) for civil aerospace. Drawing on the experience from this programme we have reached agreement with BEIS and Invest Northern Ireland (Invest NI) to pilot a new defence technology exploitation programme (DTEP) in Northern Ireland. It is expected that research and development investment, as a result of the pilot programme, will be approximately £1.2 million, which in addition to supporting innovation within Northern Ireland’s vibrant defence SMEs, will help to develop stronger links and new routes to market through primes and upper tier companies across the UK. Alongside this initiative, the MOD’s defence and security accelerator is creating a post in Northern Ireland to help companies access its programmes.

We want to increase the opportunities for innovative and competitive UK companies and ensure that they have a fair opportunity to bid for supply chain work in defence contracts; we also want to strengthen our understanding of the nature and resilience of UK supply chains. To help achieve this, we are working in partnership with industry to pilot a new approach to supply chain planning.

**Growing exports and inward investment**

Working closely with the Department for International Trade (DIT), we are seeking to broaden the UK’s defence export base, generate greater value from our overseas procurements, and improve access. In order to help us maximise future export opportunities, we are working with the DIT Defence and Security Organisation and UKDSC to start a phased roll-out of the UKDSC’s analysis of overseas export markets with our global network of defence attachés.

Post EU exit, we will maintain our strong links with partners both in Europe and globally; to create the right conditions for the UK’s world-leading defence industry. We have much to offer international partnerships, including extensive operational experience and high-end capabilities. We also have a long history of European co-operation through capabilities such as Typhoon, A400M and Meteor.

We are working across Government to develop new ways of working with industry that help unlock value for the UK economy and for business. This includes reinvigorating our existing defence and security industrial engagement policy (DSIEP) and building on our successful strategic prosperity partnerships with companies like Boeing and Lockheed Martin.
Supporting Care Leavers in Higher Education

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): I am pleased to make this statement jointly with the Minister for Universities, Science, Research and Innovation.

Care leavers are some of the most vulnerable young people in society and often have to make the transition from care to independence without the support from parents and wider support networks that other young people rely on. Care leavers are significantly less likely to enter HE than other disadvantaged groups and those who do enter HE often have additional challenges to manage, compared to their peers. The Government are committed to improving care leavers’ outcomes and have produced a set of principles for higher education providers to consider in their offer to care leavers to help increase the number of students in care accessing higher education and ensure that care leavers in HE are given the support they need to succeed.

This follows the launch of the care leaver covenant last October, which is a key part of the Government’s drive to galvanise the support that wider civil society can provide to support care leavers. The covenant asks organisations from the public, private and voluntary sectors—including HE providers—to commit to help care leavers successfully transition from care to independence, by setting out clearly what support they can offer.

The Government have appointed Spectra First to promote the covenant and secure signatories to it that are meaningful, and which are linked to the outcomes in the cross-government care leaver strategy. They will use these principles to encourage universities to reflect on and enhance their care leaver provision for both current and future students.

We know that there is already some exceptional work happening in the HE sector, to provide additional support for care leavers. But we want this to become the norm across the sector as a whole. We expect that HE providers’ commitment to care leavers is communicated from the senior leadership down. We want to see cultures that welcome care leavers and help them to reach their potential from the start to the end of their HE journeys. Providers should ensure there are sufficient opportunities for care leavers to identify and access support at any point in the student lifecycle.

The principles to guide the HE sector on improving care leavers’ access and participation in higher education cover seven key areas:

Outreach and local authority relationships: Engagement with looked after children should be a key feature of outreach work and should begin at as early an age as possible. This involves working with local authorities, virtual school heads and schools in order to encourage more care leavers into higher education.

Accommodation support: Securing and sustaining suitable accommodation is a significant challenge for care leavers. HE providers should seek to provide priority access and continuous 365 days a year accommodation, preferably subsidised by the institution.

Financial support: Care leavers do not tend to have access to financial support from parents and so rely on support provided by their local authority. This has implications throughout the student lifecycle. HE providers should provide financial support to help with the costs of accommodation, associated study costs and access to social activities to support inclusion and a quality student experience.

Designated member of staff: HE providers should identify at least one designated member of staff to support care leavers. The individual should understand the barriers and challenges that care leavers face, including mental health. The individual should also be an advocate for them throughout their time in HE.

Financial support: Care leavers often say that they find it difficult to find information on the support available to them on provider websites. HE providers should therefore provide clear information on the provider website, that is easy to navigate, and sets out the provider’s offer to care leavers.

Support networks: Loneliness and isolation are among the biggest problems reported by care leavers. Encouragement and facilitation of support networks for care leavers within the institution is therefore critical to retention.

Careers advice: High-quality careers advice and guidance, tailored to care leavers.

We particularly encourage providers to use contextual admissions in the case of applications from care leavers, so that their often-disrupted education and personal challenges can be taken into account. This can be a way of acknowledging that despite achieving only average results many care leavers still have enormous potential; for example, simply successfully completing sixth-form
studies under very difficult circumstances could be seen to demonstrate the resilience and potential that justifies a contextual offer.

We would expect the support offer from HE providers to be proportionate to the size of the provider and their resources. In addition to the points listed above, we ask that the most selective providers and those who have the greatest income from higher fees to go the furthest in terms of their support. That could include provision of suitable, free accommodation for the full length of the course, including holidays, or a bursary of sufficient amount to cover associated study and student experience costs.

The care leavers principles can be viewed online at: http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-03-14/HCWS1410/.

[HCWS1410]

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture and Fisheries Council, March 2019

The Minister for Agriculture, Fisheries and Food (Mr Robert Goodwill): The Agriculture and Fisheries Council takes place in Brussels on 18 March.

As the provisional agenda stands, the primary focus for agriculture will be on the post-2020 common agricultural policy (CAP) reform package. Ministers will exchange views on the regulation concerning CAP strategic plans, the horizontal regulation, and the regulation on the common market organisation (CMO) of agriculture products.

Council will also hold an exchange of views on bioeconomy.

There are currently three items scheduled for discussion under “any other business”:

- information from the Netherlands delegation on the outcome of the congress “CAP Strategic Plans—Exploring Eco-Climate Schemes” (Leeuwarden, 6 to 8 February 2019),
- information from the Netherlands delegation on the decision by the technical board of appeals of the European patent office regarding the possibility to patent the results of classical plant breeding,
- information from the Commission on the outcome of the workshops organised by the Commission’s task force on water and agriculture (Sore, 27 November 2018 and Bucharest, 5 and 6 February 2019).

Although not confirmed, we expect additional items to be added to the agenda under “any other business”:

- information from the Slovenian delegation on small-scale coastal fisheries and the European maritime and fisheries fund,
- information from the Polish delegation on the meat market situation.

[HCWS1409]

EXITING THE EUROPEAN UNION

General Affairs Council, March 2019

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): Lord Callanan, Minister of State for Exiting the European Union, has made the following statement:

I will attend the General Affairs Council in Brussels on 19 March 2019 to represent the UK. Until we leave the European Union, we remain committed to fulfilling our rights and obligations as a full member.

The provisional agenda includes:

- Multianual financial framework 2021-27

Ministers and the Commission will discuss progress on the multianual financial framework (MFF) negotiations. The intention is to reach an agreement on the negotiations in autumn 2019.

Preparation of the European Council 21 and 22 March 2019: Conclusions and European Council follow-up

The Council will discuss the draft conclusions for the March European Council. The conclusions are expected to cover: jobs, growth and competitiveness; climate change; external relations; tackling disinformation and protecting the democratic integrity of the European and national elections across the EU. The presidency will provide Ministers with an update on progress in implementing previous European Council conclusions.

European semester

Ministers will discuss a report on Council contributions to the 2019 European semester, which forms part of the EU’s economic governance framework and comprises a cycle of economic and fiscal policy co-ordination within the EU. The presidency will present an updated timetable for the 2019 European semester. Ministers will discuss the draft recommendation on the economic policy of the Euro area.

FOREIGN AND COMMONWEALTH OFFICE

Foreign Affairs Council, 18 March 2019

The Minister for Europe and the Americas (Sir Alan Duncan): My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs will attend the Foreign Affairs Council (FAC) on 18 March. It will be chaired by the High Representative of the European Union (EU) for Foreign Affairs and Security Policy (HRVP) Federica Mogherini, and will take place in Brussels.

China

Ministers will discuss their approach to the upcoming EU-China summit in April and the strategic direction of EU-China relations. The UK will highlight the importance of European co-ordination in engagement with China. The UK is committed to continuing to work closely with European partners on China after we leave the EU.

Republic of Moldova

Ministers will discuss the political situation in Moldova following the 24 February parliamentary elections, in which no political party won an overall majority. In this context, the focus of the FAC will be to take stock of the elections and discuss the EU’s expectations for the next Government, once they are established. The UK supports continued EU engagement with Moldova based on the conditions set out in the 2014 association agreement, which remains the best means to deliver tangible benefits to the Moldovan people.

Yemen

Ministers will discuss the current state of the conflict in Yemen. Following the Stockholm peace talks in December 2018, the EU adopted new FAC conclusions, which set out EU support for the political process. Ministers will focus on the next steps, urging implementation
of the Stockholm agreements and support of the wider peace process. The session will include a briefing from the UN Special Envoy Martin Griffiths and the UK will reaffirm its support to him and the UN.

Council conclusions

The Council is expected to adopt conclusions on the EU’s human rights guidelines on nondiscrimination, two Court of Auditors’ special reports on EU funding to NGOs and on internal security capacity building in Niger and Mali.

HEALTH AND SOCIAL CARE

Independent Breast Screening Review Recommendations

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): Following publication of the report from the independent breast screening review on 13 December, and the initial statement that I made at the time, I am pleased to now be able to provide the Government’s substantive response to each of the 15 recommendations made by the review.

As I said at the time, it is essential that we take all necessary actions to learn from any problems identified in the breast screening programme. I can now confirm that the Government have accepted all the recommendations made by the independent review team.

In responding to these recommendations, we have also taken account of the findings from the recent investigation into adult screening programmes conducted by the National Audit Office, which was published on 1 February 2019. In some cases, similar issues were highlighted about where improvements can be made in terms of how our national screening programmes are delivered.

A few recommendations are contingent on forthcoming advice from the UK National Screening Committee on how the upper age limit for breast screening should be defined. In the interim, I can confirm that we will maintain the upper age definition of 70 years and 364 days as set out in the current service specification.

In addition, and in line with the statement made at the time, I can confirm that the AgeX trial will continue as planned. The trial will provide significant new evidence on screening women under 50 and over 70 that is not currently available, providing the evidence needed to make decisions about the age range for breast screening in the future.

Some of the areas highlighted for improvement are being considered by Professor Sir Mike Richards as part of his review into cancer screening that was commissioned by NHS England and which was announced on 15 November 2018. Where possible, improvements to the programme are already being taken forward. Where a more considered response is required, it is appropriate to wait for Professor Richards to report and this is reflected in our response. We look forward to receiving Professor Richards’ recommendations in the summer of 2019.

[HCWS1412]
Written Statements
Friday 15 March 2019

CABINET OFFICE
Advance from the Contingencies Fund

The Parliamentary Secretary, Cabinet Office (Chloe Smith): I, as the Minister for the Constitution, wish to report that a repayable cash advance from the Contingencies Fund of £1,297,000 has been sought for the Parliamentary and Health Service Ombudsman (referred to as the “Parliamentary Commissioner for Administration” in the Parliamentary Commissioner Act 1967 and the “Health Service Commissioner” in the Health Services Commissioners Act 1993).

The advance has been sought to meet a cash requirement resulting from planned expenditure set out in supplementary estimates. As authority for the cash will not be granted until March with the passage of the Supply and Appropriation Act, a Contingencies Fund advance has been requested.

Parliamentary approval for additional resources of £1,297,000 will be sought in a supplementary estimate for the Office of the Parliamentary Commissioner for Administration and the Health Service Commissioner for England. Pending that approval, urgent expenditure estimated at £1,297,000 will be met by repayable cash advances from the Contingencies Fund.

[HCWS1419]

DEFENCE

Single Defence Contracts: Baseline Profit Rate 2019-20

The Secretary of State for Defence (Gavin Williamson): I am today announcing that I have set the baseline profit rate for single source defence contracts at 7.63%, in line with the rate recommended by the Single Source Regulations Office (SSRO). I have accepted the methodology used by the SSRO to calculate this figure.

I am also announcing new capital servicing rates and an SSRO funding adjustment as recommended by the SSRO, which can be found at table 1 below. These rates have been published in the London Gazette, as required by the Defence Reform Act 2014.

All of these new rates will come into effect from 1 April 2019.

Table 1: Recommended Rates agreed by the Secretary of State for Defence

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<th>Element</th>
<th>2018 rates</th>
<th>2019 rates</th>
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<td>Baseline Profit Rate (BPR) (% on contract cost)</td>
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<td>Fixed Capital Servicing Rate (% on Fixed Capital employed)</td>
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<tr>
<td>Working Capital Servicing Rate (% on positive Working Capital employed)</td>
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<td>Working Capital Servicing Rate (% on negative Working Capital employed)</td>
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<tr>
<td>SSRO Funding Adjustment</td>
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[HCWS1417]

HOME DEPARTMENT

Justice and Home Affairs Post-Council Statement

The Secretary of State for the Home Department (Sajid Javid): The final meeting of EU Interior and Justice Ministers that the UK is expected to attend as an EU member state took place on 7 and 8 March in Brussels. I represented the UK for Interior day. The Secretary of State for Justice represented the UK on Justice day.

Interior day began with a progress report on the proposal to amend the European border and coastguard regulation. Ministers discussed the proposal for a standing corps of 10,000 border guards. The Home Secretary did not intervene as the UK does not participate in this Schengen building measure.

The Council then discussed the legislative proposals relating to the common European asylum system. Ministers discussed whether the package should be split between those measures that can be progressed now and those where further consideration is required, including the redistribution mechanism. I supported splitting the package to ensure useful improvements to systems such as Eurodac,
to which the UK has opted in, are agreed swiftly. Ministers were split on this issue. The UK has not opted in to the rest of the CEAS package.

Ministers then discussed co-operation with third countries on migration. Ministers broadly agreed that Morocco and Tunisia should be priorities, although some member states emphasised the importance of the western Balkans. I intervened to reiterate support for the whole-of-route approach to tackling illegal migration and noted the UK’s continuing commitment to co-operation with our European partners on migration.

Over lunch, Ministers discussed achievements and future activity in the JHA field. I intervened to reiterate the UK’s commitment to strong security co-operation post-Brexit. I made clear that while the UK recognised that the future UK-EU relationship on security would be different, that should not be at the expense of the protection of UK and EU citizens. I emphasised the importance of continuing operational co-operation against terrorists and organised criminals. I also noted that this was Commissioner Sir Julian King’s last JHA Council and thanked him for his work as Commissioner for the Security Union. My intervention was warmly received with a number of member states and the Commission paying tribute to the UK’s contribution in the JHA field and supporting the need for continued operational co-operation in this area.

After lunch, the Council discussed the state of play on the EU’s approach to counter-terrorism. Ministers broadly agreed that existing legislation needed to be fully implemented before moving on to further legislation. On terrorist content online legislation, the Commission and a number of member states, including the UK, urged rapid progress.

Finally, the Commission set out the measures the EU was taking to safeguard the forthcoming EP elections from interference and disinformation.

On Justice day, the Council reached a general approach on the e-evidence directive, which lays down harmonised rules on the appointment of legal representatives for the purpose of gathering evidence in criminal proceedings. There was wide support for this measure, with most Ministers noting that the e-evidence package as a whole represented significant progress in the ability of competent law enforcement authorities to access data held by communication service providers. The UK maintained its parliamentary scrutiny reserve. The Council would start trilogue negotiations on the whole e-evidence package, once the European Parliament has adopted its position.

The Council discussed the negotiating mandates for the second additional protocol to the Budapest convention on cybercrime and for an agreement between the EU and US on facilitating cross-border access to e-evidence. These mandates would complement the EU e-evidence legislative package. The Council broadly supported the EU-US mandate and the Commission indicated it would open discussions with the US in April, although some member states raised concerns around the Commission’s proposed approach in basing the mandate on draft EU legislation rather than the US’s CLOUD Act. Several member states raised concerns about the Commission’s assessment of EU competence in relation to the Budapest convention mandate. The Secretary of State for Justice noted the need for careful delineation between the second additional protocol and EU rules given the global reach of the Budapest convention. The presidency would seek to adopt the mandates at the June JHA Council.

The presidency noted progress at working level on the whistleblowers directive. The presidency would continue trilogues with a view to reaching a political agreement during the European Parliament’s current mandate.

The Commission provided an update on the establishment of the European Public Prosecutor’s Office (EPPO), noting the importance of concluding the process of appointment of the European Chief Prosecutor before the end of this legislature.

The Commission also informed the Council on progress made in countering hate speech online, and presented the results of the fourth monitoring of the code of conduct on tackling illegal hate speech. The Commission noted the need for further work to transpose the framework decision on racism and xenophobia and facilitate cross-border access to e-evidence.

Over lunch, Ministers discussed the use of artificial intelligence in the justice system. The Secretary of State for Justice highlighted the UK commitment to striking the right balance between ethical considerations and data protection on the one hand, and encouraging use of innovation on the other. The Secretary of State for Justice reinforced the UK’s ambition for a strong future EU-UK partnership.

Section 13(4) of the European (Withdrawal) Act

The Prime Minister (Mrs Theresa May): This statement is being made for the purposes of section 13(4) of the European Union (Withdrawal) Act 2018 and outlines how the Government intend to proceed in the light of the House’s decision on Tuesday 12 March 2019 not to agree to a resolution for the purposes of section 13(1)(b) of the European Union (Withdrawal) Act 2018.

The Government regret the House’s decision of Tuesday 12 March 2019 but still believe that the best way forward is for the UK to leave the EU in an orderly manner having agreed the withdrawal agreement and political declaration.

We note the House’s resolutions of Wednesday 13 and Thursday 14 March 2019 not to leave the European Union without a deal and to seek an extension to the article 50 process.

In accordance with the motion the House approved on Thursday 14 March 2019 the Government will now seek to agree an extension with the EU. The European Council has to approve any extension by unanimity, meaning it would require all the leaders of the other 27 EU member states to agree the UK’s request.

As the motion stated, if the House has passed a resolution approving the negotiated withdrawal agreement and the framework for the future relationship by Wednesday 20 March 2019, then the Government will seek to agree with the European Union a one-off extension of the period specified in article 50(3) for a period ending on 30 June 2019 for the purpose of passing the necessary
legislation to implement the withdrawal agreement into our domestic law and complete the ratification process. However, if the House has not reached such agreement by the 20 March 2019 then it is highly likely that the European Council at its meeting the following day would require a clear purpose for any extension, not least to determine its length, and that any extension beyond 30 June 2019 would require the United Kingdom to hold European Parliament elections in May 2019.

It is expected that the EU will use the March European Council on 21 and 22 March 2019 to consider and reach a decision on a request from the UK to extend the article 50 period.

As soon as possible following agreement at the EU level we will bring forward the necessary legislation to amend the definition of exit day in domestic legislation. This statutory instrument will be laid, before it is made, under section 20(4) of the EU (Withdrawal) Act 2018.

This legislation is subject to the draft affirmative procedure and so would need to be actively approved in each House. The legislation would give effect to any agreement with the EU on an extension, so would not be laid before Parliament until that agreement had been reached.

[WAWWS1421]

WALES

Welsh Regional Investment

The Secretary of State for Wales (Alun Cairns): On 6 December 2018 I announced to the House that the UK and Welsh Governments had commissioned a joint independent review of the Swansea bay city region city deal. That review has now concluded and I am today publishing the report and a joint Government response.

I welcome the report which provides Governments, local partners and the private sector with the confidence to invest in the region and bring about economic growth and transformational change. The report recognises the continuing commitment of all partners to the deal, as well as the positive impact a successful city deal would have across the region. Both Governments accept the review recommendations.

Over the coming weeks the UK Government will work alongside the Welsh Government and local partners to implement the recommendations and to seek to move the deal into the next phase of delivery. I am determined that the city deal will deliver for communities in south-west Wales building on the foundation which this review provided.

[HCWS1416]
Written Statements

Monday 18 March 2019

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

High Streets

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): On Saturday I announced the national High Streets Community Clean-Up Programme. This £9.75 million programme will provide every local authority in England with grant funding to work with community groups to carry out locally led spring cleans on their high streets and town centres.

Our ambition is to build strong, resilient and empowered communities where local citizens feel proud of the place in which they live—and this money will empower local authorities to support residents to take control over their high streets and town centres.

Events are scheduled across the country to take place in March to coincide with clean-up campaigns, including the Great British spring clean beginning on 22 March. This funding reflects commitments given in the litter strategy and will increase the reach and impact of such events.

[HCWS1423]

WORK AND PENSIONS

Collective Defined Contribution Pension Schemes


The UK has a world-class occupational pension system. But there is always opportunity for further innovation and improvement to ensure pensions work for their members, who deserve security in retirement. The Government believe that Collective Defined Contribution (CDC) pension schemes can be a key part of this.

CDC schemes are a new type of pension scheme. In a CDC scheme, like Defined Contribution (DC), contributions are paid into a fund. Unlike DC, these funds are pooled, and at retirement, individual members receive a regular pension income from the fund. This income will be based on the value of their contributions and savers will save towards a “target” benefit whose value will depend on the fund’s performance.

The CDC approach increases investment leverage for savers, and helps members secure a regular income in retirement at lower cost. For employers, CDC, like DC, provides stability and predictability in their obligations to the pension scheme. Therefore, CDC helps improve retirement outcomes for members whilst also benefiting employers.

In that spirit, Royal Mail and the Communication Workers Union have proposed a CDC pension scheme in the belief that this will be advantageous to both the employees and the business. This is a start and will provide a firm footing for further innovation in pensions.

We set out our proposed approach for providing for CDC schemes in our consultation document Delivering Collective Defined Contribution Pension Schemes, including requirements for CDC schemes to operate with systems and approaches that ensure sustainability, transparency and effective communication. Intergenerational fairness must be at the heart of CDC schemes. All this will be underpinned by a requirement for CDC schemes to be authorised by the Pensions Regulator. Government are grateful for the constructive comments and broad support our proposals received. Also, many responses, from trade unions, master trusts, and other pension providers, expressed a desire to see more people benefiting from the advantages that CDC can bring. They urged us, in time, to extend CDC to other parts of the pensions market.

Pension reforms in recent years have transformed pension saving in this country, whether it is auto-enrolment or the new state pension. The creation of CDC schemes is part of an ambitious reform of private pensions schemes, the pensions regulator and the way that savers interact with their savings through improved information and guidance. This means people can prepare for retirement with confidence. We will provide more options for employers to ensure that scheme members can adequately save for retirement and to better protect their income in later life.

As part of these reforms we intend to bring forward legislation to facilitate single and associated employer CDC provision as soon as parliamentary time allows, and consider further what other provision would be appropriate for the future.

[HCWS1422]
Written Statements

Tuesday 19 March 2019

EDUCATION

Technical Education Reform

The Minister for Apprenticeships and Skills (Anne Milton): Today, I am pleased to launch the first stage consultation on the post-16 review of qualifications at level 3 and below in England.

This review, alongside the development of T-levels, is central to building a world class technical education system. Our ambition is to develop a qualifications system for all, in which every student benefits from high quality study that helps them realise their talents and achieve their career ambitions. It is vital to addressing our country’s productivity and skills gaps and achieving the international competitiveness on which our future prosperity depends.

The current qualifications system at level 3 and below is complex, with around 12,000 qualifications. Some of the qualifications are well recognised and valued, but as the Wolf and Sainsbury reviews identified, too many are poorly understood and poor quality, weakening their currency and value for individuals, employers and the economy as whole.

The review aims to simplify the landscape, ensuring that every single qualification is necessary and has a distinct purpose, is high quality and supports progression to positive outcomes. At level 3, we want A-Levels and T-Levels to be the qualifications of choice for students choosing classroom-based study, and for more students to study and achieve at level 3. Subject to the review and the outcomes of our consultation, we expect that where a qualification at level 3 overlaps with a T-Level or A-Level, it would not, in future, be approved for funding for 16 to 19-year olds.

At level 2 and below, qualifications should enable progression to a higher level of study for those that are able to do so; and for those who are not, there should be high quality qualifications that lead to a good range of employment options and opportunities to study at a later stage.

To drive up quality and ensure fairness in the system at an early stage, in August 2020 we will withdraw approval for funding for older qualifications, where there are newer, more robust versions that have been re-developed to meet performance table rules.

We recognise that qualifications in scope of this review are taken by a range of learners, including adults and those with additional needs, such as special educational needs and disabilities. A ‘one size fits all’ approach will not work. We want to be confident that the qualifications available work for all students, irrespective of their specific needs.

It is important that we take the time to get these changes right and listen carefully to the sector’s views. This is why we are consulting in two stages. We are looking first at the principles that should guide the review before moving on in the second stage consultation to detailed proposals for change, which we will bring forward later in the year. I strongly encourage everyone with an interest to contribute to the debate, so that we can work together to build the world class technical education system that our students deserve and that our country needs.

[HCWS1426]
Drinking water directive—general approach

The presidency invited member states to agree the proposed general approach, stressing debate should focus on article 10a and 10b, (materials and substances in contact with water) and article 13 (access to water). The Commission urged member states to agree the text, noting that they would reserve their position due to concerns on article 10a.

The UK, along with a number of other member states, fully supported article 10a and 10b. Others expressed concern, but noted that ultimately they could accept the proposed text. These member states also called for further work to help understand the impacts of the proposal and to clarify the text. Latvia, Estonia and Austria were unable to accept the general approach due to article 10a.

On article 13, member states noted the delicate Council position and agreed that the presidency text provided a good compromise. The UK highlighted concerns regarding subsidiarity, drawing attention to the UK Parliament’s reasoned opinion but confirmed that it could accept the compromise text.

The presidency concluded the general approach had been agreed. The Commission noted that more work was needed on article 10a and it would issue a formal declaration outlining its concerns.

Greening the European semester—exchange of views

The Council exchanged views on the greening of the European semester and post-2020 investments (6260/19) with member states stressing the importance of the environmental dimension. A group of member states recognised the importance of taking the Paris agreement into account.

EU framework on endocrine disruptors—policy debate

The Commission stressed the need for a coherent approach based on scientific advice, and the need to follow the precautionary approach where the science was inconclusive. It announced a cross-cutting fitness check on endocrine disruptors (with the aim of concluding findings in early 2020) and a new comprehensive forum to engage stakeholders.

Member states welcomed the Commission communication, with significant differences between the levels of ambition expressed. A small number of member states led a group calling for more concrete actions including a ban on endocrine disruptors in toys and consumer goods. Others, including the UK, were more cautious, stressing the need for further research and emphasising the importance of risk-based measures.

AOB items

The following items were also discussed under any other business.

1. Global data collection system for ship fuel oil consumption

Council noted the information from the Commission on the proposal to revise the regulation on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport. The aim of the proposal is to reduce the administrative burden for ships having to report under both EU regulations and the global data collection system for fuel oil consumption, established recently by the International Maritime Organisation.

2. Better EU enforcement of the EU phasedown of hydrocarbons

Council noted the information from the Commission.

3. Tackling greenhouse gas emissions through aviation pricing

Council noted the information from the Belgian delegation concerning its proposal for a fair, European pricing system on aviation. This information was previously presented at the Economic and Financial Affairs Council on 12 February by the Dutch delegation. Some member state delegations intervened in support of further work on this. The Commission stated that it will consider existing policy instruments and assess whether there is a need to make a legislative proposal.

4. Strengthening the coherence between EU free trade agreements and the Paris climate change agreement

Council noted the information from the French, Spanish, and Luxembourgish delegations, proposing that ratification of the Paris agreement should be an essential clause of the EU’s trade agreements with third countries, and that the Council should be able to suspend trade agreements following breaches of the obligations under the Paris agreement. Other member states expressed a degree of caution on the proposed approach. The Commission noted that such a proposal would need to be operational.

5. Outcome of the intermediary sessions of the parties to the Espoo convention and to the protocol on strategic environmental assessment (SEA) (Geneva, 5 to 7 February 2019)

Council noted the information from the presidency and the Commission regarding the work of the EU and member states. It also noted the decisions adopted at the meeting of the parties to the Espoo convention and the protocol on SEA, which the UK, other member states, and the EU attended. Lithuania stated that they considered that further steps were needed concerning the case of the Ostroves nuclear power plant in Belarus.

6. Environmental protection policies to combat depopulation in rural areas and to improve quality of life

Council noted the information from the Spanish delegation and the difficulties between population and conservation efforts. Other member states intervened to show their support and outline their own nation’s struggles with depopulation.

7. Preparation for the 21st meeting of the contracting parties to the Barcelona convention for the protection of the marine environment and the coastal region of the Mediterranean (Naples, 2 to 5 December 2019)

Council noted the information from the Italian delegation. There were limited interventions around this AOB.

Additional engagement

In the margins of the Council, I met with counterparts from member states and the European Commission to reassure them of our intention to continue working closely on these global environmental issues, and to highlight the UK’s bid to host the 26th conference of the parties (COP26) to the United Nations framework convention on climate change (UNFCCC).
Under current EU-based entitlements, the UK pays for the healthcare costs of 180,000 UK nationals, mostly pensioners, in health systems across the EU. There are around 50,000 UK tourist visits to the EU annually; the European healthcare insurance card (EHIC) is used in around 0.5% of these visits. Moreover, approximately 50,000 posted workers are protected through the current arrangements.

The current EU healthcare arrangements operate on a reciprocal basis. The UK, EU member states and EFTA states (Iceland, Norway, Liechtenstein and Switzerland) reimburse each other for the healthcare of those who remain covered by their respective social security schemes when living in, working in or visiting each other’s country. These arrangements are a function of EU membership that also applies to the EFTA countries, and are an exception to the arrangements that apply to the rest of the world. As a result, extending these functions in the event of the UK leaving the EU without a deal is subject to agreement and cannot be done by the UK alone.

Separately, the UK and Irish Governments are committed to continuing to facilitate access to healthcare services within the common travel area (CTA). Discussions to continue reciprocal healthcare arrangements are under way between the UK and Ireland and both Governments are taking legislative steps to enable us to implement these arrangements by exit day. Additional guidance for those living and working in the CTA has been published on the gov.uk website.

While EU reciprocal healthcare is funded and administered on a UK-wide basis, the devolved Administrations have responsibility for healthcare provision in Scotland, Wales and Northern Ireland. We are working closely with all parts of the UK on our approach.

My Department has published country specific guidance on gov.uk and nhs.uk about healthcare arrangements if the UK leaves the EU without a deal and has been working closely with EU member states and EFTA states to protect existing healthcare arrangements for these and other groups.

The UK Government’s proposal

Subject to Parliament ratifying the withdrawal agreement, in a deal scenario current reciprocal healthcare rights will continue during the implementation period until 31 December 2020. The withdrawal agreement and EFTA agreements also give longer term reciprocal healthcare rights to those who are living in or previously worked in the other country on exit day.

We have proposed to EU member states and EFTA states that we should maintain the existing healthcare arrangements in a no-deal scenario until 31 December 2020, with the aim of minimising disruption to UK nationals and EU and EFTA state citizens’ healthcare provision.

This would mean that we will continue to pay for healthcare costs for current or former UK residents for whom the UK has responsibility who are living or working in or visiting the EU and EFTA states, where individuals are not covered by the EFTA citizens’ rights agreements. We are hopeful that we will reach such agreements.

We have brought forward legislation to enable us to implement new reciprocal healthcare arrangements. The Healthcare (International Arrangements) Bill was introduced in Parliament on 26 October 2018 and passed Report stage in the House of Lords on 12 March 2019. It will provide us with the power to fund and implement comprehensive reciprocal healthcare arrangements after we leave the EU. We have also laid three statutory instruments which will give us the specific legal basis to implement our proposal.

Minimising disruption in the event of no deal

As outlined above, we want to work with EU partners to protect existing healthcare arrangements beyond exit day. If that is not possible, healthcare arrangements in many EU member states would revert to those which apply to the rest of the world. With no new reciprocal arrangements for those living abroad, individuals are always responsible for ensuring they have travel insurance. It is already the case that we advise people to obtain comprehensive travel insurance when working, studying or travelling to the EU and the rest of the world. This will remain our advice in all circumstances.

Many people rely on EHICs. In a no-deal scenario, these may no longer be valid in EU member states (and in EFTA states for those visitors not in scope of the EFTA citizens’ rights agreements and travelling after exit day). UK nationals living in or travelling to EU member states should check up to date information gov.uk and nhs.uk and ensure they have taken the necessary steps to prepare.

Although we are hopeful that we can agree reciprocal healthcare arrangements, as a responsible Government we have developed a multi-layered approach to minimise disruption to healthcare provision to UK nationals currently in or travelling to the EU member states and to those UK nationals not covered by the EFTA citizens’ rights agreements:

1. We welcome action from those EU member states who have prepared their own legislation for a no-deal scenario. EU member states such as Spain have made public commitments that they will enable resident UK nationals and visitors to access healthcare in the same way they do now.

2. As noted above, the UK and Irish Governments are committed to continuing to facilitate access to healthcare services within the common travel area (CTA). Discussions to continue reciprocal healthcare arrangements are underway between the UK and Ireland and both Governments are taking legislative steps to enable us to implement these arrangements by exit day. Additional guidance for those living and working in the CTA has been published on the gov.uk website.

3. The UK Government have already agreed with Iceland, Norway, Liechtenstein, Switzerland (EFTA) to protect citizens’ rights. This means that UK nationals already living in EFTA states and vice versa will be able to access healthcare as they do now. However, in line with the arrangements we are seeking with EU member states, we would like to protect the healthcare cover of visitors not in scope of the citizens’ rights agreements travelling between the EFTA states and the UK after exit day to enable them to continue to be covered for needs-arising healthcare (currently facilitated under the EHIC system).

4. The UK Government have committed to fund healthcare for UK nationals (and others for whom the UK is responsible) who have applied for, or are undergoing, treatments in the EU prior to and on exit day, for up to one year, to protect the most vulnerable. The statutory instruments introduced on 11 February would also enable some UK residents to recover costs if they are charged. For UK nationals who are visitors, we will refund costs directly. For UK nationals who are resident in another member state, this commitment requires us to reach an arrangement with individual EU member...
states. We are hopeful that they will remain willing to treat patients and accept reimbursement and are in discussions to seek such an agreement.

5. We have published guidance profiles on gov.uk and nhs.uk and will update the guidance with further developments.

6. Should UK nationals face changes in how they can access healthcare, they may use NHS services if they return to live in the UK. As is currently the case, UK nationals living in the EU will have an entitlement to NHS services as soon as they take up ordinary residence in England. We will continue to work closely with the NHS in England and across the devolved Administrations in the UK to ensure returners can appropriately access NHS services. A British citizen who moves to the UK can be considered ordinarily resident upon arrival if it is clear that they are here to reside on a properly settled basis for the time being. British citizens who return to live in the UK part way through their treatment will be able to access NHS services.

7. Those who have their healthcare funded by the UK under current EU arrangements and are resident in EU member states on exit day can use NHS services in England without charge when on a temporary visit to England.

8. The Association of British Insurers (ABI) has advised that travel insurance policies will cover emergency medical treatment costs as standard that could have been reclaimed through the EHIC, although some routine treatments would not be covered. People should be aware that there are a small number of policies in the market that state they will only provide cover if you have an EHIC. The ABI has strongly advised that all individuals should check their current travel insurance thoroughly to ensure they have the correct amount of cover for their requirements. Additional guidance has been published on the ABI website here.

Advice for citizens of EU member states and EFTA states

We have confirmed that, in a no-deal scenario, we will protect the healthcare rights of citizens from EU member states and EFTA states, who are living lawfully in the UK on exit day, and this includes their entitlements to NHS cover.

Advice for UK nationals

In the event that we cannot reach an agreement with EU member states and EFTA states for those nationals not in scope of the EFTA citizens’ rights agreements, EU member states and EFTA states take the following actions now:

Residents: The UK Government have published advice setting out options to access healthcare under local laws in EU member states and EFTA states and what people can do to prepare. We have analysed 31 countries and strongly advise that all affected UK nationals check the latest country specific guidance on gov.uk and nhs.uk.

Substantial numbers of UK nationals will already be eligible for or enrolled in the relevant health authorities locally, either because of their residency, benefits or employment status. There is no reason to think that a no-deal scenario will affect these arrangements where EU countries offer equal access to healthcare.

For some people it may be advisable to register their healthcare entitlement with their relevant health authority locally. This may mean that they will need to join a social insurance scheme and contribute as other residents do. Others will need to buy private healthcare insurance.

Visitors: The Government always advise UK nationals to take out travel insurance when going overseas, both to EU and non-EU destinations. UK nationals, including those with pre-existing conditions, planning to visit an EU member state or EFTA states on or after exit day should continue to buy travel insurance.

As with any policy, UK nationals are advised to make sure they understand the terms and conditions of any travel insurance policy and that the policy is sufficient to cover healthcare needs. Most travel insurance policies will cover emergency treatment as standard but we advise all travellers to check their policies as some treatments may not be covered in the countries they are visiting.

Any questions regarding individual travel insurance policies should be directed to the relevant insurance companies or refer to guidance published on the ABI website here.

If we do not reach an agreement with EU member states and EFTA states for those nationals not in scope of the EFTA citizens’ rights agreements, EHIC may no longer be valid after exit day. ABI advice is that, while almost all insurance policies will remain valid, some insurance policies may be affected. There are a small number of insurance policies which are dependent on having an EHIC, so if you have purchased one of these policies it is recommended you speak to your provider to ensure you are fully protected before you leave the UK.

Workers: We have published country specific guidance on gov.uk and nhs.uk to help UK workers make the necessary preparations for a no-deal scenario. We strongly advise that workers ensure they have comprehensive healthcare insurance for the full period of their stay.

Workers: We have published country specific guidance on gov.uk and nhs.uk to help UK workers make the necessary preparations for a no-deal scenario. We strongly advise that workers ensure they have comprehensive healthcare insurance for the full period of their stay.

Students: Currently, students residing in the UK who are going on a placement abroad are entitled to a UK-issued EHIC to cover healthcare costs for the duration of their placement.

We cannot guarantee that this will continue for all EU member states in the event of a no-deal scenario where the existing arrangements are not extended. We strongly advise that students check the country specific guidance that we have published on gov.uk and nhs.uk and make the necessary preparations for a no-deal scenario.

The EFTA citizens’ rights agreements protect the rights of UK nationals who are studying in an EFTA state over exit day, and who are entitled to a UK EHIC, to continue to benefit from the EHIC scheme for the duration of their course.

Returners: As is currently the case, UK nationals who return to live in the UK and meet the ordinarily resident test will be able to access NHS care on the same basis as other UK residents. If these people return to live in the UK partway through their treatment, they will be treated by the NHS in a fair and equitable way.

UK nationals who have their healthcare funded by the UK under current EU arrangements and are resident in the EU on exit day can use NHS services in England without charge when on a temporary visit to England.

UK nationals who are resident in an EU country, who do not have their healthcare funded by the UK under current EU arrangements and who do not wish to return to the UK, should seek to formalise their current residency status if they are eligible. Guidance has been made available on gov.uk and nhs.uk.
The UK is taking steps to protect individuals whose healthcare it is responsible for under current EU arrangements, but who are not UK nationals. Where this paper refers to UK nationals, it includes non-nationals for whom the UK is responsible.

[HCWS1429]

HOME DEPARTMENT

Places of Worship: Protective Security

The Secretary of State for the Home Department (Sajid Javid): The UK stands shoulder to shoulder with New Zealand against terrorism and we will not falter in our commitment to uphold the values of tolerance, religious freedom, and democracy.

I have discussed with police and religious leaders further measures we can take to protect our mosques and communities from any threats here in the UK.

The police have increased the number of reassurance patrols around mosques and are increasing engagement with communities of all faiths, including giving advice on how people and places can protect themselves.

This Government recognise that our communities remain anxious. We are committed to working with faith groups and engaging them on existing measures that fund and protect all places of worship. We will be working with groups including the anti-Muslim hatred working group, Tell MAMA and those representing other faiths to review what more can and should be done to protect faith institutions. This engagement will start immediately.

The Government are committed to acting quickly in response to these concerns. We are therefore announcing today an uplift of funding for the next year of the places of worship protective security fund to £1.6 million. This is double the amount awarded last year. The fund will provide financial support to places of worship for the purchase of physical protective security measures such as fencing, lighting and access control. We will make it easier for places of worship to apply, reducing the administrative burden whilst widening the criteria so places no longer need to show they have already experienced hate crime. Our focus will be on helping those who are vulnerable to hate-fuelled attacks.

Physical security measures are only part of the solution. That is why the Government are also announcing a new £5 million fund over three years to provide security training for places of worship. We will be working closely with communities and faith leaders to develop this new scheme and will, as soon as possible, be opening up a competitive process.

We are proud of all our faith communities and we are absolutely committed to ensuring they are able to worship and live their lives in safety, and free from fear.

[HCWS1428]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Troubled Families Evaluation

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): Today I am pleased to announce publication of the latest Troubled Families programme national evaluation reports. The programme 2015-20 aims to improve outcomes for families and reform services. The national evaluation looks at how well the programme is achieving those aims. The reports published today provide the most significant evidence to date, bringing together findings from the latest analysis of national and local datasets, a cost-benefit analysis, case study research and staff survey research.

The latest evidence is encouraging. While many families continue to face challenges, which is to be expected given the complexity of needs of families on the programme, this evidence shows that the programme is improving outcomes for families across a number of measures. When comparing families on the programme with a matched comparison group, analysis indicates that the programme has had a positive impact, reducing the proportion of:

- Looked after children by 32%
- Adults going to prison by 25%
- Juvenile convictions by 15%
- Juveniles going to custody by 38%
- Jobseeker's allowance claimants by 10%

In addition, 20,000 families on the programme include one or more adults who have moved into work. The evaluation results also suggest local services are being reformed and the programme has been successful in driving this change.

The Troubled Families programme supports families with complex, interconnected problems such as antisocial behaviour, mental health problems or domestic abuse. Rather than responding to each problem, or single family member separately, assigned Troubled Families keyworkers engage with the whole family. Through this approach they co-ordinate support from a range of services to identify and address family issues as early as possible rather than merely reacting to crises. The full set of national evaluation reports published today together with an evaluation overview policy report can be found at:


[HCWS1430]

JUSTICE

Personal Injury

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): The Damages Act 1996 ("the Act") requires the Lord Chancellor to start a review of the personal injury discount rate within 90 days of and including the date on which the amendments made to the Act by the Civil Liability Act 2018 came into force, which occurred on 20 December 2018.

The Act requires that the Lord Chancellor conducts the review and determines whether the rate should be changed or kept unchanged within 140 days of and including the day on which the review starts. It also requires the Lord Chancellor, in conducting the review, must consult (a) the Government Actuary and that this consultation must start within 20 days of and including the start of the review; and (b) the Treasury.
In accordance with these statutory requirements, I have decided to start the review today (19 March 2019) with the consequence that I must conduct the review and make the determination about the rate on or before 5 August 2019.

I will start my consultation with the Government Actuary no later than 7 April 2019 and will start my consultation with the Treasury at the same time.

I have placed copies of the Terms of Reference that I propose to issue to the Government Actuary and the Treasury for their respective consultations in the Libraries of both Houses of Parliament.

I will make a further announcement on the completion of the review.

[HCWS1427]

TRANSPORT

Future of Mobility: Urban Strategy

The Minister of State, Department for Transport (Jesse Norman): The UK is in the early stages of a transport revolution. For much of the past half century, many of the improvements to transport have been gradual and incremental, focused on increasing the capacity of existing infrastructure to meet growing demand. Yet today important new technologies are emerging that will transform transport and travel. Zero tailpipe emission cars are replacing those powered by fossil fuels. Self-driving vehicles have the potential to allow people with mobility issues to enjoy far greater freedom to travel, and advances in data production and use are already improving the way that transport services are devised, planned and delivered.

If they are properly managed, the transport technologies of the future will not just make journeys faster; they will also make them safer, easier, more comfortable and more affordable. They will make our towns and cities quieter and less polluted, and they will give us the option to see mobility as a service, integrated and accessible to all.

But this transformation potentially offers huge industrial opportunities as well, including new high quality jobs, new investment and increased national productivity.

The Government have put the future of mobility at the heart of their industrial strategy in an effort to take full advantage of these extraordinary opportunities. With a long history of transport innovation, a world-class research base and many established technology leaders, the UK is well placed to harness its domestic expertise and to profit from a growing market for cleaner, safer and more efficient transport.

Such fundamental change in transport within a relatively short period of time, and across so many different technologies, is unprecedented. The sector is at a point of inflection. The window of opportunity is currently open; but for how much longer it will be so, no one can say.

Today the Government are publishing their “Future of Mobility: Urban Strategy”. This sets out their approach to working with innovators, companies, local authorities and other stakeholders in order to harness the developing benefits of new urban mobility technologies.

In the “Future of Mobility: Urban Strategy”, the Government have:

- Outlined the benefits they want mobility innovation to deliver, and the principles by which to achieve them;
- Launched an ambitious regulatory review;
- Established a wide programme of work to meet the grand challenge.

Alongside this document they have:

- Launched a £90 million competition for cities to deliver future of mobility zones, which follows £60 million awarded to 10 cities across the UK via the transforming cities fund;
- Published a response to the last mile call for evidence they conducted in summer;
- Outlined next steps on the e-cargo bike grant.

As a country, our approach to these technologies will need to adapt over the coming decades. The Government will need to gather and respond to evidence of the impacts of new mobility technologies and services as they emerge. They will also need to set out their thinking on the future of rural mobility in due course, to explore how the benefits of transport innovation can be enjoyed by everyone, wherever they live.

We have an extraordinary opportunity here—to put this country at the heart of the next mobility revolution, and deliver a cleaner, greener, more productive and more inclusive country for future generations.

I have laid a copy of “Future of Mobility: Urban Strategy” in the Libraries of both Houses.

The attachment can be viewed online at: http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-03-19/HCWS1424/.

[HCWS1424]
Written Statement

Wednesday 20 March 2019

EXITING THE EUROPEAN UNION

Informal General Affairs Council

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): Lord Callanan, Minister of State for Exiting the European Union, has made the following statement:

Ministers were unable to attend the informal General Affairs Council (GAC) due to parliamentary business. Alex Ellis, director general of the Department for Exiting the European Union, represented the UK at the informal GAC in Bucharest on 11 and 12 March 2019. The agenda covered a discussion on the multiannual financial framework for 2021-27 and a debate on the EU strategic agenda.

Until we leave the European Union, we remain committed to fulfilling our rights and obligations as a full member.

Multiannual financial framework for 2021-27

The Council had an exchange of views on the multiannual financial framework (MFF) for 2021-27. The Commission stated that the EU needed flexibility to address urgent matters which could not be foreseen, and asked for enhanced collaboration between the funds and instruments. The Commission also stated that the EU needed a stronger link between its budget and policy framework. Most member states spoke in favour of flexibility but stressed the need for it to be balanced to ensure predictability.

EU strategic agenda

In preparation for the EU strategic agenda, Ministers reflected on the future of Europe, and in particular, the overarching priorities that should guide the work of the EU over the coming years. Ministers discussed growth and competitiveness as one of the priority themes for the next strategic agenda. Ministers also discussed security and migration as key priorities.

Alex Ellis intervened to highlight that some of the priorities highlighted in the discussion were ones in which the UK had a strong interest in continued collaboration with our international partners, especially on the challenges we faced collectively, such as security, climate change, global trade and migration.

[HCWS1431]
Written Statements

Thursday 21 March 2019

TREASURY

Decommissioning Relief Deeds

The Exchequer Secretary to the Treasury (Robert Jenrick): At Budget 2013, the Government announced they would begin signing decommissioning relief deeds. These deeds represented a new contractual approach to provide oil and gas companies with certainty on the level of tax relief they will receive on future decommissioning costs.

Since October 2013, the Government have entered into 92 decommissioning relief deeds.

Oil & Gas UK estimates that these deeds have so far unlocked approximately £6 billion of capital, which can now be invested elsewhere.

The Government committed to report to Parliament every year on progress with the decommissioning relief deeds. The report for financial year 2017-18 is provided below.

Number of decommissioning relief agreements entered into: the Government entered into four decommissioning relief agreements in 2017-18.

Total number of decommissioning relief agreements in force at the end of that year: 87 decommissioning relief agreements were in force at the end of the year.

Number of payments made under any decommissioning relief agreements during that year, and the amount of each payment: two payments were made under a decommissioning relief agreement in 2017-18, one for £41.8 million and another for £3.6 million. These were made in relation to the provision recognised by HM Treasury in 2015, as a result of a company defaulting on its decommissioning obligations.

Total number of payments that have been made under any decommissioning relief agreements as at the end of that year, and the total amount of those payments: three payments have been made under any decommissioning relief agreement as at the end of the 2017-18 financial year, totalling £50.8 million.

Estimate of the maximum amount liable to be paid under any decommissioning relief agreements: the Government have not made any changes to the tax regime that would generate a liability to be paid under any decommissioning relief agreements. HM Treasury’s 2018-19 accounts will recognise a provision of £357.1 million in respect of decommissioning expenditure incurred as a result of a company defaulting on their decommissioning obligations. The majority of this is expected to be realised over the next five years.

1 This figure was later revised down by £11.8 million, with the amount having being fully recovered, together with interest, in the 2018-19 financial year.

2 This figure takes into account payments made subsequent to the financial year covered by this written ministerial statement.

[HCWS1435]

ECOFIN 12 March 2019

The Chancellor of the Exchequer (Mr Philip Hammond): A meeting of the Economic and Financial Affairs Council (ECOFIN) was held in Brussels on 12 March 2019. The UK was represented by Mark Bowman (Director General, International Finance, HM Treasury). The Council discussed the following:

Early morning session

The Eurogroup President briefed the Council on the outcomes of the 11 March meeting of the Eurogroup, and the European Commission provided an update on the current economic situation in the EU. Ministers then discussed the location of the InvestEU Investment Committee secretariat.

Excise duties

The Council discussed the directive on general arrangements for excise duty (recast); the regulation on administrative co-operation of the content of electronic registers; and the directive on the structures of excise duty on alcohol and alcoholic beverages.

Digital services tax

The Council held an exchange of views on the EU-wide digital services tax proposal.

InvestEU

The Council held an exchange of views on the location of the InvestEU Investment Committee secretariat.

Current financial services legislative proposals

The Romanian presidency provided an update on current legislative proposals in the field of financial services.

European semester

Following a presentation by the Commission on its 2019 country reports, the Council held an exchange of views on the implementation of country-specific recommendations, focusing on investment in member states.

EU list of non-co-operative jurisdictions for tax purposes

The Council adopted Council conclusions revising the December 2017 EU list of non-co-operative jurisdictions for tax purposes.

Status of the implementation of financial services legislation

The Council was debriefed on the status of the implementation of financial services legislation.

Coalition for climate action

The Finnish Finance Minister informed the Council on plans to launch the coalition for climate action in the context of the World Bank and International Monetary Fund spring meetings in April.

[HCWS1436]

HEALTH AND SOCIAL CARE

Mental Health Workforce Data

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): The NHS long-term plan set out this Government’s ambition to transform how the NHS supports mental health, building on the work already under way to deliver the commitments in the “Five Year Forward View for Mental Health”.

Our plans depend on having the right workforce in place. The Government, in consultation with NHS England, Health Education England and NHS Improvement,
asked NHS Digital to review how it counts the mental health workforce with the goal of providing us with a more accurate possible baseline against which to track progress towards delivering our ambitions.

Previously, several different approaches had been taken, including counting total numbers of staff working in mental health, learning disability and care trusts, which included staff working in other specialisms, such as community health staff who support people’s physical health. NHS Digital has developed a new approach that will improve accuracy by counting only those staff who work directly on mental health, regardless of the type of organisation in which they work. It will also provide a greater level of transparency in relation to the workforce, for example, staff working in priority areas, such as crisis care or children and young people’s mental health services.

NHS Digital will publish its quarterly mental health workforce data under this new definition on 21 March 2019. Because it focuses on staff working directly on mental health in NHS trusts and NHS foundation trusts, the new headline figures will show a smaller total number of people working in mental health. They do not yet provide a full picture of the mental health workforce. For example, they do not include the very significant number of staff providing NHS-funded mental health services in other organisations such as the voluntary sector, local authorities and primary care settings. We are therefore planning further changes to the data in the future to enable us to better understand these staff numbers and associated patient outcomes.

This new approach underlines the scale of the challenge ahead of us to make the increases we all agree are needed to the mental health workforce and bring about improvements to the lives of the people they are here to support. The Government are committed to meeting this challenge. Following the recent publication of the NHS long-term plan, the Prime Minister and Secretary of State for Health and Social Care asked Baroness Dido Harding to develop a workforce implementation plan.

An interim workforce plan will be published in the spring and will include an immediate 2019-20 action plan together with a more detailed vision of how the health and care workforce will transform over the next 10 years to deliver 21st century care for our patients. The plan will build on work already under way to recruit, train and importantly retain more staff to address our most immediate shortages.

This means that from 26 August 2019 I will fall under the duty to propose a date for an Assembly election. I do not consider it appropriate to extend the period for any less than the full five months permitted by the Act. A shorter period could risk not allowing sufficient time for a talks process to conclude.

I have taken the decision to extend this period following engagement I have had with the five main political parties in Northern Ireland and the Irish Government over the past few weeks.

In those discussions all five parties reaffirmed their commitment to restoring a power-sharing Executive and the other political institutions set out in the Belfast agreement.

I also consider that the five parties and the Irish Government would support a short, focused set of roundtable talks to restore all the Belfast agreement institutions.

These will involve the UK Government, the five parties and the Irish Government, as appropriate, and will take place in full accordance with the well-established three-stranded approach.

I am proposing a short, focused set of round table talks to restore devolution and the other institutions at the earliest opportunity.

[HCWS1434]

WORK AND PENSIONS

Employment, Social Policy, Health and Consumer Affairs Council


The Council agreed a partial general approach regulation on the European globalisation adjustment fund (EGF).

The Council debated the social dimension of Europe post-2020 and the European semester. As part of the semester agenda item, the Council adopted the joint employment report for 2019, along with conclusions on the 2019 annual growth survey.

There were a number of progress reports and information items during the Council. The presidency gave updates on six current legislative proposals: regulation establishing a European labour authority; revision of the regulations on the co-ordination of social security systems; revision of the directive on carcinogens and mutagens (third batch); and directives on work-life balance, on accessibility requirements for products and services and on transparent and predictable working conditions.

The Council closed with information on events and initiatives in the broader field of employment and social policy.

[HCWS1432]
Written Statements
Friday 22 March 2019

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY
EU Emissions Trading System

The Minister for Energy and Clean Growth (Claire Perry): On 11 March, the Government published legislation which changed the compliance deadline to surrender allowances for the 2018 reporting year under the EU emissions trading system (ETS) from 15 March to 26 March. Today, the Government are publishing further legislation in relation to the EU ETS compliance deadline. This legislation will amend the compliance deadline from 26 March 2019, to 22:59 on 29 March 2019. It will also allow further changes to the compliance deadline to either the revised EU exit date, or 30 April 2019 if such a date is 1 May 2019 or later.

Extending the compliance deadline will allow all UK operators additional time to meet their EU ETS compliance requirements, and if extended to 30 April, enable them to comply at the same time as operators in other EU member states. UK operators would still be able to surrender allowances to meet their 2018 compliance obligations on any date before the compliance deadline.

The Government remain committed to meeting their target to reduce their greenhouse gas emissions by at least 80% by the year 2050, relative to 1990 levels. The UK also remains strongly committed to achieving the climate goals of the Paris agreement. This includes our commitment to carbon pricing as an emissions reduction tool, supporting a level playing field across the EU, while ensuring energy and trade-intensive businesses are appropriately protected from any detrimental impacts on competitiveness.

Our participation in the EU ETS has shown the benefits of carbon pricing, which gives emitters a choice to reduce their emissions where it is economic to do so, achieving our environmental goals in the least-cost way to society. The EU ETS covers around 1,000 installations and approximately 140 aircraft operators in the UK. Across the EU ETS, the scheme covers around 45% of the EU’s greenhouse gas emissions.

EU ETS participants are required to monitor their emissions during each calendar year and, at the end of each reporting year, surrender one emissions allowance for every tonne of carbon dioxide equivalent (CO₂e) they have emitted, to meet their EU ETS obligations. This extension does not change the requirement for all UK operators to fully comply with all their obligations under the EU ETS.

CABINET OFFICE
Public Bodies 2018-19

The Parliamentary Secretary, Cabinet Office (Chloe Smith): I am pleased to announce the publication of “Public Bodies 2018-19” and will today be placing a copy in the Library of both Houses.

Public bodies play a vital role in the delivery of public services for all our citizens, covering wide-ranging functions. Well-governed, effective and efficient public bodies enable the Government to deliver their priorities.

“Public Bodies 2018-19” is an annual directory that provides a single transparent source of top-level financial and non-financial data on all executive agencies, non-departmental public bodies and non-ministerial departments across government.

DEFENCE
Defence Procurement: Boeing E-7

The Parliamentary Under-Secretary of State for Defence (Stuart Andrew): I am pleased to inform the House today that a $1.98 billion contract to deliver five E-7 airborne early warning and control aircraft has been signed with Boeing Defence UK.

The E-7 will replace the current E-3D Sentry airborne warning and control aircraft fleet, providing UK armed forces with a highly effective, world-leading capability that has already been proven on operations with the Royal Australian Air Force. A thorough investment approvals process has taken place, with the contract concluded after a period of intensive negotiation with Boeing. The E-7 not only represents value for money for the UK taxpayer, it also provides the optimum surveillance solution to allow UK armed forces to monitor and manage airspace on deployments and provide early warning of threats. The E-7 is in operation with one of our key allies and this UK procurement will increase opportunities for interoperability and collaboration. It is also a vital element of the UK’s continued 25% airborne early warning and control contribution to NATO, which will benefit from a greatly enhanced UK capability.

The E-7 contract will also bring significant prosperity benefits to this country, building on Boeing’s current commitment to maximising investment in the UK. Modification work to transform the base Boeing 737 aircraft into the E-7 will be carried out in the UK, sustaining several hundred highly skilled jobs at Marshall Aerospace and Defence in Cambridge. In addition, there are also expected to be significant future opportunities for the UK supply chain in through-life support and training for these UK aircraft and their crews.

Boeing will begin work immediately, with the first of our aircraft expected in 2023.

As part of the plan for a managed transition to E-7, it has been decided to reduce the existing E-3D fleet from six to four aircraft by removing the two long-term unserviceable assets from the active fleet. Doing this now will enable the Sentry force to focus resources on providing better availability from the remaining four aircraft, to better assure the future Sentry fleet output, including our commitments to the NATO airborne early warning and control force and the provision of NATO assurance measures missions.

HOME DEPARTMENT
Offensive Weapons Bill

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): I am today placing in the Libraries of both Houses the Home Office’s analysis on the application of Standing Order No. 83O of the Standing Orders of the House of Commons relating to public business in respect of the Lords amendments to the Offensive Weapons Bill.

[HCWS1439]
Petition

Monday 11 March 2019

OBSERVATIONS

TREASURY

Closure of St George’s Cross branch of the Bank of Scotland

The petition of Residents of Glasgow North,

Declares that proposed closure of St George’s Cross branch of the Bank of Scotland in Glasgow will have a detrimental effect on local communities and the local economy.

The petitioners therefore request that the House of Commons urges her Majesty’s Treasury, the Department for Business, Energy and Industrial Strategy and the Bank of Scotland to take into account the concerns of petitioners and take whatever steps they can to halt the planned closure of this branch.

And the petitioners remain, etc.—[Presented by Patrick Grady, Official Report, 4 February 2019; Vol. 654, c. 134.]

[PO02323]

Observations from the Economic Secretary to the Treasury (John Glen):

The Government thanks the hon. Member for Glasgow North (Patrick Grady), who has recently submitted a petition opposing a bank branch closure on behalf of his constituents.

The Government are sorry to hear about residents’ disappointment at the closure of the Bank of Scotland branch in St George’s Cross.

All banking service providers need to balance customer interests, market competition, and other commercial factors when considering their strategies. Decisions on opening and closing branches and agencies are taken by the management team of each bank on a commercial basis, without intervention from the Government.

However, the Government do believe that banks should act in the best interests of their customers and are committed to increasing competition to deliver better financial products and services for all bank customers. The Government continue to engage actively with the banking industry and consumer groups on these issues on an ongoing basis.

Since May 2017, the major high street banks have been signed up to the Access to Banking Standard, committing to work with customers and communities to minimise the impact of branch closures and put in place alternative banking services. The Standard commits banks to ensure customers are well informed about branch closures, the bank’s reasons for closure and options for continued access to banking services. These options should include specialist assistance for customers who need more help. The operation of the Standard is monitored and enforced by the independent Lending Standards Board, ensuring that banks are held accountable for the way they treat their customers when a branch closes.

In addition, since January 2017, the Post Office has had an agreement with the banks that allows more banking customers to access a wider range of services at the Post Office than ever before. The arrangement allows 99% of personal and 95% of small business customers to withdraw money, deposit cash and cheques and check balances at more than 11,500 Post Office branches in the UK. While the range of services offered by the Post Office may be more limited than that offered in a traditional bank branch, the services provided through the Post Office’s extensive network ensures that essential banking facilities remain available in as many communities as possible. Since 2010, branch numbers have been at their most stable for decades and 99.7% of the national population now lives within three miles of a branch. Furthermore, almost 93% of the national population live within one mile of their nearest post office branch. Almost 98.7% of the rural population lives within three miles of a post office.

Both initiatives have the Government’s full support, and banks are aware that the Government expect their involvement to be genuine and unqualified.

Should constituents wish to switch banks, the Government have made it easier to do so than ever before using the Current Account Switch Service (CASS). The switch service is free to use, comes with a guarantee to protect customers from financial loss if something goes wrong, and redirects any payments mistakenly sent to the old account, providing further assurance for customers. This means that customers are more able than ever to hold their banks to account by voting with their feet, and that banks are incentivised to work hard to retain their existing customers and attract new ones. More information about CASS is available at: www.currentaccountswitch.co.uk.

The Government cannot reverse the changes in the market and in customer behaviour; nor can they determine firms’ commercial strategies in response to those changes. However, the Government will continue to take positive action to maintain access to vital banking services and ensure banks support communities across the UK when their local branches close.
Petitions

Tuesday 12 March 2019

OBSERVATIONS

EDUCATION
Levels of pay in Further Education

The petition of residents of the United Kingdom,

Declarations that while participation in full-time education has more than doubled over the past 30 years, it is reported that spending per student in further education is 8% lower than in secondary schools; further that colleges over the last decade have dealt with an average 30% cut in funding as costs continue to increase; further that this has resulted in a drastic drop in learning opportunities available to students, fewer teaching hours and support for young people, and staff pay; further that the situation is not sustainable and ultimately impacts on student performance; further that 547 staff and students from Darlington College have signed a similar petition to the government regarding further education funding.

The petitioners therefore request that the House of Commons urges the Government to provide fair funding for further education and fair pay for college staff in the interest for student performance and educational outcomes.

And the petitioners remain, etc.—[Presented by Jenny Chapman, Official Report, 30 January 2019; Vol. 653, c. 792.]

Observations from the Minister for Apprenticeships and Skills (Anne Milton):

Further education providers have a vital role to play in making sure young people and adults have the skills they need to get on in life. We are aware of the financial pressures in the further education sector generally which is why we are currently considering the efficiency and resilience of the sector and assessing how far existing funding and regulatory structures meet the costs of delivering quality further education.

We have protected the base rate of funding for all 16 to 19-year-old students until 2020 and plan to invest nearly £7 billion this academic year to make sure there is a place in education or training, including for apprenticeships, for every 16 to 19-year-old.

In addition, we have announced extra support for key priorities. We will provide additional funding to support institutions to grow participation in level 3 maths—an extra £600 for every additional student—with two payments of £600 if, for example, they are studying A level maths over two years. The first of these payments will be made in 2019-20. We have also approved significant restructuring funding for colleges. From 1 April 2016 to 31 January 2019, the total allocation of restructuring facility funding in England is approximately £470 million—the total spend so far is approximately £290 million.

Through the Adult Education Budget (AEB), we continue to provide full funding for adult learners who need English and maths skills to undertake a range of courses in GCSEs, Functional Skills and stepping stone qualifications from entry level to level 2. We have also announced a new statutory basic digital skills entitlement from 2020 to ensure adults can study for specified qualifications in basic digital skills free of charge to get the skills and capabilities they need to get on in life and work. We also recognise the vital role that community learning plays within AEB provision by providing accessible routes for adults to progress, and we fund this in a way that enables providers to meet the needs of disadvantaged learners. The Department has also taken the steps through Parliament to devolve the responsibility for adult education to metropolitan mayors, which is intended to allow for greater alignment of funding for this kind of provision to local need.

We will be looking hard in the forthcoming spending review at how to ensure adequate funding is available for further education, including adult skills, throughout the next spending review period.

EXITING THE EUROPEAN UNION

The delivery of Brexit

The Humble Petition of the residents of Wellingborough, Northamptonshire and the surrounding areas,

Sheweth,

That the Petitioners believe that the Brexit that they voted for should be adhered to by Her Majesty’s Government. This includes, ending the free-movement of people from the EU and control immigration, stop sending billions and billions of £ each year to Brussels, make our own laws in our own country, judges by our own judges.

Wherefore your Petitioners pray that your Honourable House urges the Prime Minister to take in account the concerns of petitioners and deliver a Brexit which people voted for.

And your Petitioners, as in duty bound, will ever pray, etc.—[Presented by Mr Peter Bone, Official Report, 6 February 2019; Vol. 654, c. 362.]

Observations from the Parliamentary Under-Secretary of State for Exiting the European Union (Kwasi Kwarteng):

The referendum on EU membership in 2016 was the biggest exercise of democracy in this nation’s history, and the British people voted to leave. The deal the UK has agreed with the EU is one that respects that result: free movement will end, the UK will stop paying vast sums of money to the EU, and jurisdiction of the Court of Justice of the European Union (CJEU) will stop. On top of this, the deal protects jobs and the Union, and gives citizens and businesses certainty; it prepares the ground for an unprecedented free trade deal with the EU that recognises the development of an independent UK trade policy; it removes us from EU programmes like the Common Agricultural Policy and the Common Fisheries Policy, granting us control of our waters as an independent coastal state.

As we leave the EU, free movement will end and we will introduce our new skills-based immigration system. This will include visa-free travel for short-term visits, including for tourists and business travellers. As set out in the Government’s recent White Paper, The UK’s future skills-based immigration system, we want the democratically elected representatives of the UK to be the ones to decide who comes into this country. Ours will be a fair immigration system based on people’s skills, rather than their nationality.
As well as ending free movement, the deal ends the UK paying vast sums of money to the EU and removes us from the EU budget. This will allow us to invest in domestic priorities, including the NHS, and will see all parts of the UK benefit from extra funding. There are of course areas where it makes sense for the UK and the EU to continue to pool resources, where we will deliver more together than we could alone. These include science and innovation, culture and education, and overseas development and external action.

In leaving the EU, the jurisdiction of the CJEU will end. After the implementation period, all laws in the UK will be passed by our elected officials in Belfast, Cardiff, Edinburgh and London. There will only be specific and limited circumstances where the jurisdiction of the CJEU applies, for instance where we choose to participate in an EU agency.

The Government are committed to leaving the EU with a deal that honours the result of the referendum, while protecting our economy, security and our precious Union. The Government are working with MPs and EU leaders to secure this deal, and the Prime Minister has urged MPs to listen to the British people to get this issue settled and to work with the Government to do just that.
Petitions

Wednesday 13 March 2019

PRESENTED PETITIONS

Petition presented to the House but not read on the Floor

The Petition of Giovanni Di Stefano

The petition of Giovanni Di Stefano,
Declares that the petitioner is currently held in custody at HMP Highpoint, Stradishall, Suffolk, CB8 9YG and is a national of the Republic of Italy and born on the 1 day of July 1955 in Petrella Tifernina, Campobaso, 86024 Italy. The petitioner is serving a sentence imposed by Southwark Crown Court of 14 years by HHJ McCreath on 27 March 2013. The petitioner is a foreign national prisoner subject to deportation the order of which was served on 27 June 2013. Parliament enacted the Criminal Justice and Immigration Act 2008 specifically with S.34(5) amending the Criminal Justice Act 2003 by inserting S.259A. The purpose Parliament enacted this Act and section was to permit foreign national prisoners and others who had served half the requisite custodial period of any sentence to be removed from this jurisdiction provided that those could satisfy the Secretary of State for Justice that they had “settled intentions” of not returning by residing in the country to which they are removed. Section 259A of the Criminal Justice Act 2003 would come into force on such a day as the Secretary of State may by Order appoint. It is now 11 years since the Criminal Justice and Immigration Act 2008 has been enacted. The Secretary of State for Justice has yet to commence this section of sovereign statute that Parliament enacted.

The petitioner thus humbly requests that the House of Commons does press the Secretary of State for Justice to forthwith commence this section which would immediately ease the burden on a much overcrowded prison estate allowing the Home Office to remove all those immediately who gave their settled intention to reside outside this jurisdiction and those who could satisfy the Statute. There is no valid reason why after 11 years the Secretary of State has not commenced this section.

And the petitioner remains, etc.—[Presented by Sir Roger Gale.]

Zebra Crossing on the Green, Writtle

The Petition of Ms Clare Biggs

Declare that a zebra crossing should be installed on The Green, Writtle; further that increased traffic using The Green and the speed at which some of it is travelling means that it is increasingly difficult for villagers to cross the road safely, particularly the most vulnerable: young children, the elderly and disabled; further that the current traffic islands are too slim to accommodate pushchairs, wheelchairs and bicycles and do not provide a safe crossing point; and further notes a petition on this same subject has received over 800 signatures.

The petitioner therefore requests the House of Commons to urge the Government to install a zebra crossing on The Green, Writtle.

And the petitioner remains, etc.—[Presented by Mrs Kemi Badenoch.]

Byfleet and West Byfleet's remaining Green Belt

The petition of residents of Woking

Declares that no land should be removed from the Green Belt for development unless there are very special circumstances and all other options including brownfield sites have been exhausted; further that it is also imperative that no major developments are approved in Byfleet until the proposed Flood Alleviation Plan is implemented; further that the Office for National Statistics has recently revised its household projection to show that less new housing is needed than previously thought; and further that this petition refers to the Site Allocations Development Plan document, approved by Woking Borough Council on 18 October 2018, which has questionable long-term forecasts and does not include recent developments.

The petitioners therefore request that the House of Commons urges the Government not to remove any land from the Green Belt for development unless there are very special circumstances and all other options including brownfield sites have been exhausted.

And the petitioners remain, etc.—[Presented by Mr Jonathan Lord.]

[Presented by Sir Roger Gale.]

[Presented by Mrs Kemi Badenoch.]

[Presented by Mr Jonathan Lord.]
The petition of residents of the United Kingdom,

Declares that the current business rates system is out-of-date, unfair and is undermining the viability of our high streets, our hospitality industry and many small businesses across the UK.

The petitioners therefore request that the House of Commons urges the Government to carry out an urgent review and reform of the Business Rates system to help protect the future of the UK High Street and create a level playing field for all businesses.

And the petitioners remain, etc. — [Presented by Rachael Maskell, Official Report, 30 October 2018; Vol. 648, c. 883.]

Observations from the Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak):

The Government are committed to promoting vibrant and sustainable high streets and town centres to enable them to grow and create jobs. At the 2018 Budget, the Chancellor announced Our Plan for the High Street, a long-term plan to help our high streets and town centres evolve as consumer habits change. This delivers long-term support including a £675 million Future High Streets Fund to make high streets and town centres fit for the future; planning reforms to create more homes, jobs and choice in town centres; and a High Streets Task Force to support local leadership.

As part of this plan, the Chancellor also announced one third off the business rates bills of small retailers, including shops, restaurants, cafes and pubs. This discount will be available for two years from April 2019 to retail property with a rateable value below £51,000, subject to State aid, which is worth an estimated £1 billion.

This is in addition to recent wide-ranging business rates reforms benefiting all ratepayers. In total, since Budget 2016 the Government have announced a range of reforms and measures worth over £13 billion in England over the next five years, including switching from RPI to CPI indexation, raising the threshold of the standard multiplier, and making Small Business Rate Relief more generous so that 655,000 of the smallest businesses now pay no rates at all.

The Government undertook a fundamental review of business rates in 2016, including seeking views on alternatives to a property based business tax. The majority of respondents were in favour of retaining a property based tax. There was no consensus on an alternative tax base, and even those respondents who put forward alternatives were clear these were not without issues.

Separately at Budget 2018 the Government announced a Digital Services Tax (DST). This is to address the concern that current international corporate tax rules do not reflect how social media platforms, search engines and online marketplaces derive value from user participation. This is a targeted and proportionate interim measure, pending global reform. The DST is due to raise approximately £1.5 billion over four years for the public finances, helping to ensure digital platform businesses make a fair contribution to the public finances.

The Government keep all taxes, including business rates, under review.
Petitions

Monday 18 March 2019

OBSERVATIONS

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Green Deal Scheme

The petition of residents of Glasgow North,

Declares that the Government-backed Green Deal Scheme has adversely affected residents of Glasgow North both financially and psychologically; further that many residents have, in good faith, invested their life saving or accrued several thousands of pounds of debt to pay for work that was carried out by companies approved by the Green Deal Scheme; further that in some cases the work including the installation of insulation and of solar panels, was incomplete; further that some were sub-standard and in many cases residents were given incorrect information which led them to believe that they would save or make money when in fact they have simply lost money; and further that in other cases the installer did not apply for building warrants and as a result they are unable to sell their properties, or have the peace of mind that their homes are safe to live in, or that the insurance policies residents continue to pay are valid without a building warrant.

The petitions therefore request that the House of Commons urges the Government to compensate financially and protect people who have found themselves suffering in this way after signing up to this Government-backed scheme using Government-approved installers.

And the petitions remain, etc.—[Presented by Patrick Grady, Official Report, 14 January 2019; Vol. 652, c. 981.] [P002303]

A petition in the same terms was presented by the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) [P002301].

Observations from the Minister for Energy and Clean Growth (Claire Perry):

The Department recognises the distress that these issues have caused, and it is right they be resolved as quickly as possible. To that end, the following process is in place.

Consumers can obtain appropriate redress where they have suffered detriment under the Green Deal. A process for handling complaints was established under the Green Deal Framework (Disclosure, Acknowledgment, Redress etc.) Regulations 2012. The consumer makes a complaint to their Green Deal Provider, the company responsible for the work undertaken. Where this is not resolved satisfactorily, the consumer may approach the Green Deal Ombudsman or the Financial Ombudsman Service, depending on the nature of the complaint. Their decision is binding on the Green Deal Provider.

Where the consumer remains unsatisfied with the redress offered through those channels, they may refer their complaint to the Secretary of State for Business, Energy and Industrial Strategy for consideration. Where the Secretary of State is satisfied there has been a breach of the regulations, he may impose the sanction of reduction or cancellation of the Green Deal loan. This is the full extent of the Secretary of State’s powers to provide redress to consumers in relation to the Green Deal.

The Department has secured additional expert support from the Green Deal Ombudsman Investigation Service and Financial Ombudsman Service to assist in the review of cases. It is the Department’s intention to address the outstanding complaints within the next few months.

For one particular Green Deal Provider, that has dissolved, additional arrangements have been made whereby complainants can approach the Green Deal Finance Company who are able to make offers of loan cancellation or reduction where the evidence supports this.

The Government are undertaking a fundamental review of the Green Deal. We published a Call for Evidence in October 2017 and a summary of responses last summer. We are now considering the next steps to develop policy proposals and will continue considering what changes could be made to the Framework.
HEALTH AND SOCIAL CARE

A national carers strategy for unpaid carers

The petition of residents of the United Kingdom,

Declares that unpaid carers require a National Carers Strategy; further that the Department of Health and Social Care asked unpaid carers for evidence for a Carers Strategy in 2016 and have failed to produce that Carers Strategy; and further notes an online petition (209717) on this subject has received 2,124 signatures.

The petitioners therefore request that the House of Commons urges the Government to produce National Carers Strategy to support unpaid carers with wider changes to benefits, employment and health and care systems that unpaid carers need, resulting in recognition and valuing of unpaid carers contributions to society.

And the petitioners remain, etc.—[Presented by Barbara Keeley, Official Report, 27 November 2018; Vol. 650, c. 210.]

Observations from the Minister for Care (Caroline Dinenage):

On 5 June 2018 a written ministerial statement: https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Lords/2018-06-05/HLWS712, was issued in the House to inform all parliamentarians about the publication of the Carers Action Plan.

Towards the end of 2017 Ministers took the decision not to go forward with publishing a National Carers Strategy so that carers could be considered as part of the forthcoming Green Paper on care and support. The Green Paper will be published at the earliest opportunity and will include a focus on how we support carers as part of a sustainable health and care system. In the meantime, in order to demonstrate how the Government was continuing to support informal (unpaid) carers, we published a Carers Action Plan on 5 June 2018. The Carers Action Plan sets out a cross-Government programme of targeted work to support carers over the next two years.

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Save Romiley Greenbelt

The petition of residents of the United Kingdom,

Declares that the revised Greater Manchester Spatial Framework should avoid the residential development of 250 units on the greenbelt at the site of Hyde Bank Meadows in Romiley; notes that the proposed site contains well—used community facilities of Tangshutt fields including, playing fields, three football pitches, a children’s play area, and outdoor gym; further notes the proposed site is adjacent to Tangshutt Meadow, popular green space, a nature reserve, community orchards and allotments, which are all hugely valued by local people; further declares concern about insufficient road access and increasing traffic levels, endangering child safety by blocking a section the ‘Safe Route School’, loss of sports and exercise facilities for both individuals and teams, and loss of community event space which unites two areas of existing housing; further declares such a loss of this green space would be damaging to the local environment, the community, and the health and wellbeing of local people; and further notes the petitioners oppose plans for a new residential development on Hyde Park Meadows as set out in the Greater Manchester Spatial Framework—Revised Draft (2019).

And the petitioners therefore request that the House of Commons that the House of Commons urges the Greater Manchester Combined Authority, the Stockport Metropolitan Borough Council, and the Ministry of Housing, Communities and Local Government not to support plans of this development.

And the petitioners remain, etc.—[Presented by Mr William Wragg, Official Report, 12 March 2019; Vol. 656, c. 313.]

Observations from the Minister for Housing (Kit Malthouse):

The Government are aware that the planning authorities of Greater Manchester are preparing the Greater Manchester Spatial Framework and have recently consulted on a draft Framework.

The Government are clear that Green Belt land is highly valued and in 2018 published the revised National Planning Policy Framework which continues and increases the very high level of protection that Green Belt land has against inappropriate development.

The Government are also clear that the country has a housing crisis and that as a country we need to provide the housing that is needed. To assist with this the Government have set out a national method for determining the level of housing need for each local area and we have set a target of delivering 300,000 homes a year from the mid-2020s.

Local Plans are an essential planning tool to determine how and where development and infrastructure needs should be planned for and delivered. As the name suggests, these are local tools which local planning authorities prepare, with the appropriate engagement of their local communities. Furthermore, whatever proposals local planning authorities make in their local plans, these will be tested, following consultation, by an independent Planning Inspector (or panel of inspectors) at a public examination of the local plan.

The Secretary of State for Housing, Communities and Local Government has a quasi-judicial role in the planning process. Therefore, while recognising that local people will have strong views on these matters, the Government do not make any specific comment on the proposals contained within the draft Greater Manchester Spatial Framework, but would urge people to participate in the consultation and engagement activities that are either underway or will be established for any future consultations.
Ministerial Corrections

Tuesday 12 March 2019

JUSTICE

Joint HMI Prison and Probation Report

The following is an extract from a statement to the House on 24 January 2019.

Rory Stewart: As right hon. and hon. Members will have seen in the media, the inspectors highlighted cases in which sex offenders were placed in hotel accommodation. The first thing I want to say is that this is something we will work very hard to avoid in future, and I will explain how we will do that shortly. This is a very small number of cases. Every year, over 10,000 people are released from prison under that form of supervision, and of those only 54—sometimes it is 55 or 56—will end up in some type of emergency accommodation. Of those individuals, only a very few—perhaps half a dozen—will end up in hotel accommodation.


Letter of correction from the Minister of State, Ministry of Justice:

Errors have been identified in the statement I made to the House.

The correct wording should have been:

Rory Stewart: As right hon. and hon. Members will have seen in the media, the inspectors highlighted cases in which sex offenders were placed in hotel accommodation. The first thing I want to say is that this is something we will work very hard to avoid in future, and I will explain how we will do that shortly. This is a very small number of cases. So far in 2018-19, over 10,000 people have been released from prison under that form of supervision and 49 offenders have been placed temporarily in some type of emergency hotel or B&B accommodation. Of those individuals, around half were sex offenders.

FOREIGN AND COMMONWEALTH OFFICE

Kurdistan Region in Iraq

The following is an extract from a debate in Westminster Hall on the Kurdistan Region in Iraq on 6 March 2019.

Harriett Baldwin: As colleagues have noted, since 2014 the UK Government have committed over a quarter of a billion pounds-worth of humanitarian support to Iraq, including to the Kurdistan region. That money has provided vital food, shelter, medicines and clean water to millions of people. In addition, we have committed over £110 million to Iraq since 2015 to help to stabilise the liberated areas and to enable internally displaced persons to return to repaired homes, with rebuilt water supplies and restored electricity networks.


Letter of correction from the Minister for Africa.

An error has been identified in my response to the debate.

The correct response should have been:

Harriett Baldwin: As colleagues have noted, since 2014 the UK Government have committed over a quarter of a billion pounds-worth of humanitarian support to Iraq, including to the Kurdistan region. That money has provided vital food, shelter, medicines and clean water to millions of people. In addition, we have committed over £103 million to Iraq since 2015 to help to stabilise the liberated areas and to enable internally displaced persons to return to repaired homes, with rebuilt water supplies and restored electricity networks.
Ministerial Correction

Monday 18 March 2019

TREASURY

Packaged Retail and Insurance-based Investment Products

The following is an extract from the First Delegated Legislation Committee on the draft Packaged Retail and Insurance-based Investment Products (Amendment) (EU Exit) Regulations 2019.

The Economic Secretary to the Treasury (John Glen):
Any amendments to fix the exit deficiencies would have to be made known to the Treasury, and any new binding technical standards derived from this ongoing review will also have to come from the Treasury and will have to be laid under the affirmative procedure.

[Official Report, First Delegated Legislation Committee, 20 February 2019, c. 9.]

Letter of correction from the Economic Secretary to the Treasury.

An error has been identified in my response to the hon. Members for Glasgow Central (Alison Thewliss) and for Stalybridge and Hyde (Jonathan Reynolds).

The correct statement should have been:

The Economic Secretary to the Treasury (John Glen): Any amendments to fix the exit deficiencies would have to be made known to the Treasury, and any changes to binding technical standards derived from this ongoing review will also have to be made known to the Treasury.
Ministerial Corrections

Tuesday 19 March 2019

EDUCATION

Sixth Form Curriculum

The following is an extract from Education questions on 11 March 2019.

Vicky Ford: Given that the UK has one of the lowest levels of women engineers anywhere in Europe, what steps are being taken to encourage girls to study physics as well as maths at A-level?

Anne Milton: It is extremely important that girls and women have exactly the same opportunities and are represented at all levels, not only in engineering. We know that 44% of our STEM ambassadors are female, and we are investing in programmes such as the advanced maths support programme and the stimulating physics network, both of which help to increase participation, particularly among girls. I have seen lots of apprentices over the past week, and interestingly, more than a quarter of the apprentices in STEM subjects are women.


Letter of correction from the Minister for Apprenticeships and Skills:

An error has been identified in the response I gave to my hon. Friend the Member for Chelmsford (Vicky Ford).

The correct response should have been:

Anne Milton: It is extremely important that girls and women have exactly the same opportunities and are represented at all levels, not only in engineering. We know that 44% of our STEM ambassadors are female, and we are investing in programmes such as the advanced maths support programme and the stimulating physics network, both of which help to increase participation, particularly among girls. I have seen lots of apprentices over the past week, and interestingly, 8.9% of apprentices in STEM subjects are women.


HEALTH AND SOCIAL CARE

Integrated Care Regulations

The following is an extract from the debate on the Amendments Relating to the Provision of Integrated Care Regulations 2019 on 18 March 2019.

Stephen Hammond: It is important to recognise that NHS England has taken measures to build a clearer narrative around integrated care. The long-term plan, which will be backed by £20.5 billion extra by 2023-24, will introduce integrated care for patients in England over the next decade.


Letter of correction from the Minister for Health:

An error has been identified in my contribution to the debate.

The correct information should have been:

Stephen Hammond: It is important to recognise that NHS England has taken measures to build a clearer narrative around integrated care. The long-term plan, which will be backed by an extra £33.9 billion in cash terms by 2023-24, will introduce integrated care for patients in England over the next decade.

School Funding: Distribution

The following is an extract from Education Questions on 11 March 2019.

Dr Allin-Khan: I am here on behalf of Balham Nursery School and Children’s Centre in my constituency, which knows that it has guaranteed funding until 2020, but is deeply concerned about what will happen going forward. The people there do an incredible job bridging the attainment gap between disadvantaged children and their peers, so what assurances can the Minister provide them with today?

Nick Gibb: Everything about this Government is about closing that attainment gap, and we have closed the attainment gap between children from disadvantaged backgrounds and their more affluent peers by 13.5% in the primary sector—in early years and primary schools. The hon. Lady will know that we have awarded an extra £60 million funding to recognise the higher costs of maintained nursery schools. We are working with the sector as we prepare for the spending review.


Letter of correction from the Minister for School Standards:

An error has been identified in the response I gave to the hon. Member for Tooting (Dr Allin-Khan).

The correct response should have been:

Nick Gibb: Everything about this Government is about closing that attainment gap, and we have closed the attainment gap between children from disadvantaged backgrounds and their more affluent peers by 13.5% in primary schools. The hon. Lady will know that we have awarded an extra £60 million funding to recognise the higher costs of maintained nursery schools. We are working with the sector as we prepare for the spending review.
Ministerial Correction

Wednesday 20 March 2019

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Future High Streets Fund

The following is an extract from Housing, Communities and Local Government questions on 4 March 2019:

Jake Berry: The Government have been clear that online taxation in retail needs to be done as part of an international agreement, but we have also been clear that, if we cannot get such an agreement, we will come forward with our own 2% tax on online retail to ensure that we can continue, as we did in the last Budget, to give relief to those retailing on our high streets.

Letter of correction from the Under-Secretary of State for Housing, Communities and Local Government (Jake Berry):

An error has been identified in my response to the hon. Member for Westmorland and Lonsdale (Tim Farron).

The correct information should have been:

Jake Berry: The Government have been clear that online taxation of businesses that derive value from user participation in retail needs to be done as part of an international agreement, but we have also been clear that, if we cannot get such an agreement, we will come forward with our own 2% tax on online retail to ensure that we can continue, as we did in the last Budget, to give relief to those retailing on our high streets.
Ministerial Corrections

Thursday 21 March 2019

EDUCATION

Childcare Settings: Financial Viability

The following is an extract from Questions to the Secretary of State for Education on 4 February 2019.

**Huw Merriman** (Bexhill and Battle) (Con): Two of my childcare providers have closed, citing the requirement to pay business rates as the final nail for them. In Scotland and Wales, private childcare providers are not charged business rates. Will the Minister look to see what can be done, because it surely cannot be right that we tax space which is beautiful for young people to grow and be nurtured in?

**Nadhim Zahawi** (Bexhill and Battle) (Con): To my knowledge, two local authorities have done the same thing in England, and I urge other local authorities to look into what they can do to help childcare providers to cope with business rates.


Letter of correction from the Under-Secretary of State for Education, the hon. Member for Stratford-on-Avon (Nadhim Zahawi):

An error has been identified in the response I gave to my hon. Friend the Member for Bexhill and Battle (Huw Merriman).

The correct response should have been:

**Nadhim Zahawi**: To my knowledge, two local authorities have done the similar things in England, and I urge other local authorities to look into what they can do to help childcare providers to cope with business rates.

School Funding

The following is an extract from the winding-up speech by the Minister for School Standards (Nick Gibb) in the e-petition debate on School Funding:

**Nick Gibb**: In secondary schools, our more rigorous academic curriculum and qualifications support social mobility by giving disadvantaged children the knowledge they need to have the same career and life opportunities as their peers. I thank the 452,000 teachers—10,000 more than in 2010—who have delivered these higher standards in our schools. I also thank the 263,000 teaching assistants, of which there are 49,000 more than in 2011, and the 145,000 support staff, of which there are 14,000 more than in 2011.

To support these improvements, the Government have prioritised school spending while having to take difficult decisions in other areas of public spending. We have been enabled to do that by our balanced approach to the public finances and to our stewardship of the economy, reducing the unsustainable annual deficit of £150 billion, which was 10% of GDP in 2010, but 2% in 2018. The economic stability that that provided has resulted in employment rising to a record 32.6 million and unemployment being at its lowest level since the 1970s, giving young people leaving school more opportunities to have jobs and start their careers.


Letter of correction from the Minister for School Standards:

Errors have been identified in the response I gave to the e-petition debate on School Funding.

The correct statements should have been:

**Nick Gibb**: In secondary schools, our more rigorous academic curriculum and qualifications support social mobility by giving disadvantaged children the knowledge they need to have the same career and life opportunities as their peers. I thank the 452,000 teachers—10,000 more than in 2010—who have delivered these higher standards in our schools. I also thank the 263,000 teaching assistants, of which there are 49,000 more than in 2011, and the 145,000 support staff, of which there are 14,000 more than in 2011.

To support these improvements, the Government have prioritised school spending while having to take difficult decisions in other areas of public spending. We have been enabled to do that by our balanced approach to the public finances and to our stewardship of the economy, reducing the unsustainable annual deficit of £150 billion, which was 10% of GDP in 2010, but 2% in 2018. The economic stability that that provided has resulted in employment rising to a record 32.6 million and unemployment being at its lowest level since the 1970s, giving young people leaving school more opportunities to have jobs and start their careers.

[Official Report, 4 March 2019, Vol. 655, c. 300WH.]

**Nick Gibb**: My hon. Friend the Member for Hazel Grove asked about funding for the increase in the employer contribution to teachers’ pensions. That will rise to 23.6%, so 23.6% of the salary will be paid by the employer into the teacher pension scheme.


Letter of correction from The Minister for School Standards:

Errors have been identified in the responses I gave to the e-petition debate on School Funding.

The correct statements would have been:

**Nick Gibb**: My hon. Friend the Member for Hazel Grove asked about funding for the increase in the employer contribution to teachers’ pensions. That will rise to around 23.6%, so 23.6% of the salary will be paid by the employer into the teacher pension scheme.
Nick Gibb: My hon. Friend the Member for Colchester raised the issue of FE funding. We have protected the base rate of funding for 16 to 19-year-olds until 2020 at £4,000 for 16 to 17-year-olds and we continue to provide extra funding to add to that base rate; an example is the £500 million of funding for T-levels.

Edward Argar: I pay tribute to Fern Champion, who has been incredibly courageous in speaking out recently about this hugely important issue. We provide funding for 89 rape support centres. From April, we will increase funding by 10% for them all, with a 30% increase in London, and move to a three-year funding settlement. [Official Report, 12 March 2019, Vol. 656, c. 183.]

Letter of correction from the Under-Secretary of State for Justice (Edward Argar):

An error has been identified in the response I gave to my hon. Friend the Member for South Suffolk (James Cartlidge).

The correct response should have been:

Edward Argar: I pay tribute to Fern Champion, who has been incredibly courageous in speaking out recently about this hugely important issue. We provide funding for 89 rape support centres. From April, we will increase funding by 10% for these services, with a 30% increase in London, and move to a three-year funding settlement.